

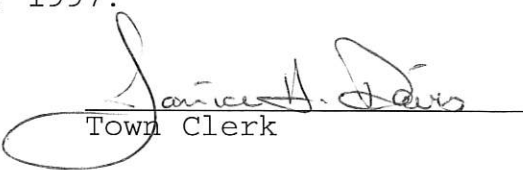
AMENDED NOTICE & AGENDA

Notice is hereby given that the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, January 14, 1997, 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:
Dave Hansen-Film on Fire Training
Fire Dept. Grant-Discussion
Discussion-Sewer Impact Fee Study
Budget Amendment Review
- 8:00 P.M. - REGULAR COUNCIL MEETING AGENDA ITEMS:
8:00 Invocation and Pledge of Allegiance
8:05 Approval of Agenda Time Frame
8:10 Re-Appointment of Town Officers
8:15 Town Meeting Schedule/1997
8:20 Ordinance/Discussion & Approval
Employee Termination Policy
8:45 Fire Dept. Grant Approval of Funds
(50/50 Match)
8:55 Expenditures:
General:
Air Pack Repair
List of Expenditures-Dec., 1996
ADD: 9:00 Laidlaw Waste System/Agreement Approval
9:15 Approval of Minutes of Previous Meeting
9:20 Set Public Hearing/1996-1997 Budget Amendment
9:25 Other Business
Reprint/Development & Subdivision Code
Reprint (proposed) of Standard Specs
ADD: Road Dept./Chip & Seal
Director of Emergency Services
Release Pat Jacobson
Appoint New Director
Resolution/Garbage Collection Fees
10:00 Adjournment
- 10:00 P.M. COUNCIL CLOSED SESSION
Discussion of Personnel

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 10th day of January, 1997.


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 of the cancellation of the Agenda was faxed to the Payson Chronicle, 12 S. Main, Payson, Utah and mailed to each member of the governing body on January 10, 1997.


Town Clerk

ELK RIDGE
TOWN COUNCIL WORK SESSION

JANUARY 14, 1997

TIME & PLACE OF MEETING The regular meeting of the Elk Ridge Town Council was held on Tuesday, January 14, 1997, with the Council Work Session at 7:00 P.M. followed by 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 Jan 10, 1997.

ROLL CALL Mayor Jacobson, Councilmembers: Jim Nicolet, Scot Sessions, Vernon Fritz, Brent Bluth; Dave Hansen, Terry Spoor, Janice H. Davis, Town Clerk

DAVE HANSEN FILM ON FIRE TRAINING Dave Hansen (Asst Fire Chief For Elk Ridge)- was present to show the Council a video of the news coverage of the recent special training experienced by the Elk Ridge Fire Dept. The Utah Fire & Rescue Academy (Through UVSC) sponsored this training opportunity. There were actual fires set in homes to be torn down for new construction. This was a great opportunity and the Council congratulated those firefighters involved for a job well done.

FIRE DEPT. GRANT DISCUSSION It has been proposed that six (6) trained Elk Ridge EMT's join the Payson Ambulance Association as "Associate Members". They would not operate in Payson, nor answer Payson ambulance calls. They would only respond to calls in Elk Ridge...Payson ambulance would then respond.

Mayor Jacobson and Mayor Hillman (Payson) have discussed this several times:

1. Payson has agreed to this arrangement
 - A. Elk Ridge EMT's would be required to attend the monthly Association training meetings held in Payson, as well as monthly Fire Dept. Meetings in Elk Ridge.
 - B. They will be members of Elk Ridge Fire Dept.; but, First Responders as EMT's.
2. Utah County First Responder application must be filled out and turned in to the Utah EMS Committee
 - A. Mayor Hillman supplied Mayor Jacobson with 2 copies of the application
 - B. Terry Spoor and Dave Hansen are to work with Scott Spencer (Payson) in filling out the applications
 1. The applications were turned over to Mr. Spoor and Mr. Hansen.

3. Insurance coverage is a concern (Currently being researched)
 - A. EMT's covered as Firefighters (not EMT's)
 - B. Will they be covered under Payson's insurance? (Waiting for response from Payson)

STATE GRANT

Funds are available in the form of a grant from Utah State. It is on a 50/50 "matching funds" basis. The grant money and matched funds from the Town would be used to outfit the EMT's with the necessary equipment. A cost Estimate was submitted by Terry Spoor to the Council, for approval. The Town's portion would be an estimated \$6,600. (Estimate only covers equipment, not operating expenses such as expendable supplies and insurance coverage). The \$6,600 is available through "Prior Year Fund Balance" and will be included in the Amended Budget for fiscal year 1996/97. Should the Town receive the grant money; it would not be until 1997/98 fiscal year. The EMS Grant Program is through the Utah Bureau of Emergency Medical Services.

It was felt by the Councilmembers that the need for an Elk Ridge Emergency Medical First Responder Service was clearly established.

Goals:

1. Enhance the chances of survival in the event of a life threatening medical emergency
2. Reduce the risk of additional injury or complication of illness as the result of medical emergencies
3. Provide the best possible coordination and utilization of emergency response resources.

Benefits:

- Elk Ridge
1. Providing the life saving advantages of closer/quicker emergency medical service
 2. Providing the availability of emergency medical services within the community

- Payson
1. Providing the ability to reduce response time to medical emergencies in the Elk Ridge service area
 2. Providing additional trained personnel to assist the ambulance crew with medical emergencies in the Elk Ridge service area
 3. Providing the opportunity to demonstrate a commitment to providing quality emergency medical service to the people within the Elk Ridge service area.

It was an excellent, well organized presentation to the Council. (Grant application must be submitted by 1-17-97) Councilmember Sessions commented that this is a good beginning as a First Phase. An overall plan with future cost estimates should be submitted for future year budgets (for example, a EMS emergency vehicle). How will this be coordinated with the Fire Dept? This must be under the direction of the Fire Dept.

SEWER IMPACT
FEE
DISCUSSION

The actual Sewer Impact Fee Study was already discussed, in detail, with the council by Sunrise Engineering, in a prior Council Meeting
Cost - \$5,000 (approved previously)

BUDGET
AMENDMENT

Discussion:

1. 1500 - County Grant/Parks (Revenue)
2000 has been approved (additional \$500 available after completion of project, which is a tennis court for the Town). Town funds in Capital Projects are available for this project.
2. "Unreserved Fund Balance"
Auditors declared \$80,000 available from Prior Year Fund Balance.
80,000 less 22,300 (pre-budgeted for "Asphalt Repair") = 57,700

It would be unwise to use the entire amount and not take into account unforeseen emergencies.

Increases: (Major)

Asphalt Repair...23,000

Capital Projects - Town Hall/Fire Station...22,500

To provide for further expansion of the Town Hall/Fire Station, to accommodate additional storage space (records) and parking capacity.

EMS Equipment -6,600

Most amended figures are adjustments to match "Actual Figures."

Additional money may be available at the end of the fiscal year to increase "Asphalt Repair" as much as possible

Major Road Repair Concerns:

North Clark Lane

Alpine Drive

Maple Lane

ELK RIDGE TOWN COUNCIL MEETING

JANUARY 14, 19967

TIME & PLACE OF MEETING The regular meeting of the Elk Ridge Town Council was held on Tuesday, January 14, 1997, with the Council Work Session at 7:00 P.M. followed by 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 Jan 10, 1997.

ROLL CALL Mayor Jacobson, Councilmembers: Jim Nicolet, Scot Sessions, Vernon Fritz, (Absent-Brent Bluth); Randy Wilkenson, Glen Gardnor (Laidlaw Waste Systems), 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 MAYOR JACOBSON SECONDED BY VERNON FRITZ, TO APPROVE THE AGENDA TIME FRAME WITH ADDITIONS:
9:00 LAIDLAW WASTE SYSTEMS CONTRACT
OTHER BUSINESS: SET PUBLIC HEARING - SEWER IMPACT FEE STUDY
EXPENDITURES/GENERAL: APPROVAL OF COST OF SEWER IMPACT FEE STUDY
VOTE: YES-(4), NO-NONE(0), ABSENT(1)-BRENT BLUTH.

RE-APPOINTMENT OF TOWN OFFICERS MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY SCOT SESSIONS, TO RE-APPOINT:
JANICE H. DAVIS - TOWN CLERK
ANNEBEL MEREDITH - DEPUTY TOWN CLERK
LINDA M. COOPER - TREASURER
JANIS MCGILL - FINANCIAL CLERK (ASSISTANT TREASURER)
VOTE: YES-(4), NO-NONE(0), ABSENT(1)-BRENT BLUTH

TOWN MEETING SCHEDULE MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY SCOT SESSIONS, TO APPROVE THE 2ND AND 4TH TUESDAYS OF EACH MONTH FOR TOWN COUNCIL MEETINGS, WITH THE FOLLOWING DATES IN 1997:
JANUARY 14,20 JULY 8,22
FEBRUARY 11,25 AUGUST 12,26
MARCH 11,25 SEPTEMBER 9,23
APRIL 8,22 OCTOBER 14,28
MAY 13,27 NOVEMBER 11,25
JUNE 10,24 DECEMBER 9
VOTE: YES-(4), NO-NONE(0), ABSENT(1)-BRENT BLUTH

ELK RIDGE TOWN COUNCIL MEETING - 1-14-97 - Cont.

MOTION WAS MADE BY JIM NICOLET SECONDED BY VERNON FRITZ, TO APPROVE THE 4TH THURSDAY OF EACH MONTH FOR PLANNING COMMISSION MEETINGS, WITH THE FOLLOWING DATES: JANUARY 23; FEBRUARY 27; MARCH 27; APRIL 24; MAY 22; JUNE 26; JULY 31; AUGUST 28; SEPTEMBER 25; OCTOBER 23; NOVEMBER-DATE TO BE ANNOUNCED; DECEMBER-NO MEETING. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-BRENT BLUTH.

EMPLOYEE
TERMINATION
POLICY/
ORDINANCE

Proposed amendment to Ordinance 94-3-22-2, related to Elk Ridge Town Personnel Policy. The "Termination Policy" was not addressed in the prior ordinance. Denton Hatch met with the attorney from Utah Local Governments Trust to review the termination policy for ULGT. Mr. Hatch feels the Town is in need of this policy and recommend adoption of the proposed ordinance which he drafted and submitted to the Council.

Discussion:

Vernon Fritz 1-B: change "Mayor to "Council" (last sentence) Councilmember Fritz would like more Council involvement in the process.

Scot Sessions 2nd "Whereas": "the Town Council has the responsibility..." (add "the").

Mayor Jacobson mentioned that the officers of the Town are not defined as "Department Heads", the Councilmembers and Mayor are considered the Heads of the various departments.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY VERNON FRITZ, TO APPROVE ORDINANCE #97-1-14-1 WHICH AMENDS ORDINANCE 94-3-22-2, RELATING TO ELK RIDGE TOWN' PERSONNEL POLICIES AND PROCEDURES, ADDING A POLICY ON THE "TERMINATION OF EMPLOYEES". VOTE: POLL: SCOT SESSIONS-AYE, VERON FRITZ-AYE, JIM NICOLET-AYE, MAYOR JACOBSON-AYE, ABSENT(1)-BRENT BLUTH MOTION PASSES 4-0.

FIRE DEPT.
GRANT

1. MOTION WAS MADE BY SCOT SESSIONS SECONDED BY MAYOR JACOBSON, TO ESTABLISH AN EMERGENCY MEDICAL SERVICE IN ELK RIDGE WITH "FIRST RESPONSE" STATUS, WHICH WOULD BE AN AUXILIARY SERVICE TO PAYSON AMBULANCE ASSOCIATION. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-BRENT BLUTH.

2. MOTION WAS MADE BY SCOT SESSIONS SECONDED BY JIM NICOLET, TO UTILIZE \$6,600 FROM THE FUND BALANCE AND INCREASE EXPENDITURES IN THE FIRE DEPARTMENT UNDER A NEW ACCOUNT ENTITLED "EMS EQUIPMENT". VOTE: YES-(4), NO-NONE(0), ABSENT(1)-BRENT BLUTH.

3. MOTION WAS MADE BY SCOT SESSIONS SECONDED BY MAYOR JACOBSON, TO APPROVE THE TOWN'S APPLICATION TO SECURE A GRANT OF "50/50 MATCHED FUNDS: WITH THE STATE OF UTAH AND AUTHORIZE MAYOR JACOBSON TO SIGN THE GRANT REQUEST DOCUMENT. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-BRENT BLUTH.

EXPENDITURES

1. GENERAL:
SEWER IMPACT
FEE

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY VERNON FRITZ, TO APPROVE \$5000 TO SUNRISE ENGINEERING FOR THE SEWER IMPACT FEE STUDY. \$4,500 TO BE PAID NOW, \$500 AFTER THE PUBLIC HEARING AND FINAL APPROVAL. VOTE: POLL: VERNON FRITZ-AYE, JIM NICOLET-AYE, SCOT SESSIONS-AYE, MAYOR JACOBSON-AYE, ABSENT(1)-BRENT BLUTH. MOTION PASSES 4-0.

2. AIR PACK
REPAIR

One of the Town's 5 air packs is in need of repair (general overhaul)

MOTION WAS MADE BY SCOT SESSIONS SECONDED BY MAYOR JACOBSON, TO APPROVE \$400 TO REPAIR ONE OF THE AIR PACKS AND TO PRE-APPROVE THE PURCHASE OF A 6TH AIR PACK FOR THE FIRE DEPARTMENT. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-BRENT BLUTH.

3. LIST OF
EXPENDITURES
DEC., 1996

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY SCOT SESSIONS, TO APPROVE THE LIST OF EXPENDITURES FOR DEC., 1996. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-BRENT BLUTH.

LAIDLAW WASTE
SYSTEMS/
AGREEMENT
APPROVAL

Representatives from Laidlaw Waste Systems (Garbage Collection service), Glen Gardnor, and Randy Wilkenson were present to discuss the proposed renewal of the Agreement between the Town and Laidlaw for garbage collection.

Mayor Jacobson thanked Laidlaw for the good service which has been provided to the Town of Elk Ridge over the years. Mr. Gardnor returned the compliment by commenting that it has been a good association.

Review of Agreement

1. Pg. 2, change in #10: the word "petition" to "notify". This section states that Laidlaw may notify the Town of any rate adjustment on the basis of unusual changes such as dump fees, relocation of disposal areas, that may affect costs. These fees are not under Laidlaw's control and are "pass through" fees.
2. The new collection rate to be paid to Laidlaw will be 7.67 (includes service and 1 container), extra containers are still at a cost of 1.25/can.

3. Laidlaw is not classified as a "hazardous waste" carrier. Residents should be notified to contact Springville City for information on their facility to dump hazardous waste.
4. Recycling (not addressed in the Agreement): Laidlaw does have recycling programs. Misconception - that recycling reduces waste bill, it actually increased it...there is extra cost for the service and an additional route. In the State of Utah, there is not a profitable recycling program being run. Councilmember Fritz pointed out a problem which exists with the lids to the containers blowing open or opening when the can is tipped over, and the trash is scattered. Does Laidlaw have any type of locking devise planned? (Yes, but, not in production at this time.) There was not objection to a type of velcro device being placed on the can lid, as long as it would come apart to allow the trash to be dumped into the truck.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY VERNON FRITZ, TO APPROVE THE NEW AGREEMENT BETWEEN THE TOWN OF ELK RIDGE AND LAIDLAW WASTE SYSTEMS. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-BRENT BLUTH.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY JIM NICOLET, TO APPROVE RESOLUTION #97-1-14-1R, SETTING FORTH THE AMOUNT OF FEES AND CHARGES TO BE ASSESSED FOR GARBAGE COLLECTION SERVICES PROVIDED BY THE TOWN OF ELK RIDGE. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-BRENT BLUTH.

APPROVAL OF
MINUTES OF
12-10-96

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY JIM NICOLET, TO APPROVE THE MINUTES OF THE PREVIOUS MEETING HELD ON 12-10-96, AS PRESENTLY CONSTITUTED. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-BRENT BLUTH.

BUDGET
AMENDMENT/
SET PUBLIC
HEARINGS

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY SCOT SESSIONS, TO SET THE PUBLIC HEARING TO AMEND THE 1996/1997 FISCAL YEAR BUDGET FOR JANUARY 28, 1997, AT 7:00 P.M. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-BRENT BLUTH

OTHER BUSINESS

1. The Development/Subdivision Code is being updated and reprinted
2. The Standard Specifications are also being updated and reprinted. (Both are to be reviewed and combined into a document available to developers.)

3. Road Dept/Chip and Seal
Councilmember Fritz recommends not joining with other cities which are grouping together to do chip and seal on the roads. They would require the use of one employee and one truck for 6 weeks/year. This would not be beneficial to the Town for the small amount of chip and seal which could be done on the Town's roads. Councilmember Fritz is to meet with Ron Knight (Valley Asphalt) to discuss Elk Ridge roads and recommend repairs.
4. Director of Emergency Service
Pat Jacobson, due to health problems, has requested being replaced as Director. Joan Durfy has agreed to fill the position (she is trained in emergency procedures.)

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY SCOT SESSIONS, TO RELEASE PAT JACOBSON AND APPOINT JOAN DURFY AS DIRECTOR OF EMERGENCY SERVICES. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-BRENT BLUTH.

5. Sewer Impact Fee Study/Set Public Hearing

MOTION WAS MADE BY MAYOR JACOBSON SECOND BY SCOT SESSIONS, TO SET THE PUBLIC HEARING FEES ON 2-25-97 AT 7:20 P.M. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-BRENT BLUTH.

CLOSED SESSION MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY JIM NICOLET, TO ADJOURN FROM THE REGULAR TOWN COUNCIL MEETING TO THE CLOSED SESSIONS. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-BRENT BLUTH.

DISCUSSION OF
PERSONNEL

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY JIM NICOLET, TO ADJOURN THE CLOSED SESSIONS. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-BRENT BLUTH.


Town Clerk

NOTICE & AGENDA

Notice is hereby given that on Tuesday, January 28, 1997, at 7:00 PM, the Town Council of Elk Ridge will hold a Public Hearing for the purpose of hearing public comment on A RESOLUTION AMENDING RESOLUTION NO. 96-6-11-10R, ENTITLED THE 1996/1997 BUDGET FOR THE TOWN OF ELK RIDGE, UTAH.

This will be held in conjunction with the regular Town Council Meeting on Tuesday, January 28, 1997. The Council Meeting will begin at 8:00 P.M., with a CLOSED SESSION beginning at 7:15 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

PUBLIC HEARING

7:00 P.M. - Public Hearing to adopt A RESOLUTION AMENDING RESOLUTION NO. 96-6-11-10R THE 1996/1997 BUDGET FOR THE TOWN OF ELK RIDGE, UTAH.

COUNCIL CLOSED SESSION

7:15 P.M. - Discussion of Personnel

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

8:00 Invocation & Pledge of Allegiance

8:05 Approval of Agenda Time Frame (See "Other Bus.")

8:10 Adoption of Budget Amendments to 1996/97 Budget

8:15 Hillside Estates Subdivision

Accept Improvements as Complete

Approval of Beginning of Durability Retainage

8:20 Other Business

Add: 97/98 Dispatch Fees

Records Management Grant

Set Public Hearing/Dev. Code Revisions

County Ordinance/Subdivisions

8:40 Approval of Minutes of Previous Meeting

8:45 Expenditures

General

Replace "Cutter Blades"/Snowplows

8:50 Adjournment

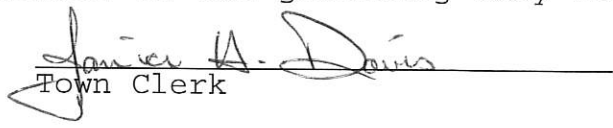
The times listed for each item which appears on the agenda may be accelerated if time permits. All interested persons are invited to attend.

Dated this 23rd day of January, 1997.


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 faxed to the Payson Chronicle, Payson, Utah and mailed to each member of the governing body on January 23, 1997.


Town Clerk

ELK RIDGE
TOWN COUNCIL WORK SESSION

JANUARY 28, 1997

TIME & PLACE OF MEETING The regular meeting of the Elk Ridge Town Council was held on Tuesday, January 28, 1997, with a Public Hearing for the purpose of hearing public comment on A RESOLUTION AMENDING RESOLUTION NO. 96-6-11-10R, ENTITLED THE 1996/1997 BUDGET FOR THE TOWN OF ELK RIDGE, UTAH in conjunction with the regular Council Meeting at 8:00 P.M, with a Closed Session beginning at 7:15 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 Jan 24, 1997.

ROLL CALL Mayor Jacobson, Councilmembers: Jim Nicolet, Scot Sessions, Vernon Fritz, Brent Bluth; Bill Pierce, Janice H. Davis, Town Clerk.

PUBLIC HEARING At 7:00 P.M., Mayor Jacobson opened the Public Hearing on the issue of amending Resolution #96-6-11-10R entitled the 1996 Budget for the Town of Elk Ridge.

The budget amendments were reviewed in detail in the previous Town Council Meeting. Councilmember Bluth was absent at that meeting and had some questions...those issues were clarified.

Councilmember Bluth expressed his feelings that more money should be put into roads repair and maintenance at this time and perhaps postpone the new addition to the Town Hall Bay Area and Storage area until a future year. The Mayor advised that the addition is necessary and we have available workers from the County Jail to do supervised, volunteer construction work and the costs are going to only increase over time. He feels the time is now to provide storage for Town records and a future EMT vehicle.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY BRENT BLUTH, TO CLOSE THE PUBLIC HEARING. VOTE: YES-ALL(5), NO-NONE(0).

7:15 PM COUNCIL CLOSED SESSION

MOTION WAS MADE BY MAYOR JACOBSON TO OPEN THE CLOSED SESSION

ELK RIDGE TOWN COUNCIL MEETING - 1-28-97 - Cont.

ROLL CALL Mayor Jacobson, Councilmembers: Vernon Fritz, Scot Sessions, Brent Bluth, Jim Nicolet; Bill Pierce.

Discussion of Personnel.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY VERNON FRITZ, TO CLOSE THE CLOSED SESSION AND MOVE TO THE REGULAR TOWN COUNCIL MEETING. VOTE: YES-ALL(5), NO-NONE(0).

ELK RIDGE TOWN COUNCIL MEETING

JANUARY 28, 1997

TIME & PLACE OF MEETING The regular meeting of the Elk Ridge Town Council was held on Tuesday, January 28, 1997, with a Public Hearing for the purpose of hearing public comment on A RESOLUTION AMENDING RESOLUTION NO. 96-6-11-10R, ENTITLED THE 1996/1997 BUDGET FOR THE TOWN OF ELK RIDGE, UTAH in conjunction with the regular Council Meeting at 8:00 P.M, with a Closed Session beginning at 7:15 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 Jan 24, 1997.

ROLL CALL Mayor Jacobson, Councilmembers: Jim Nicolet, Scot Sessions, Vernon Fritz, Brent Bluth; Janice H. Davis, Town Clerk.

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 JIM NICOLET, TO APPROVE THE AGENDA TIME FRAME AS CONSTITUTED, WITH THE ADDITIONS:

1. '97/'98 DISPATCH FEES
 2. RECORDS MANAGEMENT GRANT
 3. SET PUBLIC HEARING/DEVELOPMENT CODE REVISIONS
 4. COUNTY ORDINANCE/SUBDIVISIONS-DISCUSSION
 5. PROPOSED BUILDING PERMIT RESOLUTION
- VOTE: YES-ALL(5), NO-NONE(0).

BUDGET AMENDMENTS/ 1996-97 BUDGET MOTION WAS MADE BY JIM NICOLET SECONDED BY SCOT SESSIONS, TO ADOPT THE RESOLUTION AMENDING RESOLUTION #96-6-11-10R ENTITLED THE 1996/97 BUDGET. VOTE: YES-ALL(5), NO-NONE(0).

ELK RIDGE TOWN COUNCIL MEETING - 1-28-97 - Cont.

HILLSIDE
ESTATES
SUBDIVISION
DURABILITY
RETAINAGE

The final approval was held up due to the replacement of an inadequate thrust block.

1. MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY JIM NICOLET, TO ACCEPT THE IMPROVEMENTS ON HILLSIDE ESTATES SUBDIVISION, PLAT A, AS COMPLETE, BASED ON HALL ENGINEERING'S APPROVAL. VOTE: YES-ALL(5), NO-NONE(0).

2. MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY SCOT SESSIONS, TO BEGIN THE DURABILITY RETAINAGE PERIOD FOR HILLSIDE ESTATES, PLAT A, AS OF JANUARY 28, 1997. VOTE: YES-ALL(5), NO-NONE(0).

OTHER BUSINESS

1. 1997/98 DISPATCH FEES

Mayor Jacobson reported on a letter received from the Utah County Commissioners regarding an increase in Dispatch fees, to "upgrade equipment, etc." The increase would take effect after July 1, 1997. All Cities/Towns are being assessed. Utah County sent a draft copy of the proposed resolution. The Mayor was in attendance at the Council of Governments meeting and mentioned that Elk Ridge only sends out a couple of pages per month, why the proposed increase from \$50 to \$500? Council Protest: All larger cities are being assessed about double what they were responsible for in the past. Small Towns (Elk Ridge, Goshen, Genola, North Fork, Woodland Hills) are being assessed 10 times the current rate. The Mayor will protest verbally at the next meeting with the County.

2. RECORDS MANAGEMENT GRANT

(Councilmember Bluth will fill out the Grant application) There is a grant available to assist in various Records Management projects for amounts up to \$2500. The Town would qualify under "Storage Space Expansion" and "Fire proofing storage area".

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY JIM NICOLET, TO APPLY FOR THE RECORDS MANAGEMENT GRANT. VOTE: YES-ALL(5), NO-NONE(0).

3. SET PUBLIC HEARING/DEVELOPMENT CODE REVISIONS

The Elk Ridge Development Code, Subdivision Ordinance and Town Specifications are in the process of corrections and revisions. They are being reviewed by Jim Nicolet, Mayor Jacobson, Matt Dastrup, Ernestine Folks, Rod Despain and Hall Engineering, there will be a meeting on 2-3-97 to go through the documents.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY VERNON FRITZ, TO SET A JOINT PUBLIC HEARING WITH THE PLANNING COMMISSION AND THE TOWN COUNCIL REGARDING DEVELOPMENT CODE REVISIONS, FOR MARCH 11, 1997 AT 7:00 P.M. VOTE: YES-ALL(5), NO-NONE(0).

4. COUNTY ORDINANCE/SUBDIVISIONS

The Mayor reported on an issue before the Utah County Commissioners: Commissioner Grover sent out a letter with a Draft of the proposed ordinance. The proposed ordinance addresses future development in unincorporated areas. It would require a plan for incorporation or annexation for "significant" Subdivision Developments of 30 or more units. The ordinance would also require a "compatibility analysis" and review of a development with respect to the City standards in whose annexation declaration it falls.

This matter will be discussed in Commission Meeting on 2-11-97, and at the next Council of Governments (COG) Meeting.

Concerns:

County requires a minimum of 5 acres, to build on x 30 units = 150 acres. If forced to incorporate, how would they maintain services? If annexed, the City/Town would be required to provide maintenance

5. PROPOSED BUILDING PERMIT RESOLUTION

The Mayor drafted a letter to Denton Hatch with suggested changes in the process required to attain a building permit. Denton Hatch will formulate a resolution from the information. The changes will not amend the "Fencing Ordinance."

APPROVAL OF
MINUTES OF
PREVIOUS
MEETING

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY JIM NICOLET, TO APPROVE THE MINUTES OF 1-4-97 AS CONSTITUTED. VOTE: YES-ALL(5), NO-NONE(0).

EXPENDITURES

General - none.

"Cutter Blades"/Snowplow

The Town snowplow blades are in need of replacement. The blades would be purchased in the current fiscal year.

Estimated Costs:

\$800-850 (Carbide blades for Big Plow)

\$250 - (Steel blades for Yellow Plow)

ELK RIDGE TOWN COUNCIL MEETING - 1-28-97 - Cont.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY SCOT SESSIONS, TO APPROVE THE PURCHASE OF THE CUTTER BLADES FOR THE TOWN SNOWPLOW. (CARBIDE/BIG SNOWPLOW AND STEEL/YELLOW SNOWPLOW. VOTE: YES-ALL(5) , NO-NONE(0) .

ADJOURNMENT

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY BRENT BLUTH 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 regular Town Council Meeting on Tuesday, February 11, 1997, with the Council Work Session at 7:00 P.M., the regular Council Meeting will begin at 8:00 P.M., followed by a Council Closed Session 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:
Emergency Preparedness (CERT)/Joan Durfy
Pot Hole Inspection/Vernon Fritz
Discussion/Subdivision Requirements
Discussion/Shaw Building Permit
- 8:00 P.M. - REGULAR COUNCIL MEETING AGENDA ITEMS:
8:00 Invocation and Pledge of Allegiance
8:05 Approval of Agenda Time Frame
8:10 Subdivision Requirements
8:20 Change Public Hearing/Development Code Changes
(March 11 to March 25, 1997)
8:25 Salt Agreement/Salem City
8:35 Planning Commission/Board of Adjustment
Member Approval
8:40 Expenditures:
General:
List of Expenditures-January, 1997
8:45 Approval of Minutes of Previous Meeting
8:50 Other Business
Beautification Committee Member/Approval
9:00 Adjournment
- 9:00 P.M. COUNCIL CLOSED SESSION
Discussion of Personnel

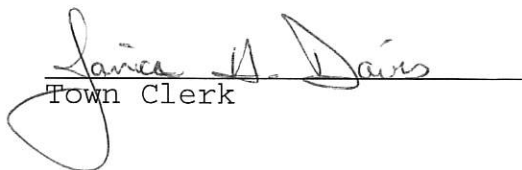
The times listed for each item which appears on the agenda may be accelerated if time permits. All interested persons are invited to attend.

Dated this 10th day of February, 1997.


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 of Agenda was faxed to the Payson Chronicle, Payson, Utah and hand-carried to each member of the governing body on February 10, 1997.


Town Clerk

ELK RIDGE
TOWN COUNCIL WORK SESSION

FEBRUARY 11, 1997

TIME & PLACE OF MEETING The regular meeting of the Elk Ridge Town Council was held on Tuesday, February 11, 1997, with the Council Work Session at 7:00 P.M., followed by 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 Feb. 7, 1997.

ROLL CALL Mayor Jacobson, Councilmembers: Jim Nicolet, Vernon Fritz, Brent Bluth, (Absent-Scot Sessions); Robin Money, Scout Nathan Money, Janice H. Davis, Town Clerk.

EMERGENCY PREPAREDNESS Joan Durfey not present, Agenda item is rescheduled until 2-25-97.

The Mayor, Pat Jacobson and Joan Durfey were at a meeting with the authorities regarding the necessity of preparing for emergencies. Flooding is a potential problem all across Utah County, high potential around Utah Lake. Percentages of snowpack and rainfall is considerably over the normal percentage amounts. The Town needs an action plan for response to an emergency. Currently there is no Emergency frequency available in Utah County to inform residents of pending disaster. Joan Durfey is working on a plan for Elk Ridge.

Loafer Canyon could present a flood problem. In the March County Emergency Services Meeting, the County Attorney will speak to the County representatives about City and Town liability, as far as natural disaster.

POTHOLE INSPECTIONS Councilmember Vernon Fritz commented that potholes in Town are repaired inadequately. Compaction of the road-mix is generally done by the weight of the truck running over it several times. He advised that the Town purchase a mechanical compactor at an estimated cost of \$1800-2000. This would be for either the future year budget, or the current year, if funds are available.

Councilmember Bluth reported on a type of mix used in Vernal to repair potholes which is very durable. Councilmember Bluth is to find out where to purchase the mix and inform Councilmember Fritz, so he can follow up on it.

SUBDIVISION
REQUIREMENTS/
LOT SPLITS

There are lots in Town which are included within some of the original Subdivision Plats which were in place before, during and directly after the incorporation of the Town in 1976 and the effective date of the original Zoning and Subdivision Ordinances on May 4, 1978. Some were split and some qualify as "non-conforming lots of record." Some of these back-dated actions present problems when the Town attempts to deal with them currently. Three specific instances will be discussed.

Prior to discussion on specifics, the Mayor felt it was important to brief the Council on certain information and history of the events which surrounded those past occurrences.

Definition: (The Mayor quoted from the criteria listed) Non-Conforming Lots of Record.

Section 10-3-2.8

#1. "The lot or parcel qualifies as a non-conforming lot of record (Existed as a separately described parcel on the records of the County Recorder prior to the effective date of the Ordinance) and the parcel does not constitute an illegal subdivision lot."

History/Impact Fees (Minutes from Town Meetings)

TOWN COUNCIL

2-2-78: "Blaine Hales; presented by Verti White, That the Council do away with impact fees if he puts in all wells and water tanks... The Council said no, impact fees must be met."

MOTION WAS MADE BY KEN_____SECONDED BY GLEN_____
\$2,000.00 IMPACT FEE TO APPLY TO ALL LOTS WHETHER A
NEWLY PLATTED SUBDIVISION OR EXISTING LOTS, EXCEPT
PLATS A,B AND C. VOTE: UNANIMOUS".

4-6-78: "Jim Winterton asked about Impact fees vs. Association fees on dividing existing lots in Plats A,B and C. Any lot changed or sold within the plats A,B and C will be subject to fees as set by the Association. Any lot sold out of those 3 areas and have paid an association fee, we will allow 1 lot; but must pay impact fees on balance of lots."

5-4-78: (Same night Zoning/Subdivision Ordinance passed) "Blaine (Hales) reported that State Law prohibits subdivision of lots after Plat has been approved. The Plat has to be redesigned and approved by all property owners."

the land in each lot so divided shall meet zoning and subdivision ordinances and shall be certified by the Planning Commission, approved by the City Council, and then recorded in the County Recorders office by the subdivider."

Example of a lot split approval at the time:
Minutes of Town Council Meeting (Nov. 10, 1981)
"Doug Andrews' Lot Split Approval"

"CREGG INGRAM MOVED TO APPROVE THE PLANNING COMMISSION'S RECOMMENDATION OF DOUG ANDREWS' REQUEST TO SPLIT LOT 7 IN PLAT C WITH IMPACT FEES TO BE PAID AT THE TIME OF SALE OF LOT 7. JOHN THOMAS SECONDED THE MOTION. VOTE: YES-ALL; NO-NONE." (Many examples of lot split approvals are found in the early minutes of the Town, where in the procedure outlined in the Subdivision Ordinance of both Planning Commission and Town Council approval were given.)

Mayor Jacobson then Reviewed Specific cases which the Council needs to determine the status on:

1. Jeppson Lot

Cordell and Joyce Jeppson own lot 10, Salem Hills Subdivision, Plat C. In 1978 they presented a proposed lot split to Salem Hills. In the Town's records was a copy of the proposed split, there are no minute entries in either the Planning Commission files or the Town Council files approving the lot split. Mrs. Jeppson does have this same lot split plat drawing signed off by Blaine Hales (Councilmember at the time and also over the Planning Commission)...the sign-off reads: "Approved subject to association payment plus 1 1/2 acre feet water/year deeded to city. Signed Blaine P. Hales - May 25, 1978".

On May 4, 1978, the Zoning and Subdivision Ordinances went into effect. Three weeks later, the plat was signed by Mr. Hales. In June, 1978, the west half of the lot was deeded to Rula J. Foote. It was subsequently recorded at the County Recorder's office. The Town has no record of the association fees having been paid, neither is there a deed for water rights to the Town. The Jeppsons have no receipt or record of either requirement having been met. Mrs Jeppson and the Town Clerk have both contacted Mr. Jim Winterton (Pres. of the then, Salem Hills Homeowners Association) to see if he retained some record of any fees paid to him for the proposed lot split. He has produced no record. The Town assessment list of lots indicated no lot split having been completed.

The Mayor then reviewed the process by which lot splits took place as per the original Subdivision Ordinance passed 5-4-78:

Section 03.0401, #5-f (pg.12)

"Divided Lots. Where the land contained within one lot is divided into two or more parcels in separate ownership, the land in each lot so divided shall be transferred by deed to single ownership, the land in each lot so divided shall be transferred by deed to single ownership before approval of the final plat, and such transfer recorded in the County by the subdivider. Thereafter, no lot in the subdivision shall be partitioned."

Mayor Jacobson then quoted from the minutes (Town Council) in the year 1981.

Date:

6-17-81: Under heading "Planning Commission")

"Wanda Santiago stated that on page 12, Section f, the existing ordinance prohibits the lot splitting. Mrs. Santiago advised the Council that changing the ordinance was a possibility."

8-12-81: ("Planning Commission")

"Doug Andrew contacted Mike McCoy, attorney for the League of Cities, regarding this situation and reported to the Council as follows:

Mr. McCoy stated the Subdivision Ordinance is wrong. In actuality no one can stop anyone from subdividing. Mr. McCoy suggests submitting an amendment to the subdivision ordinance. This should be done by the Planning Commission and brought before the Council. No public hearing would be required. Mr. McCoy recommends deleting the sentence in the subdivision ordinance."

Oct. 2, 1981 - Ordinance #81-10-2 was passed, signed 10-21-81. (To Amend Section 03.0401, subsection 5-f, pg 12)

The amending paragraph was for the purpose of clarification and permitting splitting of lots. It reads: "Where the land contained within one lot is divided into two or more parcels in separate ownership, the land in each lot so divided shall be transferred by deed to single ownership after being certified in the Planning Commission by the subdivider. And in the event a plat has already been approved where land contained within one lot of the plat is divided into two or more parcels in separate ownership,

2. Cregg Ingram

In 1981 Mr. Ken Harris owned lots #19, 20 and 21 of Salem Hills Subdivision, Plat C. There was a proposed lot split to create 8 lots of the 3. There was no mention of the proposed lot split in the minutes of the Planning Commission Meeting held September 29, 1981.

Preliminary approval to split lots 19, 20 and 21, Salem Hills Subdivision, Plat C was granted in the Town Council Meeting held October 21, 1981. The proposed split was abandoned. The Elk Ridge Town Assessment list states:

"Preliminary approval for lot split was issued on 10/21/81. 1981 lot split approval is no longer valid. Owners are to request lot split approval again, before building permits can be issued. Assessments on proposed/newly created lots have not yet been paid. One of the proposed lots was sold in 1983 (lot 19) the other three are owned by the same person" The lot sold in 1983 was sold by metes and bounds description, to Mr. Cregg Ingram.

Elk Ridge Town Council (10-26-93):

Ken Harris presented proof of payment of development fees for a 1/2 acre portion of lot #19, Plat C, purchased by Cregg Ingram in 1983.

2 documents were presented;

1. A contract between a construction company and himself stating that the lot in question would be used as a down payment for a home being built back in 1979 for Mrs. Harris' sister and family. One of the terms of acceptance of the lot was payment of development fees to the Town of Elk Ridge.

2. Check stub for the development fees dated 9-12-79.

MOTION WAS MADE BY HAL SHULER SECONDED BY TONY SEARLE, TO ACCEPT AS ADEQUATE THE PROOF OF PAYMENT, PRESENTED BY MR. HARRIS, OF DEVELOPMENT FEES FOR THE 1/2 ACRE PORTION OF LOT 19, PLAT C, OWNED BY CREGG INGRAM. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-CLAYTON CREEK."

The 1/2 acre lot is now included in a proposed new subdivision with Mr. Harris as the developer. Vacation and amendment of Plat C is required. This would include lots 19, 21 and Mr. Ingram's 1/2 acre lot. The Ingrams question if their parcel should be included in Mr. Harris' subdivision or if it could be considered a lot of record or a legal lot split. If included in Mr. Harris' subdivision, the lot will be subject to current requirements for improvements.

3. David Larsen/Condominium Extension

The lots with the 4 condominiums on them were included in the first Plat of Salem Hills Subdivision. (prior to the incorporation of the Town). The 2 lots on Lewis Way are owned by Mr. Judson. Mr. David Larsen would like to purchase the 2 lots on Lewis Way from Mr. Judson and wants to know if it would be permissible to add on a third condominium to the east of the existing 2.

1. The lots qualify as non-conforming lots of record. (Current Development Code, Section 10-3-2.8)
2. Under Section 10-3-2.4, under "Non-conforming Buildings and Uses", Enlargement and Reconstruction would be possible if the listed conditions were complied with. Mr. Larsen would have to follow the following procedure:
 1. Present a site plan to the Planning Commission for approval and recommendation to the Council.
 2. Present site plan to Town Council
 3. Seek Building Permit

Councilmember Nicolet expressed concerns with water and sewer connection fees and water right requirement. The Planning Commission will determine if current connection fees would be required. The Council feels the proposed addition would be allowed through the current Development Code.

The Town Clerk is to contact Mr. Larsen to inform him of what is expected of him.

Councilmember Nicolet questioned whether the issues presented by Jeppsons and Ingrams should be presented to the Board of Adjustment.

Mayor Jacobson wants the Council to take action to either uphold the Zoning Ordinance/Subdivision Ordinance of the time, or not. If denied, and the property owners wish to object, the only option would be to then be heard by the Board of Adjustments.

SHAW BUILDING
PERMIT

Mayor Jacobson drafted a letter to Mr. Shaw regarding the building permit issued for his barn/arena. Copies were handed out to the Councilmembers for review.

It covers:

1. Outlines verbal agreements that were made between Mr. Shaw, the Mayor and Councilmember Fritz.
2. Outlines specifically the Town's stand on the issues and sets forth the appropriate areas in the Development Code where they are addressed.

3. Letter is objective/non-threatening
The Councilmembers have no objections. The letter will be mailed on the next day (2-12-97), certified with return signature requested. A copy of the letter follows:

February 12, 1997

Mr. Dan Shaw
2050 Cutter Creek Road
Payson, Utah 84651

Dear Mr. Shaw,

I have been requested by the Town Council to document the verbal agreements agreed to in our meeting of Dec. 15, 1996 between yourself, Councilmember Vernon Fritz and myself. If you do not agree with the three items listed below or the agreement stated, please respond back to me in writing.

Item #1 - Septic Tank System

The agreement was that you would obtain a written statement of approval from the Utah County Health Department and that a copy of the approval would be provided to the Town. This would then be filed with your building permit. This approval is required by the Zoning Ordinance No. 10-3-3.22 Part 3 titled Domestic Sewage Disposal and No. 10-3-3-23 titled Utility Requirements.

Item #2 - Fire Hydrant

The agreement was that an 8" pipe line would be laid from a Payson City water source to a fire hydrant adjacent to your facility. This would be in accordance with an agreement between yourself and Payson City. The Presence of a water source and fire hydrant is required by Zoning Ordinance No. 10-3-3-22 Part 1, titled Culinary Water System.

A secondary part of the agreement was a tee and shut off valve would be added to the line where it terminates, at Town expense, to allow a possible future extension of the line to Goosenest Drive. This extension would be at the expense of the individual doing the extension, and at no expense to you.

Item #3 - Zoning

The facility was approved as an Accessory Building in the RR-1 zone. Zoning Ordinance 10-5-6.2 Part 4 allows barns, sheds and corrals for keeping and care of livestock within the zone. However, this is a residential zone which is governed by Zoning Ordinance No 10-3-1.1 Titled Uses Prohibited in zones unless Expressly Permitted. As we discussed, Commercial activity in a residential zone is not permitted except for Section 10-5-6.3 Titled Conditional Uses which allows Home Occupations which is defined in Section 10-3-3.18 of the Zoning Ordinance.

The facility you have constructed as an accessory building cannot be used for human habitation and thus does not meet the definition of a "Home". Commercial use of the facility is thus prohibited under the current zone.

Sincerely,

Lynn M. Jacobson
Mayor, Elk Ridge Town

ELK RIDGE TOWN COUNCIL MEETING

FEBRUARY 11, 1997

TIME & PLACE OF MEETING The regular meeting of the Elk Ridge Town Council was held on Tuesday, February 11, 1997, with the Council Work Session at 7:00 P.M., followed by 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 Feb. 7, 1997.

ROLL CALL Mayor Jacobson, Councilmembers: Jim Nicolet, Vernon Fritz, Brent Bluth (Absent-Scot Sessions); Robin Money, Scout Nathan Money, Janice H. Davis, Town Clerk.

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

APPROVAL OF AGENDA TIME FRAME MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY JIM NICOLET TO APPROVE THE AGENDA TIME FRAME AS CONSTITUTED, WITH THE FOLLOWING CHANGES:
1. 8:20 - CHANGE: SET PUBLIC HEARING/DEVELOPMENT CODE CHANGES FROM MARCH 25, 1997 TO APRIL 8, 1997, AT 7:00 P.M.
2. EXPENDITURES - APPROVAL OF PURCHASE OF A COMPACTOR
3. OTHER BUSINESS:
 A. BEAUTIFICATION COMMITTEE MEMBER APPROVAL
 B. APPROVAL/KENT PARTRIDGE, ZONING ADMINISTRATOR
 C. APPROVAL/BUILDING PERMIT RESOLUTION
VOTE: YES-(4), NO-NONE(0), ABSENT(1)-SCOT SESSIONS.

SUBDIVISION REQUIREMENTS Concerned with previous discussion in the Work Session on prior lot splits.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY VERNON FRITZ, THAT THE TOWN COUNCIL APPROVES ADHERENCE TO THE ORDINANCES ALREADY IN EXISTENCE AT THE TIME PRIOR LOT SPLITS WERE EITHER PROPOSED OR APPROVED, WHICH OUTLINED THE REQUIREMENTS AND THE STEPS FOR APPROVE/ORDINANCE AND DESIGNATION OF LOT SPLITS.

Discussion:
Councilmember Bluth feels that the Council is not "approving", rather "ratifying" adherence to the ordinances.

MOTION WAS MADE BY BRENT BLUTH SECONDED BY JIM NICOLET, TO AMEND THE MOTION, INSTEAD OF COUNCIL APPROVAL, THAT THE COUNCIL WILL RATIFY, UPHOLD AND ADHERE TO THE ORDINANCES IN EXISTENCE.

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

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

DEVELOPMENT
CODE,
SUBDIVISION
ORDINANCE,
STANDARD
SPECIFICATIONS
PUBLIC
HEARING

Discussion: Mayor Jacobson met with Rod Despain, Bruce Hall, Ernestine Folks, Matt Dastrup to review, in detail, the current Development Code and Standard Specifications. There were many corrections and changes...inconsistencies were pointed out. Mr. Despain is in the process of revising those ordinances, with Bruce Hall, to a correct version of the entire Development Code (to include the Subdivision Ordinance and Standard Specifications) with all amendments, changes and corrections.

Copies are to go out to the Planning Commission members and Town Council members prior to the Public Hearing. Notice will go out 14 days prior to the joint Town Council/Planning Commission Public Hearing.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY BRENT BLUTH, TO CHANGE THE PUBLIC HEARING ON THE DEVELOPMENT CODE REVISIONS (INCLUDING SUBDIVISION ORDINANCE AND STANDARD SPECIFICATIONS) FROM MARCH 11, 1997 TO APRIL 8, 1997 AT 7:00 P.M. IT WILL BE A JOINT PLANNING COMMISSION AND TOWN COUNCIL, PUBLIC HEARING. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-SCOT SESSIONS.

MOTION WAS MADE BY JIM NICOLET SECONDED BY VERNON FRITZ, TO ADOPT THE PENDING ORDINANCE NOTIFICATION ORDINANCE PROVIDING PUBLIC NOTICE OF INTENT TO MODIFY AND AMEND THE DEVELOPMENT CODE, SUBDIVISION ORDINANCE AND STANDARD SPECIFICATIONS OF THE TOWN OF ELK RIDGE, UTAH. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-SCOT SESSIONS.

SALT/SAND
AGREEMENT
SALEM CITY

Mayor Jacobson - The current agreement with Salem City for the purchase of Sand/Salt for roads, has been that every other year Elk Ridge trades with Salem City to pay for it. (Salem City stores and maintains the stockpile)

Mayor Brailsford (Salem) proposes a change, that Salem City purchases the Salt/Sand every year and bills Elk Ridge for 50% of the bill.

Councilmember Bluth questions the 50%. Is there any documentation to back up the proposal? Elk Ridge has one truck, Salem has 4.

Mayor Jacobson reported that Elk Ridge's Public Works Superintendent

Feels Elk Ridge uses as much salt/sand as Salem, if not more. 3 of Salem's trucks have been broken down and that Salem requires less, due to snow fall. He feels it evens out.

Town Council Poll: Councilmember Fritz - Agrees with proposal, Councilmember Nicolet - Agrees (suggests tracking usage for a couple of years), Councilmember Bluth - Agrees (track it), Mayor - Agrees.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY VERNON FRITZ, TO APPROVE THE PROPOSED SALT/SAND AGREEMENT BETWEEN ELK RIDGE AND SALEM CITY, WHEREIN SALEM CITY WILL PURCHASE THE SALT/SAND EVERY YEAR AND AT THE END OF THE WINTER SEASON, SALEM CITY BILLS ELK RIDGE FOR 50% OF THE COST. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-SCOT SESSIONS.

PLANNING
COMMISSION/
BOARD OF
ADJUSTMENT
MEMBERS-
APPROVAL

1. Board of Adjustment: P a m K n i g h t (Chairperson) is going to school and her schedule does not allow her to continue in her position; Jan Newman and Michelle Bowen - terms expire at the end of February, 1997.

MOTION WAS MADE BY JIM NICOLET SECONDED BY BRENT BLUTH, TO APPROVE SCOT BELL TO REPLACE MICHELLE BOWEN. HIS TERM BEGINS 3/97 AND ENDS 2/2002. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-SCOT SESSIONS.

2. Planning Commission: Tod Schulthess replaced Brian Smith, whose term actually ended in 1996. Mr. Schulthess desires to be re-appointed.

Alan Eliason is leaving on a mission for the LDS Church. He will be replaced by Stuart Jolley.

Mat Dastrup's (Chairperson) term of office is due to expire at the end of 2/97. Re-appointment is unsure at this point.

MOTION WAS MADE BY JIM NICOLET SECONDED BY VERNON FRITZ, TO APPOINT STUART JOLLEY TO REPLACE ALAN ELIASON, WHOSE TERM EXPIRES 2/2000; AND, TO ALSO RE-APPOINT TOD SCHULTHESS TO THE PLANNING COMMISSION, TERM BEGINS 3/97 AND ENDS 2/2002. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-SCOT SESSIONS.

EXPENDITURES

GENERAL:

COMPACTOR

MOTION WAS MADE BY VERNON FRITZ SECONDED BY MAYOR JACOBSON, TO AUTHORIZE THE PURCHASE OF AN ASPHALT COMPACTOR OUT OF THE 1997/98 FISCAL YEAR BUDGET. PURCHASE TO COME FROM "ROAD FUNDS" IN THE AMOUNT OF APPROXIMATELY \$2,000; OR OTHER FUNDS, IF AVAILABLE, IN THE CURRENT FISCAL YEAR BUDGET. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-SCOT SESSIONS.

LIST OF
EXPENDITURES
FOR
JANUARY, 1997

Pg. 4 - Send letter, with documentation, to Bruce Hall for charges on locating the leak in the water line, due to negligence on the part of the contractor (Dale Cox). The contractor will be charged reimbursement for this bill; they will be deducted from the money the Town owes Mr. Cox.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY VERNON FRITZ, TO APPROVE THE LIST OF EXPENDITURES FOR JANUARY, 1997. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-SCOT SESSIONS.

APPROVAL OF
MINUTES FOR
1-28-97

MOTION WAS MADE BY BRENT BLUTH SECONDED BY JIM NICOLET, TO APPROVE THE MINUTES OF 1-28-97 WITH CORRECTION:

PG.8: CHANGE "STATE PRISON" TO "COUNTY JAIL".
VOTE: YES-(4), NO-NONE(0), ABSENT(1)-SCOT SESSIONS.

OTHER BUSINESS

1. BEAUTIFICATION COMMITTEE MEMBERS

Vernon Fritz reported that the proposed Committee members are willing to work in a positive manner. Councilmember Fritz suggested that he remain in the position of inspector for now.

MOTION WAS MADE BY VERNON FRITZ SECONDED BY JIM NICOLET, TO APPROVE PAT JACOBSON AS CHAIRPERSON; MARCI DURRANT, CATHLEEN OGDEN AND SHERRY MOODY AS MEMBERS OF THE ELK RIDGE BEAUTIFICATION COMMITTEE. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-SCOT SESSIONS.

2. ZONING ADMINISTRATOR/BUILDING INSPECTOR

Kent Partridge (Building Inspector) needs to be approved as the Zoning Administrator, duties to include:

1. Answering Zoning questions 2. handle zoning problems 3. Be in attendance at the Board of Adjustment meetings to represent the Town 4. He would also attend (upon request) Planning Commission Meetings.

Mr. Partridge would be traveling from North Orem and payment will include mileage and cost of an inspection (\$50).

Jim Nicolet suggests a possible review of the fee charged to appear before the Board of Adjustment. It has been \$10.00 for years, an increase may be required to help off-set payment of the Zoning Administrator.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY JIM NICOLET, TO APPROVE KENT PARTRIDGE AS THE ELK RIDGE ZONING ADMINISTRATOR WITH HIS DUTIES AS OUTLINED IN THE DEVELOPMENT CODE, AND TO INCLUDE:

1. HANDLING ZONING PROBLEMS
2. ATTEND BOARD OF ADJUSTMENT MEETINGS AS THE TOWN REPRESENTATIVE
3. ATTEND PLANNING COMMISSION MEETINGS AS NEEDED OR UPON REQUEST;

THAT HE BE COMPENSATED FOR MILEAGE AS OUTLINED UNDER THE EXISTING PERSONNEL ORDINANCE, AND THAT HE BE COMPENSATED FOR ATTENDANCE AT TOWN MEETINGS IN THE SAME MANNER WHICH HE IS PAID FOR MAKING AN INSPECTION CALL (\$50/CALL). VOTE: YES-(4), NO-NONE(0), ABSENT(1)-SCOT SESSIONS.

RESOLUTION/
BUILDING
PERMITS

This puts in resolution form the process and regulations dictating the issuance of Building Permits in Elk Ridge. Councilmember Nicolet suggested including costs of disposal of Hazardous waste and that the amount of the Performance Bond may need to be re-evaluated, \$500 is low if there are failures to comply. The Mayor agrees, as an amendment, with Planning Commission recommendation.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY JIM NICOLET, TO APPROVE RESOLUTION REGULATING BUILDING PERMITS ISSUED IN ELK RIDGE. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-SCOT SESSIONS.

NON-AGENDA ITEM

ANIMAL CONTROL Councilmember Vernon Fritz, reported that Animal Control, addressed in the last Newsletter, was met with very favorable response from residents.

Councilmember Fritz proposes:

1. That the Council consider a policy of "1-2-3 bites (animal bites), you're out (destroyed)"
 - A. Formal, signed complaints would be required for such an action
2. Councilmember Fritz is to keep a record of complaints and to issue letters for first offenses (to include all offenses such as running at large, barking, chasing, biting etc.

3. Wants a public meeting to inform residents of problems/solutions, with guest speakers (a doctor and an attorney)
 - A. Meeting to be on a night other than on Town Council night.

Councilmember Bluth and Councilmember Nicolet feel that Residents should be willing to sign complaints.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY VERNON FRITZ, TO CLOSE THE TOWN COUNCIL REGULAR SESSION AND MOVE TO COUNCIL CLOSED SESSION. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-SCOT SESSIONS.

CLOSED SESSION

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY JIM NICOLET, TO PEN THE CLOSED SESSIONS. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-SCOT SESSIONS.


DISCUSSION OF PERSONNEL

ADJOURNMENT MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY VERNON FRITZ, TO CLOSE THE COUNCIL CLOSED SESSION. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-SCOT SESSIONS.


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 faxed to the Payson Chronicle, Payson, Utah and mailed to each member of the governing body on February 21, 1997.


Town Clerk

NOTICE & AGENDA

Notice is hereby given that on Tuesday, February 25, 1997, the Town Council of Elk Ridge will hold two Public Hearings for the purpose of hearing public comment on: 1. 7:00 P.M.-THE DRAFT IMPACT POLICY DECLARATION OF THE PROPOSED BOYD HANKS ANNEXATION, AND ALSO THE MASTER POLICY WHICH INCORPORATES THE TERRITORY PROPOSED FOR ANNEXATION UNDER THE PROPOSED BOYD HANKS ANNEXATION 2. 7:20 P.M.- AN ORDINANCE AMENDING SECTION 10-7-8.9 OF THE DEVELOPMENT CODE AND ORDINANCE #96-6-25-3 OF ELK RIDGE, UTAH, ESTABLISHING THE AMOUNT OF THE FEES FOR FACILITY, CONSTRUCTION AND IMPROVEMENT, AND FOR THE PURCHASE OF TOWN ACQUIRED WATER RIGHTS. This will be held in conjunction with the regular Town Council Meeting on Tuesday, February 25, 1997. The Council Work Session will begin at 7:45 P.M., with the regular Town Council Meeting following at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

PUBLIC HEARING

7:00 P.M. - PUBLIC HEARING-PROPOSED BOYD HANKS ANNEXATION

PUBLIC HEARING

7:20 P.M. - PUBLIC HEARING-IMPACT FEE ENACTMENT ORDINANCE

7:45 P.M. - COUNCIL WORK SESSION

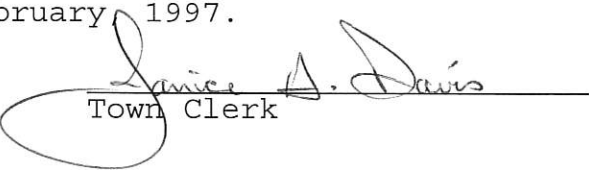
CERT/Emergency Prep.-Joan Durfy
SUVWMA Report-Brent Bluth

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/Impact Fee Enactment Ordinance
8:20 Planning Commission & Board of Adjustments
Member Approval
8:25 Lien Release/Gooseneast Subdivision, Plat A
Lots 6 & 7
8:30 Other Business
8:40 Approval of Minutes of Previous Meeting
8:45 Expenditures
General
8:50 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 21st day of February, 1997.


Town Clerk

The answers to these issues must be addressed and decisions made prior to the adoption of the Policy Declaration and the Ordinance of Annexation.
Annexation fee = \$400/acre

To be placed on the agenda for the next Town Council Meeting on 3-11-97

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY VERNON FRITZ, TO CLOSE THE PUBLIC HEARING. VOTE: YES(3), NO-NONE(0), ABSENT(2)-SCOT SESSIONS, JIM NICOLET.

PUBLIC HEARING Mayor Jacobson opened the Public Hearing on an
IMPACT FEE Ordinance amending Section 10-7-8.9 of the
ENACTMENT Development Code and Ordinance #96-6-25-3 of Elk
ORDINANCE Ridge, Utah, Establishing the Amount of the Fees for
7:20 Facility, Construction and Improvement, and for the
Purchase of Town Acquired Water Rights.

ROLL CALL Mayor Jacobson, Councilmembers: Vernon Fritz, Brent
Bluth, Jim Nicolet, (Absent-Scot Sessions); Forrest
Darling, Ernestine Folks, Joan Durfy, Janice H.
Davis, Town Clerk.

The Mayor reviewed the proposed Ordinance which adds Sewer Impact Fees to Water Impact Fees:

- A. Water Right Purchase Account - Market Price + \$200
- B. Water system improvement account
 - (1) Connection Fee on lots from Plats approved and recorded before 1 day of July, 1996, with impact fee paid. \$250
 - (2) Impact Fee on lots from Plats approved and recorded after 1 day of July, 1996. \$3500
 - (3) Connection Fee on lots from Plats approved and recorded after 1 day of July, 1996. \$250
- C. Sewer System account
 - (1) same as b.(1) \$200
 - (2) same as b.(2) 1 ERU \$855 (ERU = Equivalent Residential Unit of 10,000 gal. of water)
 - 2 ERU \$1,710
 - 3 ERU \$2,565
 - Each additional ERU increment \$855/ERU
 - All family residences = 1 ERU
 - Commercial Enterprises are based upon estimated November through March water usage
 - (3) same as b.(3) \$200

Recently Linda Cooper, under the direction of Mayor Jacobson, reviewed usage rates for winter months of 1995/1996 and arrived at some figures for Sewer usage in Elk Ridge:

At the time - 269 - total homes on Sewer.

151 under 10,000 gal

96 10,000 - 20,000 gal

5 21,000 -29,000 gal

1 over 30,000 gal (under 40,000)

Salem City will be conducting a similar study.

Developers with Subdivisions approved after July 1, 1996, will no longer be required to pay the impact fees at the time of development. They will be collected at the issuance of building permits.

Forrest Darling - required clarification on Connection fees/Impact fees.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY BRENT BLUTH, TO CLOSE THE PUBLIC HEARING. VOTE: YES-(3), NO-NONE(0), ABSENT(2)-SCOT SESSIONS, JIM NICOLET.

ELK RIDGE
TOWN COUNCIL WORK SESSION

FEBRUARY 25, 1997

ROLL CALL

Mayor Jacobson, Councilmembers: Vernon Fritz, Brent Bluth, Jim Nicolet, (Absent-Scot Sessions); Forrest Darling, Ernestine Folks, Joan Durfy, Janice H. Davis, Town Clerk.

CERT/
EMERGENCY

Joan Durfy (Chairperson of Emergency Preparedness) CERT means - "Community Emergency Preparedness Team". Mrs. Durfy read from a flier which defines the need and purpose of CERT which covers the following:

1. What is CERT and why is there a need?
2. What if this happened to you?
3. What does the course involve?
4. Objectives of the course.

"The teams are trained (citizens) to help communities mitigate disasters during the first 72 hours following a disaster when damaged roads, disrupted communications, high call volume, etc. may restrict access by Professional Emergency Response Teams."

12 new members are currently being trained, Total= about 40 members.

Utah County has provisions for about 100 serious casualties (county-wide). Town Employees will be asked questions. Councilmember Fritz advised that all Councilmembers be trained.

Ernestine Folks commented that Town Employees need to have duties defines. Mrs. Durfy agrees and asks for the Council's support in this program.

Course:

6-7 weeks (including a mock disaster at the end of the course)

1 night a week (Thursdays currently)

No charge

Will also certify for CPR

Uses the "Federal Emergency Preparedness Handbook" held at Payson Library.

Mrs. Durfy hopes for Elk Ridge to have our own "Mock Disaster".

SUVMWA

Councilmember Bluth, reports that CUP (Central Utah Project) is ready to sign contracts with the smaller communities. Price = \$160/acre ft. (untreated water, M & I water). SUVMWA will probably contract for the full 11,200 acre feet. (That would be available for member communities) This presents another option for future additional water....probably for irrigation usage. (This would require a pumping system and an independent water delivery system to residents. (Billings would be separate).

ELK RIDGE TOWN COUNCIL MEETING

FEBRUARY 25, 1997

TIME & PLACE OF MEETING	Two Public Hearings for the purpose of hearing public comment on: 1. 7:00 p.m. THE DRAFT IMPACT POLICY DECLARATION OF THE PROPOSED BOYD HANKS ANNEXATION, AND ALSO THE MASTER POLICY WHICH INCORPORATES THE TERRITORY PROPOSED FOR ANNEXATION UNDER THE PROPOSED BOYD HANKS ANNEXATION 2. 7:20 P.M. AN ORDINANCE AMENDING SECTION 10-7-8.9 OR THE DEVELOPMENT CODE AND ORDINANCE #96-6-25-3 OF ELK RIDGE, UTAH, ESTABLISHING THE AMOUNT OF THE FEES FOR FACILITY, CONSTRUCTION AND IMPROVEMENT, AND FOR THE PURCHASE OF TOWN ACQUIRED WATER RIGHTS. This was held in conjunction with the regular Town Council Meeting on Tuesday February 25, 1997. The Council Work Session began at 7:45 p.m. with the regular Town Council Meeting following 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 Feb. 21, 1997.	
ROLL CALL	Mayor Jacobson, Councilmembers: Jim Nicolet, Vernon Fritz, Brent Bluth (Absent-Scot Sessions); Ernestine Folks, Forrest Darling, Janice H. Davis, Town Clerk.
INVOCATION & PLEDGE OF ALLEGIANCE	Prayer was offered by Vernon Fritz with the pledge of allegiance following.
APPROVAL OF AGENDA TIME FRAME	MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY BRENT BLUTH TO APPROVE THE AGENDA TIME FRAME AS CONSTITUTED, WITH CHANGES: "OTHER BUSINESS" 1) LETTER FROM AMERICAN RED CROSS 2) B & C ROAD FUNDS STATEMENT. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-SCOT SESSIONS.
IMPACT FEE ENACTMENT ORDINANCE (ADOPTION)	MOTION WAS MADE BY BRENT BLUTH SECONDED BY VERNON FRITZ, TO ADOPT AN ORDINANCE AMENDING SECTION 10-7-8.9 OF THE DEVELOPMENT CODE AND ORDINANCE #97-6-25-3 OF ELK RIDGE, UTAH, ESTABLISHING THE AMOUNT OF THE FEES FOR FACILITY, CONSTRUCTION AND IMPROVEMENT, AND FOR THE PURCHASE OF THE TOWN ACQUIRED WATER RIGHTS. VOTE: POLL: VERNON FRITZ-AYE, JIM NICOLET-AYE, BRENT BLUTH-AYE, MAYOR JACOBSON-AYE, ABSENT-SCOT SESSIONS. PASSES 4-0.

ELK RIDGE TOWN COUNCIL MEETING - 2-25-97 - Cont.

PLANNING
COMMISSION/
BOARD OF
ADJUSTMENT
MEMBER
APPROVAL

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY BRENT BLUTH, TO APPROVE TERRY RIGHETTINI AS A MEMBER OF THE ELK RIDGE PLANNING COMMISSION (TO REPLACE MAT DASTRUP) WHOSE TERM OF OFFICE WILL BEGIN 3/1997 AND END IN 2/2002. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-SCOT SESSIONS.

BOARD OF
ADJUSTMENT

MOTION WAS MADE BY JIM NICOLET SECONDED BY MAYOR JACOBSON, TO APPROVE 1) JACK MASON AS A MEMBER OF THE ELK RIDGE BOARD OF ADJUSTMENT (TO REPLACE JAN NEWMAN). TERM OF OFFICE TO BEGIN 3/1997 AND END 2/2002. 2) CATHY OGDEN AS A MEMBER OF THE ELK RIDGE BOARD OF ADJUSTMENT (TO REPLACE PAM KNIGHT) WHOSE OFFICE ENDS 2/2001. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-SCOT SESSIONS.

(Cathy Ogden has dropped off the Planning Commission due to time constraints and wishes to serve on the Board of Adjustment)

LIEN RELEASES/
GOOSENEST
SUBDIVISION,
PLAT A

Development fees were not paid on lots 6 & 7 of Goosenest Subdivision, Plat A, at the time of development. A Trust Deed from Hal Shuler was recorded in October, 1990, with Elk Ridge as beneficiary. Also recorded at the same time were the Trust Deed Notes on both lots, stating that prior to issuance of building permits on lots 6 & 7, \$2,500 was to be paid to the Town. On 10-8-92, the development fees (\$2,500/lot) were paid to the Town by Lee Haskell, who purchased the lots. Since the Trust Deeds were recorded documents, they should have Lien Releases recorded to clear these two lots with Utah County.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY VERNON FRITZ, TO AUTHORIZE MAYOR JACOBSON TO SIGN THE LIEN RELEASES FOR LOTS 6 & 7 OF GOOSENEST SUBDIVISION, PLAT A, TO CLEAR THESE 2 LOTS ON THE UTAH COUNTY RECORDS. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-SCOT SESSIONS.

OTHER BUSINESS

1. AMERICAN
RED CROSS

The Mayor read a letter received from the American Red Cross. 1997 marks their 80 year anniversary of service. They are asking that March, 1997 be declared, by proclamation, Red Cross Month. The proclamation is to go out with the newsletter.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY VERNON FRITZ, TO AUTHORIZE MAYOR JACOBSON TO SIGN THE PROCLAMATION AND ISSUE IT TO THE RESIDENTS WITH THE NEWSLETTER. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-SCOT SESSIONS.

ELK RIDGE TOWN COUNCIL MEETING - 2-25-97 - Cont.

Forrest Darling commented that he feels the Director of CERT should be a more authoritative position such as Police Chief or Fire Chief.

Mayor - Mrs. Durfy is in charge of correlating the CERT group with the assistance of the Fire Chief or with the Sheriff's Dept.

2. B & C
ROAD FUNDS
at

The Mayor read a fax from the Utah League of Cities and Towns on legislature which is before the House this time. The proposed formula (based on the total miles of roads within a Town/City) passed the House 72-0 and goes before the Senate Transportation Public Safety Committee. If passed through the Senate and on to the Governor, 3-5 times the funds previously received would be available for use on "Class C" road expenditures, including "Asphalt Repair". No increase in taxes would result.

APPROVAL OF
MINUTES OF
PREVIOUS
MEETING
FEB, 11, 1997

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY BRENT BLUTH, TO APPROVE THE MINUTES OF 2-11-97 AS CONSTITUTED. VOTE: YES-(4), NO-NONE(0), ABSENT(1) - SCOT SESSIONS.

EXPENDITURES

NONE

ADJOURNMENT

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY VERNON FRITZ, TO ADJOURN. VOTE: YES-(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, March 11, 1997, 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:
Water Rights/Large Lots-Jim Nicolet
Resolution/Wastewater Planning Program-Brent Bluth
Discussion
Mountainlands Resolution/Discussion
Animal Control/Discussion-Vernon Fritz
Boyd Hanks Proposed Annexation/Discussion
- 8:00 P.M. - REGULAR COUNCIL MEETING AGENDA ITEMS:
8:00 Invocation and Pledge of Allegiance

8:05 Approval of Agenda Time Frame
8:10 Fund Raiser-Town Wide Garage Sale
Sam Coates
8:15 Adoption/Ordinance of Annexation (Boyd Hanks)
8:20 Adoption/Resolution-Policy Declaration
(Boyd Hanks Annexation)
8:30 Animal Control/Set Public Hearing)
8:35 Adoption/Mountainlands Resolution
8:40 Adoption/Resolution-Wastewater Planning Program
Brent Bluth
8:45 Planning Commission/Board of Adjustment
Member Approval
8:55 Expenditures:
General:
List of Expenditures-Feb., 1997
9:00 Approval of Minutes of Previous Meeting
9:05 Other Business
Haskell Subdivision, Plat D/Final Approval
B & C Road Funds
Summer Youth Program
New Utah County Police Taskforce
Commuter Rail
I-15
9:45 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 7th day of March, 1997.


Town Clerk

Town Council Meeting
3-11-97
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 Town Council Agenda was faxed to the Payson Chronicle, 145 E. Utah Ave., Payson, Utah and mailed to each member of the governing body on March 7, 1997.


Town Clerk

ELK RIDGE
TOWN COUNCIL WORK SESSION

MARCH 11, 1997

TIME & PLACE OF MEETING	<p>The regular meeting of the Elk Ridge Town Council was held on Tuesday, March 11, 1997, with the Council Work Session at 7:00 P.M., followed by 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.</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 March 7, 1997.</p>
ROLL CALL	<p>Mayor Pro Tempore Jim Nicolet (absent-Mayor Jacobson) Councilmembers: Vernon Fritz, Brent Bluth, Scot Sessions; Ernestine Folks, Boyd Hanks, Nick V. Hanks, Morgan Handly, Stewart Jolley, Tiffany Mower, Tracy Mower, Janice H. Davis, Town Clerk.</p>
WATER RIGHTS/ LARGE LOTS	<p>Issue: Is the required 1 acre ft./dwelling sufficient for the demand of larger lots? Should size of lots or usage be the issue for consideration?</p> <p>The Council feels the Water Board should evaluate this subject. Councilmember Bluth has no objection to this idea; but, the results would be applicable to the Town as a whole, not just Mr. Hanks' property.</p> <p>Planning Commission to also review the information after the Water Board.</p>
RESOLUTION/ WASTE WATER PLANNING	<p>The State requires the Town to do an annual self-evaluation on the waste water system. (This ranks the Town by points based on finances and PROGRAM operations.) A Resolution adopting the evaluation is needed, as well. This is due on 3-1-97. The State has been contacted and the 3-1 date is a "focus: date; there is no penalty for lateness.</p>
MOUNTAINLANDS	<p>The resolution re-establishes Elk Ridge's RESOLUTION participation with Mountainland Association of Governments ("MAG"). The Council reaffirms the Town's continued participation with "MAG".</p>
ANIMAL CONTROL VERNON FRITZ	<p>Councilmember Fritz is postponing discussion on this issue for a month. He will include an insert with the utility bills, at the first of April, to inform the residents of the issue and the upcoming public meeting.</p>

Councilmember Fritz continues to receive calls supporting more animal control in the Town. There is a problem and some residents have suffered from dog bites.

Intent:

1. Complaints go from residents with a problem to Councilmember Fritz
 - A. Names are kept anonymous
2. Letter from the Town to the party complained against informing them of the problem, to be kept on file so there is an established record, in case of serious occurrences (such as dog bite).

BOYD HANKS
ANNEXATION/
DISCUSSION

2 Main Issues:

1. Loafer Canyon Road - To be included on the Annexation Plat, which brings the total acreage from 11.70 to 12.215 acres.
2. Water Rights - Is 1 acre ft. sufficient for the proposed 2 1/2 acre lots?

This needs to be addressed by the Town Council. Rod Despain and Mayor Jacobson agree that in this situation, control of water usage can be maintained through monitoring.

Mr. Hanks commented that regular sized lots can use as much, if not more, water than a larger lot. So, the issue should be usage, not lot size.

Usage has been partially addressed with the raise in water rates; however, the problem still remains with the appropriate amount of water right as compared to usage.

OTHER BUSINESS (DUE TO EXCESS TIME, THESE AGENDA ITEMS WERE MOVED FORWARD.)

1. B & C
ROAD FUNDS

New legislature will bring in more revenue for the Town for Class "C" Road Funds. The Town needs to re-evaluate population and the number of miles of public roads, annually, and submit the results to the State, to be sure we are receiving the proportionate amount of revenue. This becomes effective in 1998.

Current average = Approx. \$20,000

Projected (1998) = Approx. \$53,000 (\$33,000 difference)

2. SUMMER
YOUTH PROGRAM

Mountainlands Association of Governments supports the hiring of a youth to work for the Town during the summer months. The Town is reimbursed for the salary issued to the youth. Last summer, the youth hired was unsatisfactory in that he required constant supervision from the other employees. He did not work well and the Town had some trouble acquiring the reimbursement from "MAG".

The Council would consider supporting the program under the following conditions:

1. The Town would be able to interview several young people for the position.
2. Could the youth be hired "on probation"; if he/she does not work out, employment would be discontinued. Councilmember Fritz is to follow up and report at the next Council Meeting.

UTAH COUNTY
"NET"/GANG
TASK FORCE

The Sheriff and Chiefs of Police of Utah County would like to consolidate the Utah County Narcotic Enforcement Team ("NET"), the Utah County Gang Project and the Property Crime's Task Forces, into one task force in Utah County. This would eliminate the working of the same suspects by the Property Crimes and Drug Task Forces. (At least 80% of all property crimes are drug related.) At the present time, Utah County NET has eight full time officers. By this consolidation, there would be twenty-one full time officers.

Total operating amount = \$313,463

"Matched" amount = \$78,365.75

Cities/Towns will be assessed a proportionate amount. How will this affect Elk Ridge's budget? (How much?) The Council feels the increased control is needed. They also feel the parents in Town should be educated about gangs/drug abuse.

Ernestine Folks suggested neighborhood involvement through "Neighborhood Watches". Perhaps a good time to address the citizens, as a whole, would be at the 4th of July celebration, or perhaps at the Animal Control Meeting with a follow-up on the 4th of July. People knowing each other is a key to people helping each other.

ELK RIDGE TOWN COUNCIL MEETING

MARCH 11, 1997

TIME & PLACE OF MEETING The regular meeting of the Elk Ridge Town Council was held on Tuesday, March 11, 1997, with the Council Work Session at 7:00 P.M., followed by 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 March 7, 1997.

ROLL CALL Mayor Pro Tempore Jim Nicolet (absent-Mayor Jacobson) Councilmembers: Vernon Fritz, Brent Bluth, Scot Sessions; Ernestine Folks, Boyd Hanks, Nick V. Hanks, Morgan Handly, Stewart Jolley, Tiffany Mower, Tracy Mower, Sam Coates, 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 BRENT BLUTH TO APPROVE THE AGENDA TIME FRAME AS CONSTITUTED, WITH THE FOLLOWING CHANGES:
1. STRIKE 8:30 ITEM
2. OTHER BUSINESS WAS DISCUSSED IN THE WORK SESSION.
STRIKE ALL EXCEPT HASKELL SUBDIVISION, PLAT D/FINAL
VOTE: YES-(4), NO-NONE(0), ABSENT(1)-MAYOR JACOBSON.

FUND RAISER-TOWN WIDE GARAGE SALE SAM COATES Sam Coates (representing Scout Troop 918) to propose a fund raising idea for the scouts. The scouts would solicit the entire Town to hold separate garage sales, on the same date. This would attract the attention of garage sale shoppers from all over. The scouts would advertise and get the idea exposed. In return, the scouts ask for \$5.00 - \$10.00 per family as a donation. The projected date would be May 3, 1997. There would be no cost to the Town. Mr. Coates seeks Council approval of the project. (The idea has worked in a community in Kansas).
Question: would it be okay to sell refreshments to the shoppers, and would a permit be required? Councilmember Bluth expressed concern for the safety of the scouts if selling close to the streets. The Council supports the idea. An announcement would go out with the April newsletter.

ELK RIDGE TOWN COUNCIL MEETING - 3-11-97 - Cont.

ADOPTION/
ORDINANCE
OF ANNEXATION
BOYD HANKS

MOTION WAS MADE BY BRENT BLUTH SECONDED BY SCOT SESSIONS, TO ADOPT ORDINANCE #97-3-11-4 ANNEXING CERTAIN PROPERTIES, BELONGING TO BOYD HANKS, TO THE TOWN OF ELK RIDGE, UTAH, AND ESTABLISHING THE ZONE CLASSIFICATION FOR SAID PROPERTY. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-MAYOR JACOBSON.

ADOPTION
MOUNTAINLANDS
(MAG)
RESOLUTION

MOTION WAS MADE BY SCOT SESSIONS SECONDED BY VERNON FRITZ, TO ADOPT RESOLUTION #97-3-11-5R, ESTABLISHING ELK RIDGE'S PARTICIPATION WITH MOUNTAINLAND ASSOCIATION OF GOVERNMENTS. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-MAYOR JACOBSON.

ADOPTION/
RESOLUTION
WASTE WATER
PLANNING
PROGRAM

MOTION WAS MADE BY BRENT BLUTH SECONDED BY SCOT SESSIONS, TO ADOPT RESOLUTION #97-3-11-6R ENTITLED, MUNICIPAL WASTE WATER PLANNING PROGRAM AND TO AUTHORIZE JIM NICOLET, AS THE MAYOR PRO TEMPORE, TO SIGN THE DOCUMENT. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-MAYOR JACOBSON.

PLANNING
COMMISSION/
MEMBER
APPROVAL

MOTION WAS MADE BY JIM NICOLET SECONDED BY VERNON FRITZ, TO APPROVE GARY PROCTOR AS A MEMBER OF THE ELK RIDGE PLANNING COMMISSION. HIS TERM BEGINS 3/97 AND ENDS 2/2002. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-MAYOR JACOBSON.

EXPENDITURES:
GENERAL

None

APPROVAL OF
LIST OF
EXPENDITURES
FEB. 1997

MOTION WAS MADE BY SCOT SESSIONS SECONDED BY VERNON FRITZ, TO APPROVE THE LIST OF EXPENDITURES FOR FEBRUARY, 1997. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-MAYOR JACOBSON.

COPIER CARE
AGREEMENT

MOTION WAS MADE BY SCOT SESSIONS SECONDED BY BRENT BLUTH, TO APPROVE THE ANNUAL COPIER CARE AGREEMENT FOR \$452.20. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-MAYOR JACOBSON.

APPROVAL OF
MINUTES FROM
FEB 25, 1997

MOTION WAS MADE BY JIM NICOLET SECONDED BY VERNON FRITZ, TO APPROVE THE MINUTES OF 2-25-97 AS CONSTITUTED. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-MAYOR JACOBSON.

NON AGENDA ITEM

4TH OF JULY
SCOT SESSIONS

The celebration will be on July 3 & 4, 1997 (Thursday and Friday) The Carnival will be on the 4th. Councilmember Sessions discussed an option of having the carnival games run by professionals rather than by Town residents. This could free up the individuals to enjoy the celebration and possibly be a bit more objective with prizes.

Comments:

What are the costs involved?

Part of the reason for having citizens running the booths is to generate good will; however, a few seem to get stuck all day

Having professionals could be too impersonal

HASKELL
SUBDIVISION,
PLAT D/
FINAL APPROVAL

This is property to border the golf course. Should there be any restrictive covenants recorded with the Plat? Payson City was invited to a Planning Commission Meeting to discuss any plans they may have for developing property adjacent to the golf course. They were unable to attend and have not responded on the issue.

Discussion: Should fencing be uniform? Should landscaping be considered? (We have a beautiful Golf Course, what will replace or be added to this?) The Council feels that there would be pros and cons to any type of fence required. They also feel that Payson City should be a player in this decision. Could covenants be recorded after the Plat is recorded?

Councilmember Sessions suggests (fencing): nothing or the same. (2 choices.)

1. The amount for future installation of sewer laterals will be escrowed, to be drawn on for the cost of installation. (Separate escrow account from the construction escrow account.)
2. Rod Despain suggested the Council consider a notation recorded on the mylar that a possible lift station could be used on lot #1 to sewer the basement now, eventually they would have to connect to the main.

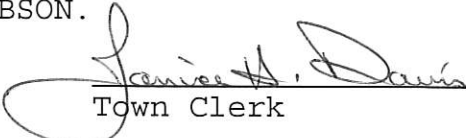
Lee Haskell - That information is given to the owner when they purchase the lot.

3. The Council decided not to require covenants to be recorded with the Plat.

MOTION WAS MADE BY SCOT SESSIONS SECONDED BY BRENT BLUTH, TO ACCEPT HASKELL SUBDIVISION, PLAT D AND TO GRANT FINAL APPROVAL. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-MAYOR JACOBSON.

ADJOURNMENT

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


Town Clerk

NOTICE & AGENDA

Notice is hereby given that the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, March 25, 1997, 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:
Development Code/Standard Specifications Revisions
Mecham Subdivision/Illegal Lot
Oak Bluff Estates, Plat B/Road Repair
Shaw Barn/Discussion-Vernon Fritz
Flooding-Mayor
Beautification Committee-Vernon Fritz
Road Repair/Update-Vernon Fritz
- 8:00 P.M. - REGULAR COUNCIL MEETING AGENDA ITEMS:
8:00 Invocation and Pledge of Allegiance
- 8:05 Approval of Agenda Time Frame
8:10 Don Mecham-Alternate Water Sources
 Future Development/High Sierra Dr.
8:25 Action:
 Mecham Subdivision/Illegal Lot
 Oak Bluff Estates, Plat B/Road Repair
8:35 Planning Commission Member/Approval
8:40 Animal Control/Set Public Hearing
8:45 Report/Legal Aspects/Nuisance Abatement Ordinance
 Vernon Fritz
9:00 Lien Releases/Oak Bluff Estates, Plat A
 Lots #1,2,15,16
9:05 Approval/Service Project-Mayor
9:10 Expenditures:
 General:
9:15 Approval of Minutes of Previous Meeting
9:05 Other Business
9:45 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 21st day of March, 1997.


Town Clerk

Town Council Meeting
3-25-97
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 Town Council Agenda was faxed to the Payson Chronicle, 145 E. Utah Ave., Payson, Utah and mailed to each member of the governing body on March 21, 1997.


Town Clerk

ELK RIDGE
TOWN COUNCIL WORK SESSION

MARCH 25, 1997

TIME & PLACE OF MEETING The regular meeting of the Elk Ridge Town Council was held on Tuesday, March 25, 1997, with the Council Work Session at 7:00 P.M., followed by 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 March 21, 1997.

ROLL CALL Mayor Jacobson, Councilmembers: Jim Nicolet, Vernon Fritz, Brent Bluth, Scot Sessions; Forrest Darling, Ernestine Folks, Don Mecham, Scouts: Nick Jones, Chris Jones, Gregg Sloan, Peter Meyers, Nathan Jensen, Jeff Jensen; Matt Jensen, Rick Sloan, Janice H. Davis, Town Clerk.

DEVELOPMENT CODE/STANDARD SPECS-REVIEW The proposed Development Code (including the Zoning Ordinance, Subdivision Ordinance and Standard Specifications) was submitted to the Councilmembers on 3-24-97 for review. Mayor Jacobson discussed the proposed revisions and corrections with the Councilmembers. The Mayor asked that the Council have any suggestions or corrections back in as soon as possible (4-1-97), to be incorporated into the draft prior to the Public Hearing on 4-8-97.

MECHAM SUBDIVISION/ILLEGAL LOT There was a boundary overlap between Don Mecham (his personal lot on the east side of Loafer Canyon Road) and the lot owned by Joe Marrott. This was discovered by the County Recorder's office at the time of recording the plats. Deeds were exchanged and Mr. Marrott's lot was recorded. According to Mr. Mecham, everything was completed. Mr. Mecham's mylar was misplaced and was not re-recorded. Thinking that all was in order and the boundary overlap problem solved, he was issued a building permit and is now living in his home on this lot. No building permit should be issued on an unplatted lot. Mr. Mecham will finalize the details, produce the mylar for recording.

NON-AGENDA ITEM
MECHAM/
WATER RIGHTS Mr. Mecham informed the Town that, according to his records, he has transferred 44 water right. The Town has record of only 38.71 having been transferred. Has there been a transfer the Town has no record of? Mr. Mecham is to check his records. The Town Clerk is to prepare a deed for 12 more water rights from Mr. Mecham to the Town for lots in his established subdivisions.

ELK RIDGE TOWN COUNCIL WORK SESSION - 3-25-97 - CONT.

OAK BLUFF
ESTATES,
PLAT B/
ROAD REPAIR

The asphalt has settled and some sinking has occurred on portions of the roads, including Coley's Cove. Mr. Mecham will have the areas repaired within 7-10 days, when the ground dries out. Asphalt needs to be saw-cut and road base replaced.

ALTERNATE
WATER SOURCE/
DON MECHAM

Mr. Mecham explained the packet of information which he submitted to the Councilmembers for review. It contains a proposed solution to areas with low water pressure situations on culinary water supplies

This system is used in Southern California, Arizona, Texas, Oklahoma, etc., where it is difficult to find elevation adequate for gravity feed pressures. This system gathers minimal pressure sources and holds it in a various capacity tank and discharges supply at chosen pressures (tank size ranges for needs), but it rarely is larger than a 50 gallon water heater.

Mr. Mecham proposes this system for one of the lots which were removed from Plat B due to low water pressure. Those 5 lots were to be developed when the new tank is in and operable. (Cost range would be about \$500 - \$1200.) Mr. Mecham sold this lot to an individual and told him the new tank would be in and operable by last fall. This person had wanted to begin building this Spring. The system Mr. Mecham is proposing would be a good solution until the water line from the tank is brought down to service this area.

Mayor:

1. No building permit will be issued on an unplatted lot
2. This system would require Planning Commission and Engineer approval and recommendation, to create a policy at the Town Council level.

Question: Will the 5 lots have to be replatted or is this considered an "addendum" to Plat B.

This will have to be referred to the Planning Commission.

SHAW BARN/
DISCUSSION

Approval has been given from the Utah County Health Department for a Septic Tank. The Town needs proof, as in a certificate. Councilmember Vernon Fritz will call the County and follow up. Payson City will install part of the water line that runs across their green, on the Golf course, then Mr. Shaw will finish it. Mr. Shaw proposes a boundary adjustment to be part of Payson, rather than Elk Ridge.

1. Payson's attorney will draw up the necessary documents prior to Mr. Shaw coming before the Elk Ridge Planning Commission and Town Council.
2. Mayor Jacobson will keep the council informed. Concern was expressed that this area will turn into a major commercial zone. Goosenest Dr. could evolve into a major collector road for commercial use. Councilmembers Session and Nicolet asked how Elk Ridge could be affected without control over the zoning in that area.

FLOODING

Loafer Canyon Road was flooded from the Box Canyon. The screen on the culvert was plugged with debris and once it was cleaned, the culverts handled the run-off.

Concern:

Flooding from Upper Loafer Canyon

1. Flood water would come down the west side of the canyon
 - A. Two lots have filled in the ditch and water would be diverted to the homes.
2. Councilmember Jim Nicolet
 - A. It is the Town's responsibility to keep screens on the sumps cleaned out.
 - B. Developers and Contractors need to clean out curbing. Water is being washed down into the sumps.

The Mayor is to speak to Kent Partridge about not granting final on new homes until the dirt and debris is cleaned out of curbing.

BEAUTIFICATION
COMMITTEE-
VERNON FRITZ

Councilmember Fritz reported that the Beautification Committee has the following recommendations:

1. Identify homes which have contributed to the Community for beautifying their homes and yards
 - A. Signs of recognition would cost about \$175
 - B. Recognition awards would need to be purchased

Councilmember Fritz recommends approval of \$300 for the Beautification Committee.

2. Concerned with landscaping
How long before lawns are required to be in.
Scot Sessions: Concerned that some residents may not be able to afford it, if they can't afford it, then what punishment?
3. Possible modification to Nuisance Ordinance
 - A. Enforcement - If owner of derelict vehicle refuses to remove it or any other debris on the property, after proper notification, and the Town has the vehicle or debris removed, where would they be taken? The ordinance does not

- address this issue. Denton Hatch will draw up a modification to the Ordinance.
- B. Councilmember Fritz suggests, if the owner wishes to keep the derelict vehicle, it could be kept out of sight by being enclosed in a fence.

Comments:

Brent Bluth, does not favor keeping the derelict vehicles behind a fence.

Scot Sessions, feels this would present a safety hazard. Restoring vehicles would be a different issue.

ROAD REPAIR/
UPDATE
VERNON FRITZ

Councilmember Fritz has a bid from Geneva Rock and is waiting to hear from Valley Asphalt. Councilmember Nicolet requested that the bid include an estimate on the cost of installing curb and gutter. (He would like to have this information on hand).

ELK RIDGE TOWN COUNCIL MEETING

MARCH 25, 1997

TIME & PLACE OF MEETING The regular meeting of the Elk Ridge Town Council was held on Tuesday, March 25, 1997, with the Council Work Session at 7:00 P.M., followed by 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 March 21, 1997.

ROLL CALL Mayor Jacobson, Councilmembers: Jim Nicolet, Vernon Fritz, Brent Bluth, Scot Sessions; Forrest Darling, Ernestine Folks, Don Mecham, Scouts: Nick Jones, Chris Jones, Gregg Sloan, Peter Meyers, Nathan Jensen, Jeff Jensen; Matt Jensen, Rick Sloan, Janice H. Davis, Town Clerk.

INVOCATION & PLEDGE OF ALLEGIANCE Prayer was offered by Vernon Fritz 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 CONSTITUTED, WITH THE FOLLOWING CHANGES:
1. STRIKE 8:10 ITEM (REFERRED TO PLANNING COMMISSION AND ENGINEER)
2. STRIKE 8:25 ITEM (ALREADY ADDRESSED)
3. STRIKE 8:45 ITEM (ADDRESSED IN WORK SESSION)
ADDITION: OTHER BUSINESS
 SEWER AGREEMENT - MAYOR
 WATER - BRENT BLUTH
VOTE: YES-(4), NO-NONE(0), ABSENT FROM VOTE(1) - VERNON FRITZ.

PLANNING COMMISSION MEMBER APPROVAL Ty Ellis has agreed to serve on the Planning Commission.

MOTION WAS MADE BY JIM NICOLET SECONDED BY MAYOR JACOBSON, TO ACCEPT TY ELLIS AS A MEMBER OF THE ELK RIDGE PLANNING COMMISSION. TERM TO BEGIN 3/97 AND END 2/98. VOTE: YES(4), ABSENT FROM VOTE(1) - VERNON FRITZ, NO-NONE(0).

ANIMAL CONTROL/ SET PUBLIC HEARING MOTION WAS MADE BY VERNON FRITZ SECONDED BY MAYOR JACOBSON, TO SET A PUBLIC HEARING TO AMEND THE ELK RIDGE ANIMAL CONTROL ORDINANCE FOR MONDAY, APRIL 7 AT 7:00 PM. AN ANNOUNCEMENT WILL GO OUT WITH THE TOWN NEWSLETTER. VOTE: YES-ALL(5), NO-NONE(0).

ELK RIDGE TOWN COUNCIL MEETING - 3-25-97 - Cont.

LIEN RELEASES/ The lots owned by Ron Ririe in Plat A, were recorded
OAK BLUFF with liens attached due to a lack of water rights
ESTATES, for those 4 lots. When the transfer was completed,
PLAT A Mr. Ririe then deeded those 4 water rights to the
LOTS 1,2,15,16 Town, along with those required for Ririe
Subdivision, Plat D. The liens are to be cleared
with Utah County.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY JIM
NICOLET, TO RELEASE THE LIENS RECORDED ON OAK BLUFF
ESTATES, PLAT A, LOTS #1,2,15,16 AND TO AUTHORIZE
MAYOR JACOBSON TO SIGN THE LIEN RELEASES. VOTE:
YES-ALL(5), NO-NONE(0),

SERVICE
PROJECT

1) Mayor - The LDS Church has set July 19, 1997
apart as a World-wide Service Day. Every Ward in the
Church is asked to participate on a community
project and to give 150 hours of service.

Elk Ridge 4th Ward - Pat Jacobson is in charge of
the project. She seeks approval from the Town
Council to Paint the inside of the Fire Hall and to
paint the fire hydrant in Town.

- A. The Pavilion will be reserved, for those
helping, to have a dinner.
- B. The Town will supply the paint and supplies (to
come out of "Volunteer Projects"

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY JIM
NICOLET, TO APPROVE THE SERVICE PROJECT FOR ELK
RIDGE 4TH WARD TO PAINT THE FIRE HALL AND FIRE
HYDRANTS. VOTE: YES-ALL(5), NO-NONE(0).

2) Mountainlands Association of Governments (MAG)
sponsors an annual Community Citizenship Day. They
ask for proposed (suggested) projects.
Councilmember Scot Sessions is to be the contact
person. Youth in the JTPA Program are brought in
for one day, they are supervised

EXPENDITURES
GENERAL

1) Beautification Committee

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY SCOT
SESSIONS, TO APPROVE \$300 FOR THE BEAUTIFICATION
COMMITTEE TO USE FOR SIGNS AND AWARDS, CONTINGENT
UPON COUNCILMEMBER FRITZ AND THE TOWN CLERK
DETERMINING WHERE THE MONEY WILL COME FROM IN THE
CURRENT BUDGET. VOTE: YES-ALL(5).

2) Road Compacter - Kent Haskell has located one
for \$1,500 and has been directed to purchase it.
(It has been previously approved for purchase)

3) The Sheriff's Department no longer uses the desk and computer in the Town office. They have lap-tops. They will remove them. The desk needs to be replaced with a corner-type desk to better utilize the space in the office. The desk space is needed.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY SCOT SESSIONS, TO APPROVE THE PURCHASE OF A CORNER DESK FOR THE OFFICE WHERE LINDA COOPER WORKS. VOTE: YES-ALL(5), NO-NONE(0).

APPROVAL OF
MINUTES FROM
3-11-97

MOTION WAS MADE BY SCOT SESSIONS SECONDED BY VERNON FRITZ, TO APPROVE THE MINUTES OF 3-11-97 AS CONSTITUTED. VOTE: YES-ALL(5), NO-NONE(0).

OTHER BUSINESS

1. SEWER AGREEMENT

Changes in the Sewer Agreement between Elk Ridge and Salem City are a result of Elk Ridge asking for additional trunk lines for future expansion of the sewer system. (To eventually sewer Loafer Canyon and the Goosenest area). Denton Hatch worked with Junior Baker (Salem's attorney) to draw up a draft Agreement which was submitted to the Council.

- A. As a result of the Sunrise Engineering study, the capacity of the facility has been modified in the Agreement. Elk Ridge is currently using about 50% of "purchase capacity".
- B. Change to be requested: Calculations of the sewer charges cannot be read in February in Elk Ridge as the Agreement states. The Mayor has requested the wording to be changed to "November through February or March, as snow conditions allow."
- C. Change: Sewer maps be included
- D. There is a bottle-neck in the sewer line, which needs to be straightened out. Salem will address the issue and bill Elk Ridge in the O&M charges.

Vernon Fritz: The County has indicated that they will not allow the new, proposed County Road to be cut for 10 years. He recommends installing the pipe for the sewer under the road prior to the new road going in.

The agreement will come back to the Council in its formal form.

ELK RIDGE TOWN COUNCIL MEETING - 3-25-97 - CONT.

WATER
BRENT BLUTH

In the past, water has been taken from the fire hydrants which was unmetered and not paid for. Councilmember Bluth suggests the possibility of charging developers and contractors a flat fee for water used in the course of development and construction. The fee would be charged per truck load. There could be a problem in monitoring.

Forrest Darling: The contractors and developers could monitor the amounts used...only using meters.

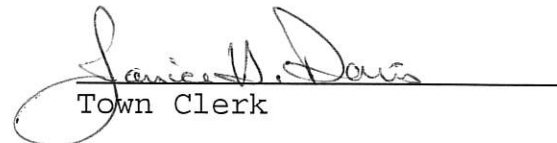
Suggestion: Perhaps only allow one hydrant be used. (Again, how to monitor this.)

Mayor Jacobson asked Councilmember Bluth to review the requirements and solutions in other cities/towns and come back to the Council with specific recommendations. Penalty is under "Theft of Services" The Council is generally in favor of a flat rate per truck load.

Jim Nicolet: Run off water is undercutting the asphalt on the south side of Park Dr. (Kent Haskell is to repair)

ADJOURNMENT

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


Town Clerk

NOTICE & AGENDA

Notice is hereby given that the Town Council of Elk Ridge will hold a Public Hearing on Monday, April 7, 1997 at 7:00 P.M. on the issue of certain proposed amendments to the Elk Ridge Animal Control Ordinance. The Public Hearing will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

7:00 P.M. - PUBLIC HEARING ON ANIMAL CONTROL

This Public Hearing is for the purpose of hearing public comment on the issue of amending the current Elk Ridge Animal Control Ordinance.

All interested persons are invited to attend.

Dated this 4th day of April, 1997.


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 Town Council Agenda was faxed to the Payson Chronicle, 145 E. Utah Ave., Payson, Utah and mailed to each member of the governing body on April 4, 1997.


Town Clerk

ELK RIDGE TOWN COUNCIL PUBLIC HEARING

APRIL 7, 1997

TIME & PLACE OF MEETING A Public Hearing of the Elk Ridge Town Council was held on Tuesday, April 7, 1997, beginning at 7:00 P.M., on the issue of certain proposed amendments to the Elk Ridge Animal Control Ordinance. 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 April 4, 1997.

ROLL CALL Councilmembers Vernon Fritz (Conducting the Meeting) and Brent Bluth, Pat Jacobson, Ty and Cindi Ellis, Ortencia Norlund, Geniel Clark, Steve Clark, Barbara and Chuck Vellios, Connie King, Gary Proctor, Sherry Moody, Dr. Dwight Williams, Denton Hatch, Officer Steve Clark.

Councilmember Vernon Fritz (responsibility over the Animal Control Ordinance) opened the Public Meeting regarding possible modifications to the Animal Control Ordinance.

3 guests were introduced: (to speak from various perspectives)

Dr. Dwight Williams - Medical experience with animal bites

Attorney Denton Hatch - Legal ramifications

Officer Clark - Enforcement

Purpose of Meeting

1. To gather input from residents of Elk Ridge
 - A. Prior to the meeting, Councilmember Fritz has had many conversations with individuals expressing positive support
 - B. Opposing views are also welcome
 - C. Concern has been expressed about procedure in approaching neighbors with problem animals, without directly offending them.
2. To educate and inform the public of certain matters. Enforcement-

The Town contracts with the Utah County Sheriff's Dept. They will respond to call-outs, for animal control, from citizens prepared to sign a complaint, if animal is restrained. They will not respond if animal is running loose and not under restraint.

Denton Hatch (Attorney for Elk Ridge)

1. Liability to owner, if dog (animal) injures someone. Statute in Utah: In most cases a person is not liable unless negligent (failing to act reasonably); with dogs, an injured person does not have to show negligence, just that the dog injured him/her. If your dog bites someone, you are liable, regardless of any excuse.
2. Dogs at Large (with other dogs). If your dog is in a group and one of the dogs bites someone, all of the owners will share in the liability.
3. Circumstances when dog could be shot legally.
 - A. If a dog is attacking, chasing or worrying any domestic animal having commercial value or any species of protected wildlife, while attacking domestic fowl or while such dog is being pursued there after. (Mr. Hatch assumes that humans being attacked would be ground for shooting a dog legally)
4. No legal difference between provoked or unprovoked dot bite...there is civil liability for both.

Officer Steve Clark (Orem City Police)

Reviewed Orem City's Animal Control Ordinance. He feels it is the pet owner's responsibility to care for pet, not the City's/Town's responsibility. Feels laws should be enforced on an individual basis. There are different reasons for biting. He does not support the idea of "one bite and the dog is destroyed"; however, he also believes that it is not the city's responsibility to sign a complaint, it is the citizen's right and obligation to: 1. Talk to the neighbor, whose animal is a nuisance 2. Then, if no action is taken, sign a complaint.

Dr. Dwight Williams:

Medical point of view: 1. When a person comes to the Emergency room or a Doctors' office with a bite, it is the law for them to notify the Police. 2. Option to quarantine the animal.

Analysis of bite: Did it Break the skin, (possibility of rabies)

Provoked or unprovoked: Difference between the dog being annoyed and may nip in response and an animal who attacks for no reason.

In 25 years of emergency room service, Dr. Williams cannot recall one bite that occurred outside the home from an animal who had not bitten previously. Usually the first bite is not serious enough to go to the emergency room..but, the dog (animal)will probably bite again, more severely.

Rabid animals, "appears" unhealthy, does not "foam at the mouth" or drool, that is a misconception. A dog can only transmit rabies during the last 6 days of its life, thus, the 10 day quarantine. In the last 6 days, rabies is transmitted through the saliva of the animal.

Comments/Questions:

Comment - (Did not identify himself) "Dogs at large" are in violation of the law, why wait until the dog bites to file a complaint?

Officer Clark: Often the police are called out to do simple things that citizens could take care of themselves. That is why he still feels that neighbors should talk to each other and solve the problems that can be solved.

A resident (Sherry Moody), tried speaking to their neighbor when the neighbors dog came into her yard and bit her son (7 years old), the neighbor acts like the victim and is rude and offered no apology. She was told by the Utah County Sheriff's Dept. That she would be the one to sue for damages, she would have to be the one to have the dog impounded, which would cause a horrible situation between she and the pet owner. Payson City Police have a law where the complaint is signed, the citation is written by the officer, and a fine of \$150 is charged. The owner is informed that the 2nd time the animal bites, the police are obligated to write another citation for double the amount, the third time, the owner would be fined double again, (\$600) and the dog would be put to sleep. (If the bites are proven to be unprovoked.)

Connie King - quoted law stating terms whereby financial restitution can be gained for damage, through the courts. She feels the Town's law should clearly state what the fines are.

End Question/answer period

General Forum: (Please State name)

Sherry Moody: Expressed concern that when she had been asked by Sheriff's Dept. To sign a complaint, she was told that one complain was not enough, there had to be a file on the animal.

Ortencia Norlund: Neighbors should care for their pets if they are a nuisance and should care for them physically.

Connie King: 1. Feels that if a dog bites, a complaint is filed and that the dog should be picked up; that in other places it is the standard if the bite needs stitches, it results in automatic termination of the dog...provided there are witnesses. She feels the law should be thus written.
2. Mrs. King feels dogs at large should be picked up, the intent of the law is to target "chronic" abusers of the law.
3. It is not lawful for the city to sign a complaint for an anonymous call.

Charles Vellios: feels that chronic offenders of the dogs at large must be addressed, the Town's current option of containing the dog and waiting for the animal control officer is not effective.

Vernon Fritz - Comments in response to a young man (not identified) who claims that to fence his dog in after years of running loose would be cruel to his dog: even though a friendly animal, dogs who have not been expected to harm anyone, have bitten. How tragic if this were to happen with his dog. Another comment to young dog owner: She has witnessed his dog nearly getting hit by cars on several occasions, which is more cruel? To properly contain the dog, or cause the dog to be injured?

Vernon Fritz - There are 2 cultures clashing in Town
1. Rural Atmosphere (where animals are not contained)
2. More urban/residential atmosphere (dogs are kept on leashes and behind fences.)

Discussion:

Barking - Patrolling (cost to Town) Destruction by animals, harassing other pets, and biting...all problems were discusses.

For the record, a resident commented that she feels what Councilmember Fritz is trying to do is wonderful (to allow citizens to call and complain and a letter go out to the offending pet owner, asking that their pet be controlled. A file would be started on the animal and, if needed, then the citizen could file a complaint with the Sheriff). She feels it should be done within the law.

Councilmember Fritz summed up by saying that all points of view would be taken under careful consideration, and a draft ordinance prepared, to be presented at a future meeting (to be announced) for discussion and adoption. The process may take a month or two. He expressed his thanks for everyone's attendance.

Councilmember Fritz then closed the Public Hearing.

NOTICE & AGENDA

Notice is hereby given that on Tuesday, April 8, 1997, the Town Council and Planning Commission of Elk Ridge will hold a Joint Public Hearing at 7:00 P.M., for the purpose of receiving public comment regarding proposed amendments to the Development Code (Ordinance #93-3-9.1), the Subdivision Ordinance and the Standard Specifications of the Town of Elk Ridge. This public hearing will be held in conjunction with the regularly scheduled Town Council Meeting beginning with the Council Work Session 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. PUBLIC HEARING

Joint Public Hearing on the Proposed Amendments to the Development Code, Subdivision Ordinance and Standard Specifications of the Town of Elk Ridge.

7:45 P.M. COUNCIL WORK SESSION

Animal Control Amendments/Discussion
Vernon Fritz

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 Amendments to the Elk Ridge
 Development Code, Subdivision Ordinance and Standard
 Specifications
 Planning Commission Recommendation
 Discussion/Adoption
 Set Public Hearings
8:25 Adoption/Animal Control Ordinance Amendment
8:30 Amendments to Nuisance Ordinance-Vernon Fritz
8:40 Resolution/Town Fees-Discussion/Adopt
8:45 Approval/Service Project
 Clean up Town Hall grounds
8:55 Road Repair
 Vernon Fritz
 Jim Nicolet (Loafer Canyon Road)
9:10 Planning Commission Minutes-Jim Nicolet
9:20 Shaw Septic Tank-Vernon Fritz
9:25 Beautification Committee Member/Approval
9:30 Expenditures:
 General:
 Pipe Finder
9:35 Approval/List of Expenditures-March, 1997
9:40 Approval of Minutes of Previous Meeting
9:45 Other Business
9:50 Adjournment

ELK RIDGE TOWN COUNCIL PUBLIC HEARING - 4-8-97 CONT.

Councilmember Brent Bluth (pg 3-8) 1. Questions electrical substations located within residential areas - this could be a detriment to surrounding properties. (Pg 3-10) 2. Allows the Zoning Administrator to grant a "Temporary Use" permit, the case comes back to the Town Council. What happens if the Town Council denies the "Temporary Permit"?

Councilmember Scot Sessions - Is the Town required to have "Cell Towers"? (Mayor - Yes, by State Law)

Ernestine Folks - Asked if there is a list of the major changes available to those requesting copies of the Development Code? (Mayor - Rod Despain was asked to have a list for the Planning Commission and developer. If he will do it, it would be useful.)

Gary Proctor - Concerned that the Town still allows cul-de-sacs. They are difficult to plow. (Mayor - Diameter of cul-de-sac is being increased from 80' to 100').

The Public Hearing will be left open for any further comments while other agenda items are discussed:

WATER USAGE

Salem City was presented with meter readings from Elk Ridge (Average winter monthly usage) 254 homes used under 10,000 gal, 54 used 10,000 - 20,000 gals, 1 home used 21,00 - 29,00 gal.

The contract with Salem breaks off at 10,000 gals. The Town will be charged for 365 residential units by Salem City for operation and maintenance costs through 1996/1997. Salem City is also coming up with figures from a like study. There will be an extra sewer charge to those Elk Ridge residents with usage over 12,000 gpm.

ELK RIDGE TOWN COUNCIL WORK SESSION

MINUTES

Two acceptable ways to handle the taking of minutes at Town meetings.

1. Town Council: uses method #2. "Minutes can be changed after the approval by the Council, in the computer, and a new, fresh copy generated."
 - A. Tape is only used as a tool to create the hard copy of the minutes
2. Planning Commission: Members are unwilling to take

detailed minutes due to their involvement with the issues at hand. Suggestion: to hire someone to come in to take minutes (experienced in note taking)

- A. Recommendation (Jim Nicolet) to not allow copies of tapes to be made from the master copy. A copy should be made of the master for this purpose; otherwise the quality of the original will be lost.
- B. Plan Review Meetings will not be taped
 - 1. Directions to developers will be written and given to them.

An advertisement will be sent out in the next newsletter for the position. The Planning Commission will be authorized to hire a person. The Town Clerk will ask Pat Jacobson for temporary help with the minutes for the April Planning Commission meeting.

PARKS/TENNIS
COURT

Dale Bigler received a bid from Wilson's
60' x 120' with retaining wall=
Projected costs:
2,000 (gran)
5,030 (7200 sq. Ft.
1155 (14 rolls of mesh)
5400 (labor)
12,585 Total

This is high. Mr. Bigler recommends smaller retaining walls. The Mayor suggested that the Town do as much of the labor as possible to try to save money.

AMERICAN RED
CROSS/
LDSS CHURCH

Statement of understanding - regarding using LDS Chapels as points of evacuation, in a disaster situation. Stake President Logan Nilsson has agreed to allow for both Elk Ridge Chapels to be used in this manner, should the need arise. If the Chapels are used as points of evacuation, the agreement designates the Red Cross as the organization which handles the shelters.

ANIMAL CONTROL

Councilmember Vernon Fritz reviewed the Public Hearing held on 4-7-97 on Animal Control. He reported that there was not a lot of hostility. The main focus was on enforcement and taking of animals

Concerns expressed:

- 1. Anonymous Reporting
- 2. The Town signing complaints

Councilmember Fritz was not prepared to make any recommendation at this time.

ELK RIDGE TOWN COUNCIL WORK SESSION - 4-8-97 CONT.

7:50 P.M. MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY VERNON FRITZ, TO CLOSE THE PUBLIC HEARING. VOTE: YES-ALL(5), NO-NONE(0)

ROD DESPAIN Meeting with Valley Asphalt was rescheduled for this week. No further information at this time.

ELK RIDGE TOWN COUNCIL MEETING

APRIL 8, 1997

TIME & PLACE OF MEETING A Joint Public Hearing of the Elk Ridge Town Council and the Planning Commission was held on Tuesday, April 8, 1997, beginning at 7:00 P.M., for the purpose of receiving public comment regarding proposed amendments to the Development Code (Ordinance #93-3-9.1), the Subdivision Ordinance and the Standard Specifications of the Town of Elk Ridge. This Public Hearing was Held in conjunction with the regularly scheduled Town Council Meeting beginning with the Council Work Session at 7:45 P.M., followed by 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 April 4, 1997.

At 7:00 P.M., Mayor Jacobson opened the Public Hearing on the proposed Amendments to the Development Code, Subdivision Ordinance and the Standard Specifications of the Town of Elk Ridge.

ROLL CALL Mayor Jacobson, Councilmembers: Vernon Fritz, Brent Bluth, Jim Nicolet, Scot Sessions; Planning Commission Chairperson Tod Schulthess, Planning Commission Member Ernie Folks, Gary Proctor, Ty Ellis, Terry Righettini, Dale Bigler, Cindi Ellis, Forrest Darling, Janice Davis, Town Clerk.

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

APPROVAL OF AGENDA TIME FRAME MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY VERNON FRITZ TO APPROVE THE AGENDA TIME FRAME AS AMENDED:
STRIKE: 1. 8:10 ADOPTION/DEVELOPMENT CODE, SUBDIVISION

ORDINANCE AND STANDARD SPECIFICATION AMENDMENTS
(PUBLIC HEARING WILL BE SET)

2. 8:25 ADOPTION/ANIMAL CONTROL ORDINANCE

3. 8:55 ROAD REPAIR

ADD: UNDER "EXPENDITURES" APPROVAL/COMPUTER DESKS
VOTE; YES-(4), NO-NONE(0), ABSENT FROM VOTE(1)-SCOT
SESSIONS

DEVELOPMENT
CODE,
SUBDIVISION
ORDINANCE,
STANDARD
SPECIFICATION
SET PUBLIC
HEARING

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY JIM
NICOLET, TO SET THE PUBLIC HEARING FOR THE PROPOSED
AMENDMENTS TO THE ELK RIDGE TOWN DEVELOPMENT CODE,
SUBDIVISION ORDINANCE AND STANDARD SPECIFICATIONS, 1)
WITH THE PLANNING COMMISSION FOR APRIL 24, 1997,
AT 6:00 PM
2) WITH THE TOWN COUNCIL FOR MAY 13, 1997 AT 7:00 PM
VOTE: YES-(4), NO-NONE(0), ABSENT FROM VOTE(1)-SCOT
SESSIONS

NUISANCE
ORDINANCE/
AMENDMENTS

Councilmember Vernon Fritz -
Proposed Amendments:

1. To permit fenced yards to surround the allowable number of vehicles (two)
which are not "road worthy"

Seeks Town Council opinion:

Jim Nicolet - Concerned with continued visibility from split-level or 2 story
homes, looking down on fenced area

2. Abatement of a "nuisance"

Options:

A. Add to current ordinance a statement permitting the Town to obtain a
court order to remove the material or vehicles

B. File a court action and cause a judgement against anyone refusing to
remove the problem

1. Action allows 30 days for the nuisance to be removed, then
judgement would be set aside.

Councilmember Fritz is to provide a sample ordinance for the Council to
review.

TOWN FEES/
RESOLUTION

This resolution combines the normal administrative fees charged to
individuals for various services and documents.

MOTION WAS MADE BY BRENT BLUTH SECONDED BY JIM
NICOLET, TO ADOPT RESOLUTION #97-4-8-7R ENTITLED
"SCHEDULE OF FEES FOR OFFICE SERVICES".

VOTE: POLL: JIM NICOLET-AYE, MAYOR JACOBSON-AYE, BRENT
BLUTH-AYE, VERNON FRITZ-AYE, SCOT SESSIONS-AYE.

ELK RIDGE TOWN COUNCIL MEETING - 4-8-97 - CONT.

SERVICE
PROJECT/
APPROVAL

Elk Ridge 2nd Ward (LDS Church) Youth propose a project of beautifying the Town Hall by cleaning up around the park and Town Hall, planting flowers and two bushes. This would be funded from "Volunteer Projects" (Town budget), to purchase the flowers and bushes.

MOTION WAS MADE BY SCOT SESSIONS SECONDED BY MAYOR JACOBSON, TO ACCEPT VOLUNTEER EFFORTS OF THE ELK RIDGE 2ND WARD TO ASSIST THE BEAUTIFICATION COMMITTEE AROUND THE TOWN HALL.

VOTE: YES-ALL(5), NO-NONE(0).

LOAFER
CANYON
ROAD

Councilmember Jim Nicolet - The Planning Commission, Bruce Hall and Councilmembers Fritz and Nicolet, took a field trip to North Loafer Canyon Road. (Matt Rutter is subdividing 2 lots on North Loafer Canyon Road)

Question: Does the Town

1. Accept cash in lieu of actual installation of the road improvements
2. Require Mr. Rutter to install a portion of the road

Mayor - Commented: that the Town Council has already voted that the Town will no longer accept cash in lieu of installing the required improvements.

Councilmember Nicolet continued: the Planning Commission recommends, after advise from the engineer (Bruce Hall), improving the whole road at one time, using Road Assessment funds collected from developers along Loafer Canyon Road, thus far, over \$37,000 has been collected. Mr. Hall estimates roughly \$100,000 to complete North Loafer Canyon Road (Park Dr., North) This would require accepting "cash in lieu of"

Reason: There is enough work to be done which must proceed the actual road work to justify waiting at least another year. According to Hall Engineering, there are major drainage issues to be addressed at the corner of Park Dr. and north on Loafer Canyon Road.

Mayor Jacobson - feels the Town should take the road assessment money collected and install as much of the road as possible.

1. Town Council has voted to not accept cash in lieu of installation and he feels it would be foolish to do so again
2. Lynn Peterson was forced to install the road improvements for his subdivision on South Loafer Canyon Road.

Ernestine Folks: repeated Hall Engineering's advise that to install North Loafer Canyon Road prior to correcting the major drainage problems in existence, the new road would be undermined by wastewater. South Loafer Canyon Road is separate from North Loafer Canyon Road and should be addressed as separate issues.

ELK RIDGE TOWN COUNCIL MEETING - 4-8-97 - CONT.

Approximately ½ of the road would have to be improved by the Town, not developers. (Due to prior contribution of developer John Peterson) Bruce Hall needs to determine the alignment of Loafer Canyon road. Councilmember Nicolet is to get a cost estimate for the Town Council Meeting.

PLANNING
COMMISSION
MINUTES

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY SCOT SESSIONS, TO AUTHORIZE THE PLANNING COMMISSION TO HIRE SOMEONE TO TRANSCRIBE OFFICIAL MINUTES FROM TH TAPES AND THAT THE TAPES NO LONGER BE AVAILABLE FOR USE EXCEPT FOR USE IN THE CREATION OF THE AUTHORIZED MINUTES FROM THE PLANNING COMMISSION. VOTE: YES-ALL(5), NO-NONE(0).

SHAW SEPTIC
TANK-
VERNON FRITZ

1. Septic system has been exposed for inspection by the Utah County Health Dept.
2. Water line is not in, this is now Payson City's responsibility
Councilmember Nicolet reminded those present that Elk Ridge is still responsible for any fire hazzard.

BEAUTIFICATION
COMMITTEE
MEMBER/
APPROVAL

MOTION WAS MADE BY VERNON FRITZ SECONDED BY MAYOR JACOBSON, TO APPROVE HORTENTIA HORTON AS A MEMBER OF THE BEAUTIFICATION COMMITTEE. VOTE: YES-ALL(5), NO-NONE(0).

EXPENDITURES
GENERAL

1. OFFICE FURNITURE

To make better use of space available, Office Max has a sale on the same style as approved in the last Town Council meeting. Propose: corner desks to use space and to be able to set up additional computer stations.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY JIM NICOLET, TO APPROVE THE \$1,380 FOR OFFICE DESKS. VOTE: YES-ALL(5), NO-NONE(0).

2. PIPE FINDER

To assist in locating pipes.

MOTION WAS MADE BY BRENT BLUTH SECONDED BY SCOT SESSIONS, TO AUTHORIZE THE PURCHASE OF A WATER PIPE LOCATOR TO BE TAKEN OUT OF CAPITAL OUTLAY, UP TO \$2,000 (WATER FUND). VOTE: YES-ALL(5), NO-NONE(0).

LIST OF
EXPENDITURES/
MARCH, 1997

Not Available

ELK RIDGE TOWN COUNCIL MEETING - 4-8-97 - CONT.

APPROVAL OF
MINUTES OF
3-25-97

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY
VERNON FRITZ, TO APPROVE THE MINUTES OF 3-25-97 AS
CONSTITUTED WITH CORRECTION ON PG. 17, READS:
"FLOODING FORM UPPER LOAFER..." CORRECTION: "FLOODING
FROM" VOTE: YES-ALL(5), NO-NONE(0).

OTHER BUSINESS
NON AGENDA ITEM

The Mayor informed the Council of Election filing
dates:

1. July 9 - Aug. 26 (there will be 3 vacancies on
the Council)

If Housebill #160 became law, filing dates would be
7/9 - /26.

2. Another law, (Housebill # 161) sets filing dates
between 7/15 - 8/15.

ADJOURNMENT

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


TOWN CLERK

NOTICE & AGENDA

Notice is hereby given that on Tuesday, May 13, 1997, the Elk Ridge Town Council will hold a two (2) Public Hearings for the purpose of receiving public comment regarding the following: The first Public Hearing will be held at 7:00 P.M. on the proposed amendments to the Development Code (Ordinance #93-3-9.1), the Subdivision Ordinance and the Standard Specifications of the Town of Elk Ridge. The second Public Hearing will be held at 8:10 P.M., regarding the review of Preliminary Plans and Documents, as approved by the Elk Ridge Planning Commission, for Greenview Estates Subdivision, encompassing 3 lots in the CE-1 Zone and regulated by the current Planned Residential Development Ordinance. These public hearings will be held in conjunction with the regularly scheduled Town Council Meeting beginning with the Council Work Session at 7:30 P.M., followed by the regular Council Meeting at 8:00 P.M. The meetings will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

7:00 P.M.

PUBLIC HEARING

Public Hearing on the Proposed Amendments to the Development Code, Subdivision Ordinance and Standard Specifications of the Town of Elk Ridge.

7:30 P.M.

COUNCIL WORK SESSION

EMT/Discussion-Terry Spoor
Refuse Collection/Roll-away bins-Brent Bluth
Hillside Estates/Drainage-Discussion
Animal Control/Discussion-Vernon Fritz
1997/1998 Fiscal Year Budget/Discussion
Electric Power/Discussion-Mayor

8:00 P.M. -

REGULAR COUNCIL MEETING AGENDA ITEMS:

8:00 Invocation & Pledge of Allegiance
8:03 Approval of Agenda Time Frame
8:05 Approval/EMT

8:10 P.M.

PUBLIC HEARING

Public Hearing Regarding the Review of Preliminary Plans & Documents, as approved by the Elk Ridge Planning Commission, for Greenview Estates Subdivision, Encompassing 3 Lots in the CE-1 Zone & Regulated by the Current Planned Residential Development Ordinance.

CONTINUE COUNCIL MEETING AGENDA ITEMS:

8:30 Approval/Ordinance adopting the Proposed Amendments to the Elk Ridge Development Code and Subdivision Ordinance
8:35 Approval/Resolution adopting the Proposed changes to the Elk Ridge Standard Specifications
8:40 Approval/Greenview Estates, Plat A-Preliminary Plat (As regulated by the PRD Ordinance)
8:45 Adoption/Tentative Budget for 1997/1998 Fiscal Year
Set Public Hearing/1997-98 Fiscal Year Budget
8:55 Resolution/Minutes & Retention of Tapes


Elk Ridge Town Council Agenda 5-13-97
Pg. 2

9:00 Approval/Asphalt Paving Contract-Vernon Fritz
9:05 Amendments to Nuisance Ordinance-Vernon Fritz
9:15 Interlocal Sewer Agreement-Discussion/Approval
Brent Bluth
9:25 Loafer Canyon Road/Bonding-Jim Nicolet
9:35 Set Public Hearing/Elk Ridge General Plan
9:40 Expenditures:
General:
List of Expenditures: March, April, 1997
9:45 Approval of Minutes of Previous Meetings
9:50 Other Business
10:00 Adjournment

(Handicap Access Available Upon Request)

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 9th day of May, 1997.


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 faxed to the Payson Chronicle, Payson, Utah and mailed to each member of the governing body on May 9, 1997.


Town Clerk

ELK RIDGE
TOWN COUNCIL WORK SESSION

MAY 13, 1997

TIME & PLACE
OF MEETING

The regular meeting of the Elk Ridge Town Council was held on Tuesday, May 13, 1997 with (2) Public Hearings for the purpose of receiving public comment regarding the following: The first Public Hearing was held at 7:00 P.M. on the proposed amendments to the Development Code (Ordinance #93-3-9.1), the Subdivision Ordinance and the Standard Specifications of the Town of Elk Ridge. The second Public Hearing was held at 8:10 P.M., regarding the review of Preliminary Plans and Documents, as approved by the Elk Ridge 63planning Commission, for Greenview Estates Subdivision, encompassing 3 lots in the CE-1 Zone and regulated by the current Planned Residential Development Ordinance. These Public Hearings will be held in conjunction with regularly scheduled Town Council Meeting beginning with the Council Work Session at 7:30 P.M., followed by 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 May 9, 1997.

7:00 P.M.
PUBLIC HEARING
DEVELOPMENT

At 7:00 pm, Mayor Jacobson opened the Public Hearing of the Proposed Amendments to the Development Code, Subdivision Ordinance and CODE Standard Specifications of the Town of Elk Ridge.

SUBDIVISION
ORDINANCE AND
STANDARD
SPECIFICATIONS

ROLL CALL

Mayor Jacobson, Councilmembers: Vernon Fritz, Brent Bluth, Jim Nicolet, Scot Sessions; Ernestine Folks, roger Dudley, Jan Newman, Don Weeks, Jennifer Weeks, Tracy Mower, Terry Spoor, Kevin Ririe, Paul Liston, Ryan Dave, Scouts - Spencer Salcido, Ben Austin, Tyler Haskell, Sean Moody, Jan Davis, Town Clerk.

ELK RIDGE TOWN COUNCIL - PUBLIC HEARING 5-13-97 - CONT.

Mayor Jacobson announced that the proposed Development Code and Subdivision Ordinance are not in a completed state, to be able to present in a Public Hearing. This Public Hearing is canceled

The Public Hearing on the Standard Specifications, which are complete and in an acceptable form, will go forward. There were no comments, so the Work Session Agenda items were discussed. The Public Hearing was left open for any opinions or comments by the public.

EMT/
DISCUSSION

1. Terry Spoor was present to discuss a proposed Draft Emergency Medical Policy with the Council and those present. The Policy was reviewed. The Mayor requested that a copy of the proposed Policy be attached to the minutes. (See attached)

The Mayor asked if a person covers two (2) jobs, would he/she be paid for both? (No)

Mayor Jacobson recommended :

1. Cut off purchasing of equipment by 5/31 (end of fiscal year is June)
2. Co-ordinate with the Emergency Preparedness Director and team.
3. Insurance details are necessary (Utah Local Governments Trust)
(Check with Town Clerk.
4. Vehicle information is needed for insurance coverage.

A vehicle is available presently. It would be outfitted slowly, as funds are available. Costs are unknown at this time: Purchase, operation and maintenance, insurance, equipping.

It would be ready for service within one to two years. (Approximately). Councilmember Sessions cautioned that it should not be driven until ready.

5. Price List / EMT
Bids were obtained for the purchase of a defibulator for the Town. Mr. Spoor recommended the first one on the list from "Physio Control" at a price of \$3,378.24. The Mayor informed the Council that State Grants are available for Fire Departments.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY SCOT SESSIONS, TO CLOSE THE PUBLIC HEARING. VOTE: YES-ALL, NO-NONE.

ELK RIDGE TOWN COUNCIL - PUBLIC HEARING 5-13-97 - CONT

REFUSE
COLLECTION
ROLL-AWAYS
BRENT BLUTH

Councilmember Brent Bluth:

Issue: Town supplies dumpsters for the residents on a quarterly basis.

1. Weekends - dumpsters are overfilled
2. One at a time is no longer sufficient - 2 are necessary due to growth in population.

Councilmember Bluth is attempting to negotiate with Laidlaw Waste Systems for extra roll-away bins, at no added cost to the Town.

HILLSIDE
ESTATES/
DRAINAGE

1. Issue (as presented in a memo to the Elk Ridge Town Council from the Planning Commission Chairperson, Tod Schulthess:) Hillside Estates Subdivision exists in a natural drainage area; in fact, a house has been built in the middle of the drainage area. Also, noted Chairman Tod Schulthess, "East Salem Hills Dr. has an asphalt extension that was not approved nor is it to Code, and dirt has been piled on the west side of Hillside Dr." and the south side of East Salem Hills Drive.

Chairman Schulthess request:

- A. Mayor Jacobson clarify who does road inspections
- B. 2 or 3 recommendations with associated costs from Hall Engineering on possible solutions to the drainage and road reconstruction
- C. Hall Engineering to inspect the improvements that were constructed and note those that were required but not constructed.

Chairman Schulthess feels the Town is responsible to pay for the solution to the drainage problem, as the plat was given final approval by the Town Council.

2. Hall Engineering/Letter dated 4-17-97. In regards to drainage problem: Hillside Drive and Salem Hills Dr. "All Construction drawings submitted for our review only showed the proposed improvements to Hillside Dr. We have nothing on record indicating that Salem Hills Dr. would be improved west of Hillside Dr. The proposed improvements for this road are in violation of Town Standards."

Bruce Hall recommends: "the road across the drainage channel be removed and reconstructed with an approved road and drainage plan. The developer should be required to bear this expense. I have no indication the Town even approved a road that completely dams off a natural drainage channel."

ELK RIDGE
TOWN COUNCIL MEETING

MAY 13, 1997

TIME & PLACE OF MEETING The regular meeting of the Elk Ridge Town Council was held on Tuesday, May 13, 1997 with (2) Public Hearings for the purpose of receiving public comment regarding the following: The first Public Hearing was held at 7:00 P.M. on the proposed amendments to the Development Code (Ordinance #93-3-9.1), the Subdivision Ordinance and the Standard Specifications of the Town of Elk Ridge. The second Public Hearing was held at 8:10 P.M., regarding the review of Preliminary Plans and Documents, as approved by the Elk Ridge 68planning Commission, for Greenview Estates Subdivision, encompassing 3 lots in the CE-1 Zone and regulated by the current Planned Residential Development Ordinance. These Public Hearings will be held in conjunction with regularly scheduled Town Council Meeting beginning with the Council Work Session at 7:30 P.M., followed by 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 May 9, 1997.

ROLL CALL Mayor Jacobson, Councilmembers: Vernon Fritz, Brent Bluth, Jim Nicolet, Scot Sessions; Ernestine Folks, Roger Dudley, Jan Newman, Don Weeks, Jennifer Weeks, Tracy Mower, Terry Spoor, Kevin Ririe, Paul Liston, Ryan Dave, Scouts - Spencer Salcido, Ben Austin, Tyler Haskell, Sean Moody, Jan Davis, Town Clerk.

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

APPROVAL OF AGENDA TIME FRAME MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY VERNON FRITZ TO APPROVE THE AGENDA TIME FRAME AS AMENDED:
1. 8:30 ITEM - STRIKE (DEVELOPMENT CODE & SUBDIVISION ORDINANCE ARE NOT READY FOR APPROVAL) 2. MOVE 8:35 ITEM TO 9:00 (AFTER "RESOLUTION/MINUTES AND AGENDAS") VOTE; YES-ALL, NO-NONE.

TOWN COUNCIL MEETING 5-13-97 - CONT.

ADOPTION/
TENTATIVE
BUDGET
1997/1998

The Tentative Budget was reviewed further.
Change: 1) A projected 39,000 for B&C Road Funds (Revenue)
2) \$6,600 (EMT equipment) to be used this fiscal year.5

MOTION WAS MADE BY BRENT BLUTH SECONDED BY
VERNON FRITZ, TO APPROVE THE TENTATIVE BUDGET
(RESOLUTION #97-5-13-8R) FOR THE 1997-1998 FISCAL YEAR,
WITH CHANGES AND ADJUSTMENTS, AS NOTED BY THE TOWN
COUNCIL, FOR THE OPERATION OF THE TOWN OF ELK RIDGE.
VOTE: YES-ALL, NO-NONE.

RESOLUTION/
MINUTES-
RETENTION
OF TAPES

Mayor Jacobson reviewed the proposed resolution

1. Notice
List requirements
2. Agendas
 - A. Timed Agendas, The legislative body must vote to extend time.
 - B. No item may be added to the agenda after 24 hour notice
 1. Criteria listed for Emergency Meetings and adding an agenda item.
3. Minutes
Tapes may be used to assist in minute taking. Once minutes are completed, tapes may be destroyed
4. Emergency Meetings
5. Closed meetings

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY
SCOT SESSIONS, TO APPROVE RESOLUTION #97-5-13-9R
GOVERNING PREPARATION AND USE OF AGENDAS AND
MINUTES OF PUBLIC MEETINGS; WITH ADDITION TO #2 THAT
AN AGENDA ITEM ON THE AGENDA MAY BE EXTENDED BY
MAJORITY VOTE OF THE PUBLIC BODY OR DISCUSSION MAY
BE DISCONTINUED AT THE END OF THE TIME LIMIT. VOTE:
YES-ALL, NO-NONE.

TOWN COUNCIL MEETING 5-13-97 - CONT

ADOPTION/
RIDGE
STANDARD
SPECIFICATION

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY ELK BRENT BLUTH TO ADOPT RESOLUTION #97-5-13-10R ADOPTING MINIMUM STANDARDS RELATING TO THE LAYOUT AND DESIGN OF SUBDIVISION DEVELOPMENTS, CONTENT OF MATERIALS SUBMITTED IN SUPPORT OF APPLICATIONS FOR APPROVAL OF SUBDIVISIONS, AND THE QUALITY OF MATERIALS AND CONSTRUCTION OF PUBLIC IMPROVEMENTS WITHIN THE TOWN OF ELK RIDGE, UTAH. VOTE: YES-ALL, NO-NONE.

APPROVAL/
ASPHALT PAVING
CONTRACT-
VERNON FRITZ

Cost of repair work - Approximately \$38,000
Roads to be repaired - Alpine, Maple Lane and North Clark Lane
(Water/sewer laterals to be installed on 2 vacant lots prior to road work.
There will be liens placed on the lots)

The Town Hall parking lot will also be repaved. Councilmember Sessions would like an option of negotiating with Valley Asphalt to try to manage for the parking lot work to be done prior to the 4th of July Celebration.

MOTION WAS MADE BY VERNON FRITZ SECONDED BY MAYOR JACOBSON, TO ACCEPT THE BID BY VALLEY ASPHALT FOR ROAD WORK ON ALPINE DRIVE, NORTH CLARK LANE, MAPLE LANE AND THE TOWN HALL PARKING LOT, IN THE AMOUNT OF \$37,892.10. VOTE: YES-ALL, NO-NONE.

*Councilmember Fritz added that Geneva Rock was invited to bid for the work by fax, they did not respond.

Sewer/Water laterals to be reimbursed to those funds at time of building permit.

NUISANCE
ORDINANCE-
UPDATE

Councilmember Fritz read a sample letter to be sent to residents, regarding removal of any objects or structures which constitute a "nuisance". He will prepare the amending ordinance for adoption.

INTERLOCAL
SEWER
AGREEMENT

The Agreement was reviewed by the Town Council.
Discussion:
Councilmember Bluth - questioned pg. 6: He is concerned about the document mentioning "limited use for Town" (future) caused by "bottle neck" in line which results in restricted flow.

TOWN COUNCIL MEETING 5-13-97 - CONT

Councilmember Fritz - would like clarification on whose responsibility it is to replace the "bottle neck".

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY JIM NICOLET, TO APPROVE THE INTERLOCAL AGREEMENT BETWEEN ELK RIDGE AND SALEM CITY FOR THE CONSTRUCTION, USE AND MAINTENANCE OF THE JOINT WASTEWATER FACILITY, AS WRITTEN, WITH THE APRIL 23, 1997 ATTACHMENT FORM PAUL J. HAIR (SALEM CITY)..
VOTE: YES-ALL, NO-NONE.

*The Mayor will follow up with Salem City.

LOAFER CANYON ROAD/
BONDING Sewer line will be installed on Loafer Canyon Road prior to the road being improved; thus, cash in lieu of installation of road improvements will be accepted by developers along Loafer Canyon Road.

MOTION WAS MADE BY JIM NICOLET SECONDED BY MAYOR JACOBSON, TO ACCEPT CASH PAYMENTS TO THE TOWN IN LIEU OF ACTUAL PLACEMENT OF ROAD IMPROVEMENTS OF LOAFER CANYON ROAD. VOTE: YES-ALL, NO-NONE.

GENERAL PLAN/
SET PUBLIC HEARING MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY SCOT SESSIONS, TO SET THE PUBLIC HEARING FOR THE ELK RIDGE GENERAL PLAN FOR THE TOWN COUNCIL MEETING ON 6-10-9, AT 7:20 P.M. (1/2 HOUR IN LENGTH).
VOTE: YES-ALL, NO-NONE.

CERTIFIED TAX RATE-1997/98
BUDGET/SET PUBLIC HEARING MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY SCOT SESSIONS, TO SET THE PUBLIC HEARING TO ADOPT THE 1997 CERTIFIED TAX RATE AND THE 1997/1998 BUDGET FOR THE OPERATION OF THE TOWN OF ELK RIDGE, FOR 6-10-97 AT 7:00 P.M. VOTE: YES-ALL, NO-NONE.

APPROVAL OF EXPENDITURES FOR 3-97 MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY VERNON FRITZ, TO APPROVE THE LIST OF EXPENDITURES FOR 3/97. VOTE: YES-ALL, NO-NONE.

APPROVAL OF EXPENDITURES FOR 4-97 MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY VERNON FRITZ, TO APPROVE THE LIST OF EXPENDITURES FOR 4/97. VOTE: YES-ALL, NO-NONE.

TOWN COUNCIL MEETING 5-13-97 - CONT

APPROVAL OF MINUTES FOR PUBLIC HEARING MOTION WAS MADE BY VERNON FRITZ SECONDED BY BRENT BLUTH, TO APPROVE THE MINUTES FOR THE PUBLIC HEARING REGARDING ANIMAL CONTROL, AS PRESENTLY CONSTITUTED. VOTE: YES-ALL, NO-NONE.

OTHER BUSINESS:

1. DEVELOPMENT CODE/
SUBDIVISION
ORDINANCE/
SET PUBLIC
HEARING MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY JIM NICOLET, TO SET THE PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE ELK RIDGE DEVELOPMENT CODE AND SUBDIVISION ORDINANCE FOR 6-24-97, AT 7:00 PM. VOTE: YES-ALL, NO-NONE.

2. PETITION TO
VACATE AND
AMEND MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY JIM NICOLET, TO ACCEPT THE PETITION TO VACATE AND AMEND SALEM HILLS SUBDIVISION, PLAT, LOTS #19 & #21, AND TO SET THE PUBLIC HEARING FOR 6-10-97 AT 8:10 P.M. VOTE: YES-ALL, NO-NONE

3. PARKS GRANT Mayor Jacobson asked Councilmember Brent Bluth to reapply for Utah County Grant for additional funds for the tennis court. (Projected cost of the tennis court = \$17,000)

4. 4TH OF JULY - SCOT SESSIONS Councilmember Sessions suggested the beginning of a Town tradition to add to the 4th of July Celebration: A Council Dinner - with the Councilmember as the cooks. This would be a fund raiser for the community.

5. SHAW BARN A. No septic tank approval has been submitted to the Town
B. Payson will require Mr. Shaw to install a water line.


Councilmember Fritz proposed that if these items are not completed by 5-27-97, then a formal letter should go out to the property owner allowing 30 days to complete or shut down.

C. Why is the County allowing this situation to continue? (The Mayor feels that the County is the proper body to shut them down.)
D. Payson City is not considering annexing their property.

The Mayor added that the County had no record of their barn.

TOWN COUNCIL MEETING 5-13-97 - CONT

ADJOURNMENT MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY
VERNON FRITZ TO ADJOURN, VOTE: YES-ALL, NO-NONE.


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, May 27, 1997, (not May 28, 1997), 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:
Laidlaw Waste Systems-Glen Gardner
Unlicensed Vehicles
Amendment to Beautification Ord.-Vernon Fritz
Discussion
4th of July Celebration
Road Repair/Update
Utility Tax-Mayor
Other Business
- 8:00 P.M. - REGULAR COUNCIL MEETING AGENDA ITEMS:
8:00 Invocation and Pledge of Allegiance
8:05 Approval of Agenda Time Frame
8:10 Certified Tax Rate/Discussion-Mayor
8:15 Planning Commission Recommendations:
Handicapped Ordinance
"2nd Chance" Organization-Jay Shepherd
Rutter Subdivision, Plat B-Preliminary/Final
Fairway Heights, Plat B/Final
Annexation Ordinance
8:45 Posting/Notice-Board of Adjustment
8:55 Minute Taking-Planning Commission/Board of Adjust.
9:00 Expenditures:
General:
9:10 Approval of Minutes of Previous Meeting
9:15 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.

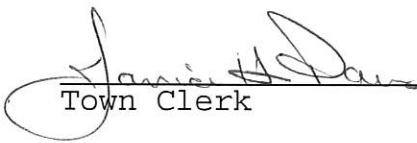
Dated this 27th day of May, 1997.


Town Clerk

*Handicapped Access and Services, upon prior request.

CERTIFICATION

I, the undersigned, duly appointed and acting Town Clerk for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Town Council Amended Agenda (correcting the date) was faxed to the Payson Chronicle, 145 E. Utah Ave., Payson, Utah and hand delivered to each member of the governing body on May 27, 1997.


Town Clerk

ELK RIDGE
TOWN COUNCIL WORK SESSION

MAY 27, 1997

TIME & PLACE OF MEETING The regular meeting of the Elk Ridge Town Council was held on Tuesday, May 13, 1997 beginning with the Council Work Session at 7:00 P.M., followed by 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 May 9, 1997.

ROLL CALL Mayor Jacobson, Councilmembers; Jim Nicolet, Brent Bluth, (Absent, Scot Sessions, Vernon Fritz); Forrest Darling, Glen Gardner, Janice H. Davis, Town Clerk.

LAILAW WASTE SYSTEMS- Glen Gardner (From LWS) submitted a summary to the Council, including
GLEN GARDNER 1)Landfill prices 2)Roll-off Quarterly Clean up status 3)Container charges.

2 situations:

1. Landfill costs are increasing this summer at South County Transfer Station, used by LWS to dump Elk Ridge Waste, (\$25/ton to \$27/ton). Upon reviewing figures on landfill charges, he discovered that Elk Ridge should be considered an "out of district" community (charges for landfill are going from \$35/ton to 37/ton. Elk Ridge has not been charged as an "out of district" community and has only been charged \$25/ton to dump the waste. This error has been in existence since at least 1992. So, the rate increase for landfill for Elk Ridge would increase from the accustomed \$25/ton to \$37/ton. Laidlaw has arranged to use Payson landfill to dump Elk Ridge's waste, which will be \$30/ton. (Laidlaw has subsidized Elk Ridge about \$33,000 over the years.) The change in rate is effective July 1, 1997, it will be \$18.36/month.
2. Roll-offs
Current contract provides for quarterly roll-offs, free of charge to the Town. One roll-off is allowed per week with one dump. As the Town has grown, this has become insufficient. It has evolved into one roll-off/day and one dump/day for one week's time.

ELK RIDGE TOWN COUNCIL WORK SESSION - 5-27-97 - CONT.

This has also been in error.

Current Status of charges to Laidlaw:

1996	24 loads - 37.06 tons @ \$35/ton	=\$1,297 (landfill)
	24 loads @ \$80/haul (cost)	=\$1,920
	Cost to Laidlaw	=\$3,217
1997	YTD 11 loads - 19.26 tons @ 35/ton	=\$674.10
	YTD 11 loads @ \$83/haul (cost)	=\$913.00
	YTD cost to Laidlaw	=\$1,587.10

Other Cities

LWS - provide containers and hauling/City pays landfill costs

Mayor:

Average of 45 ton/load (about 40 containers/yr.)

What would the monthly cost/resident be?

LWS Suggestion:

Most other cities charge \$5.00/container for extra containers

Extra container - raise from 1.25 to 3.00 (Elk Ridge)

Councilmember Bluth will work with Mr. Gardner to get adjusted changes into a proposed agreement.

Councilmember Bluth will send out information to residents with the newsletter, he would like input from the public about any increases of charges to them.

Councilmember Jim Nicolet suggested only one roll-off in January when it is not used as heavily.

UNLICENCED
VEHICLES

No information at this time

AMENDMENT TO
BEAUTIFICATION
ORDINANCE

The Mayor said that Councilmember Fritz wants to include a sample letter (to be sent to residents) into the Ordinance as an amendment.

4TH OF JULY

Postponed until next Council Meeting (Councilmember Sessions, absent)

ELK RIDGE TOWN COUNCIL WORK SESSION - 5-27-97 - CONT.

ROAD REPAIRS

Councilmember Sessions wanted to get the Town Hall parking lot asphalted before the celebration on the 4th of July.

Contract with Valley Asphalt has been signed,

1. Alpine Drive, will be straightened from Astor Ln. To Escalante Dr. Road improvements to include road base, compaction and all other requirements.
2. Maple Lane, (Sewer Lateral and water line to be installed on vacant lot)
3. North Clark Lane, (Sewer Lateral and water laterals to be installed on vacant lot.

Liens to be placed on these lots for cost of laterals.

Forrest Darling - suggested replacing the 6" water line on Alpine with an 8" line in an attempt to produce more flow in that area. (Approximately 13.87 PLF to install an 8" line and removal costs. (Where would the Town obtain funds for this?)

Ernestine Folks - Drainage on North Clark Lane will increase with additional asphalt, the issue of a sump at the north end of the road should be addressed.

Councilmember Bluth will contact Councilmember Fritz about a sump.

UTILITY TAX

Mayor - Discussed Housebill #461 which authorizes municipalities to levy tax on the sale or use of energy, up to 6%. Ordinance must be passed to be able to levy the tax. It must be a uniform amount for all utilities. Then a contract is required with the State Tax Commission. The Tax Commission collects the tax from the power companies and remit the tax back to the municipalities. Taxes come in as revenue to the General Fund, to be allocated out, where needed.

Denton Hatch is acquiring information on the process to contract with the State.

OTHER BUSINESS

1. WATER PRESSURE/PARK DR.

Councilmember Jim Nicolet reported that the water pressure is too low on Park Dr. east of Escalante. This is due to the pressure reducing station at Park Dr and Escalante. The mayor will have Kent Haskell increase the pressure to 80 lbs. For the summer.

ELK RIDGE TOWN COUNCIL WORK SESSION - 5-27-97 - CONT.

2. MINUTE TAKING/BOARD OF ADJUSTMENTS

There will be official minutes taken by the same individual taking minutes for the Planning Commission Meetings.

POSTING
NOTICE

Mayor - Housebill #363. In the future, if there is a Zoning issue on a proposed subdivision which must go before the Board of Adjustment, notice will be sent to property owners within 300' of the property in question.

Process for Notice of Board of Adjustment (Zoning Issues)

1. Notice published in a newspaper
2. Posted in 3 public places (telephone poles are acceptable for posting, as well as the Town Hall)
3. Also, property owners will be notified by letter, of the meeting that are within 300' of the property in question. (This has not been a legal requirement)

The mayor wants to comply with not only the law, but the intent of the law.

ELK RIDGE
TOWN COUNCIL MEETING

MAY 27, 1997

TIME & PLACE OF MEETING The regular meeting of the Elk Ridge Town Council was held on Tuesday, May 13, 1997 beginning with the Council Work Session at 7:00 P.M., followed by 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 May 9, 1997.

ROLL CALL Mayor Jacobson, Councilmembers; Jim Nicolet, Brent Bluth, Scot Sessions, (Absent, Vernon Fritz); Forrest Darling, Glen Gardner, Janice H. Davis, Town Clerk.

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

APPROVAL OF AGENDA TIME FRAME MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY BRENT BLUTH, TO APPROVE THE AGENDA WITH CHANGES:

1. STRIKE THE FOLLOWING ITEMS:
 HANDICAPPED ORDINANCE (NOT READY)
 2ND CHANCE ORDINANCE (NO RECOMMENDATION FROM PLANNING COMMISSION)
 ANNEXATION ORDINANCE (NOT READY)
 POSTING/NOTICE - BOARD OF ADJUSTMENT (DISCUSSED IN WORK SESSION)
 MINUTE TAKING - PLANNING COMMISSION AND BOARD OF ADJUSTMENT (DISCUSSED IN WORK SESSION)
2. ADDITIONS
 EXPENDITURES: FIRE DEPT. EQUIPMENT (RADIOS)
 VOTE: YES-(3), NO-NONE(0), ABSENT(2)-SCOT SESSIONS, VERNON FRITZ.

ELK RIDGE TOWN COUNCIL MEETING - 5-27-97 - CONT.

CERTIFIED TAX RATE/
DISCUSSION Mayor - Utah State passed a law which changes the taxing process and tax rates for large corporations. These corporations have until June 10, 1997 to protest to their various County Commissions.

The Certified Tax Rate cannot be set by the County until after the protests are in. The 1997/98 Budget will be adopted with projected property taxes based on prior year collections.

PLANNING
COMMISSION
RECOMMENDATIONS

RUTTER
SUBDIVISION,
PLAT B
PRELIMINARY/
FINAL The Planning Commission has granted Preliminary and Final approval to Rutter Subdivision, Plat B. Both were granted together due to the simplicity of the subdivision improvements. All utilities were installed in conjunction with Plat A.

Road assessments in the amount of \$12,678.80 were submitted to the Town, in lieu of actually installing the road improvements for the subdivision. All requirements have been met.

MOTION WAS MADE BY JIM NICOLET SECONDED BY MAYOR JACOBSON, TO GRANT FINAL APPROVAL TO RUTTER SUBDIVISION, PLAT B. VOTE: POLL: JIM NICOLET-AYE, MAYOR JACOBSON-AYE, BRENT BLUTH-AYE, PASSES 3-0, ABSENT(2)-SCOT SESSIONS, VERNON FRITZ.

FAIRWAY
HEIGHTS,
PLAT B

Question on partial road width/Hillside Drive.

A portion of the road, Hillside Drive, in the proposed Fairway Heights, Plat B Subdivision, is owned by the Town on one side of the road.

1. Will the Town accept a partial width road?
2. If not, who is responsible for the side of the road owned by the Town?

The engineer feels that a complete road width is necessary on this road. It will eventually connect onto Elk Meadows Dr. and will be a "through street". He also feels that the Town should not set a precedent of participating in the development of subdivision roads. In other cities, where property on the opposite side of the road is owned by schools or municipalities, the developers is responsible for the entire width. Mr. Darling is vested under the 1993 Development Code, which does not specify requirements for partial width roads; therefore,

ELK RIDGE TOWN COUNCIL MEETING - 5-27-97 - CONT.

there must be an agreement arranged between the developer (in this case, Mr. Darling) and the Town as to that the requirement will be.

Bruce Hall advised that this incident should not set precedence for the future, where the proposed Development Code does specify partial width requirements. Mr. Darling feels he should be responsible for 60% of the road width, with the Town covering the cost for 40% on the side of the road where the Town owns the property. Mr. Darling offered a possible "payback" arrangement if the Town feels the entire road should be installed now. The approximate cost for 40% of the road width would be about \$11,000. Bruce Hall feels that \$11,000 is a fair estimate. The allotted time for this agenda item ran out:

MOTION WAS MADE BY JIM NICOLET SECONDED BY SCOT SESSIONS, TO EXTEND THE AGENDA TIME FRAME FOR THIS ISSUE ANOTHER 15 MINUTES. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-VERNON FRITZ.

Councilmember Sessions feels the full width should be installed. Perhaps the Town should be responsible for 50%.

Councilmember Bluth, does not feel the Town has an obligation to participate in the widening of the road. It is costly and that money could go toward repairs in other areas.

Mayor Jacobson, feels the issue is either a narrow road or Town participation.

Mr. Hall questioned the 60%. Mr. Darling said it was in the Development Code. The reference could not be located. Mrs Folks does not recall partial road widths be addressed in the old Development Code or Standards.

Councilmember Scot Sessions - Could part of this funding be recouped, at least in part, through Park Impact Fees?

Mayor - Park Impact fees are allowable as a "revenue source".

ELK RIDGE TOWN COUNCIL MEETING - 5-27-97 - CONT

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY SCOT SESSIONS, THAT THE TOWN OF ELK RIDGE PARTICIPATE TO THE EXTENT NECESSARY, TO PROVIDE A 34' PAVED ROAD, WITH CURB AND GUTTER, FOR A DISTANCE OF 542' ON THE EXTENTION OF HILLSIDE DRIVE (FAIRWAY HEIGHTS, PLAT B). THE DEVELOPER WILL PROVIDE 60% OF THE ENTIRE WIDTH AND THE TOWN OF ELK RIDGE WILL BE RESPONSIBLE FOR 40% OF THE WIDTH.

VOTE: POLL: JIM NICOLET-AYE, MAYOR JACOBSON-AYE, BRENT BLUTH-NAY, SCOT SESSIONS-AYE, MOTION PASSES 3-1, ABSENT(1)-VERNON FRITZ.

Mr. Darling is agreeable to this arrangement. The Mayor requested a cost estimate for the road improvements.

EXPENDITURES
GENERAL

Utah County has installed 2 radio frequencies for emergency calls. The Town's radios will not pick up the frequencies with emergency channels. Fire Dept. needs to purchase 2 new radios - approximate cost, \$1,150 for 2 radios and 2 pagers. The old radios (in the Town's posession) can be used by the Town's CERT organization.

MOTION WAS MADE BY SCOT SESSIONS SECONDED BY MAYOR JACOBSON, TO APPROVE THE PURCHASE OF 2 NEW RADIOS AND 2 PAGERS TO COMPLY WITH THE UTAH COUNTY FREQUENCY CHANGE, AT A COST OF \$1,150 VOTE: YES-(4), NO-NONE(0), ABSENT(1)-VERNON FRITZ.

APPROVAL OF
MINUTES OF
5-13-97

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY BRENT BLUTH, TO APPROVE THE MINUTES OF THE WORK SESSION AND TOWN COUNCIL MEETING OF 5-13-97. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-VERNON FRITZ.

ADJOURNMENT

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY BRENT BLUTH TO ADJOURN. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-VERNON FRITZ.


TOWN CLERK

NOTICE & AGENDA

Notice is hereby given that on Tuesday, June 10, 1997, the Elk Ridge Town Council will hold three (3) Public Hearings for the purpose of receiving public comment regarding the following: The first Public Hearing will be held at 7:00 P.M. on the issue of adopting the Certified Tax Rate for 1997 and the Final Budget for the fiscal year 1997/1998, for the operation of the Town of Elk Ridge. The second Public Hearing will be held from 7:20 to 7:50 PM, regarding the proposed approval of an Ordinance adopting the Elk Ridge General Plan. The third Public Hearing, scheduled from 8:10 to 8:55 PM, is concerned with the issue of Vacating & Amending Lots #19 & #21 from Salem Hills Subdivision, Plat C; to be identified as Harris Estates, Plat A. These public hearings will be held in conjunction with the Council Work Session, to begin at 7:50 P.M. and the regularly scheduled Town Council Meeting at 8:00 P.M. The meetings will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

- 7:00 P.M. PUBLIC HEARING
Public Hearing on the issue of adopting the Certified Tax Rate for 1997 and the 1997/1998 fiscal Year Budget for the Operation of the Town of Elk Ridge
- 7:20 P.M. PUBLIC HEARING
Public Hearing regarding the proposed approval of an Ordinance adopting the Elk Ridge General Plan
- 7:50 P.M. COUNCIL WORK SESSION
Mecham/Marrott Lots/Discussion-Boundary Overlap
Hillside Drive/Drainage
4th of July/Update
Discussion/Establishment of Fine for Road Damage
Vernon Fritz
Other Business
- 8:00 P.M. - REGULAR TOWN COUNCIL MEETING AGENDA ITEMS:
8:00 Invocation & Pledge of Allegiance
8:03 Approval of Agenda Time Frame
8:05 Approval/Eagle Scout Project-Jeremy Searle
- 8:10 P.M. PUBLIC HEARING
Public Hearing Regarding the proposed Vacation & Amendment of Lots #19 & #21 from Salem Hills Subdivision, Plat C
- 8:55 P.M. REGULAR TOWN COUNCIL MEETING AGENDA (CONT.)
8:55 Approval/Ordinance Adopting the Elk Ridge General Plan
9:00 Approval/Adoption of the 1997 Certified Tax Rate
9:05 Approval/Adoption of the 1997/1998 Fiscal Year Budget for the Operation of the Town of Elk Ridge

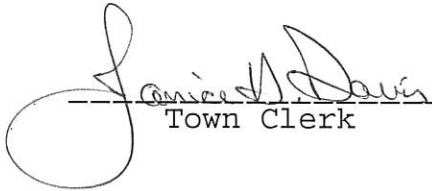
TOWN COUNCIL MEETING AGENDA ITEMS (CONT.)

9:10 Approval/Ordinance Providing for the Compensation
of Elected and Statutory Officers of the Town of
Elk Ridge
9:15 Approval of Town Costs for Road Improvements on
Hillside Dr./Fairway Heights, Plat B.
9:25 Approval/Road Damage Fine-Vernon Fritz
9:30 Expenditures:
General:
List of Expenditures: May, 1997
9:40 Approval of Minutes of Previous Meetings
9:45 Adjournment

(Handicap Access Available Upon Request)

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 6th day of June, 1997.



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 faxed to the Payson Chronicle,
Payson, Utah and mailed to each member of the governing body on
June 6, 1997.



Town Clerk

ELK RIDGE
TOWN COUNCIL WORK SESSION

JUNE 10, 1997

TIME & PLACE
OF MEETING

The regular meeting of the Elk Ridge Town Council was held on Tuesday, June 10, 1997 with three (3) Public Hearings for the purpose of receiving public comment regarding the following: The first Public Hearing was held at 7:00 P.M. on the issue of adopting the Certified Tax Rate for 1997 and the Final Budget for the fiscal year 1997/98, for the operation of the Town of Elk Ridge. The second Public Hearing from 7:20 to 7:50, is on the proposed Elk Ridge General Plan. The Third Public Hearing, from 8:10 to 8:55 PM, was concerned with the issue of Vacating & Amending Lots #19 & #21 from Salem Hills Subdivision, Plat C; to be identified as Harris Estates, Plat A. These Public Hearings will be held in conjunction with the Council Work Session, to begin at 7:50 P.M., followed by 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 June 6, 1997.

ROLL CALL

Mayor Jacobson, Councilmembers: Jim Nicolet, Scot Sessions, Vernon Fritz, (Absent-Brent Bluth); Andrew Jackson, Don Meham, Ernestine Folks, Janice H. Davis, Town Clerk.

7:00 PM PUBLIC
HEARING
CERTIFIED TAX
RATE 1997
1997/98 BUDGET

The certified Tax Rate for 1997 was not available. The Town Council has no intention of raising the tax rate; so, the 1998 tax rate and Budget for fiscal year 1997/98 will be adopted with the Property Tax Revenue figure reflecting that of 1996/97 collections, equaling about \$90,000. When the Tax Rate for 1997 is received, the amount of property tax will be recalculated.

1. There was a slight decrease in overall General Fund Revenues and Expenditures due to the decrease in building this past year.
2. B&C road Funds - The new formula for calculating the amount of road funds disbursed to municipalities results in an increase for 1997/1998 from about \$21,000 to \$39,000. This will be applied to much needed road repairs in Town.

ELK RIDGE TOWN COUNCIL - PUBLIC HEARING 6-10-97 - CONT.

3. Water/Sewer Administration fees will add the position of the Assistant Public Works Superintendent to the "Salaries & Wages" for the General Fund, rather than pulling his salary from various department.

The Budget Message was reviewed - with no comments.

While the Public Hearing was kept open, the Council moved forward on the agenda to discuss some of the Work Session items.

BUDGET

Engineering costs to developers are billed through the Town, as a courtesy to Hall Engineering. In the past, it was felt that the Town has more leverage for collection than Hall Engineering may have, with the developers.

It is now required of the developers that proof of payment of all outstanding costs in conjunction with development are to be presented prior to final approval of their subdivisions. This tends to extend the time of reimbursement to the Town for bills already paid by the Town to Hall Engineering. At times this crosses over from one fiscal year to the next. This results in high expenditures and low revenue for engineering in the General Fund. The general feeling of the Council was that Hall Engineering should be responsible for their own billing and that perhaps letters of approval from the engineer's office for the various stages of development could be withheld until the bills are paid.

Ernestine Folks - Feels this would minimize the amount of tracking and administrating these collections, on the Town's part; which costs the Town.

The mayor will consider this.

MECHAM/
MARROTT LOTS

Mr. Mecham was present. There is an overlap of Joe Marrott's recorded plat over the top of Mr. Mecham's proposed lot. Mr. Mecham's lot, which was approved by the Town, could not be recorded because of this. Bruce Hall has reviewed the plats and issued a letter stating that in 1993, Mr. Mecham's plat met the Elk Ridge Town Standards. The plat was not recorded. Mr. Mecham deeded back a portion of the property to Mr. Marrott. "By doing so, the plat is now invalid and non-conforming. Don Mecham needs to reacquire the property he deeded back to Marrott in order to have the necessary frontage for his plat.

ELK RIDGE TOWN COUNCIL - PUBLIC HEARING 6-10-97 - CONT

Marrott, in turn, will have to resubmit an amended plat showing this change in property ownership."

The Mayor asked how soon can this be done? Mr. Mecham said they will attempt to have things ready for the Planning Commission Meeting at the end of June.

Bruce Hall will review all deeds and plats to check for accuracy.

Ernestine Folks, advised that Mr. Marrott will have to amend his plat which includes a public hearing and Planning Commission and Town Council approvals. Mr. Mecham will go through Mrs. Folks to Hall Engineering. This is understood by Mr. Mecham.

AT 7:20 PM

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY VERNON FRITZ, TO CLOSE THE PUBLIC HEARING ON THE ISSUE OF ADOPTING THE 1997 CERTIFIED TAX RATE AND THE 1997/98 BUDGET. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-BRENT BLUTH.

PUBLIC HEARING
7:20 GENERAL
PLAN

The Mayor opened the Public Hearing on the Elk Ridge General Plan and the proposed Ordinance enacting the General Plan.

Public Comments:

Don Mecham, thinks the General Plan is very useful in concept. It has undergone a lot of work and consideration.

Andrew Jackson (Mountainlands Association of Governments)

The General Plan is a product of about one year of work including an open house. The Plan sets goals and guidelines to development (like a "road map").

4 Main Areas:

1. Land Use Element
2. Public Facilities Element
3. Environmental Element
4. Circulation Element

Ernestine Folks, commented that the General Plan does not only affect developers. It is the responsibility of all residents, as well, to determine

ELK RIDGE TOWN COUNCIL - PUBLIC HEARING 6-10-97 - CONT

"How each of us upholds the Vision Statement"? How do we relate to our neighbors in our daily lives? The seemingly "little things" we do individually do affect our community, as a whole.

The "Vision Statement" was read.

Andrew Jackson: If a developer comes in with a project that does not meet the requirement of the General Plan, there are forms contained in the General Plan document to be able to present an amendment concept.

The Planning Commission is looking into requiring developers to present a "vision statement" of how their proposed subdivision would benefit/impact the Town.

The Public Hearing will remain open for further comments while Work Session agenda items are discussed:

ELK RIDGE TOWN COUNCIL WORK SESSIONS - 6-10-97 - CONT

HILLSIDE DRIVE/ DRAINAGE

Mayor Jacobson read a letter by Hall Engineering on the issue of drainage on Hillside Dr., dated June 2, 1997:

Recommendations:

1. "The area above Salem Hills Dr. on the west side of Hillside Dr. should have a "V" ditch lined with rock in order to control erosion and to keep the drainage away from the asphalt.
2. At the intersection of Hillside Dr. & Salem Hills Dr., I recommend that a 18" ADS Drain Pipe be installed across the intersection. This pipe should have an inlet and rock lined head wall. The pipe should continue through the approved subdivision north of Hillside Dr. and daylight in the natural drainage channel with a transition outlet."

Assignment to Councilmember Brent Bluth:

Determine with Bruce Hall if easements are necessary from property owners or will the 9' road way easement be sufficient? If not, from which property owners?

Elk Ridge will be responsible for the cost of improvements (to be covered from the Sewer Fund).

ELK RIDGE TOWN COUNCIL WORK SESSIONS - 6-10-97 - CONT

4TH OF JULY

Councilmember Sessions - A committee meeting is scheduled for Friday, June 13, to make sure the plans are progressing.

The Mayor questioned if the designated funds for the 4th of July celebration would be paying for the wages of anyone hired to run booths at the carnival. (Yes)

Councilmember Sessions - sponsors will be approached for donations, as in previous years.

The Town Clerk requested a cost breakdown of the supplies and expenditures for the celebration. It will be forth coming.

The Council will be the cooks at the Bar-B-Qued hot dog dinner (hot dog, chips and drink for \$1.50)

Suggestions:

1. Purchase hot dogs at Sam's Club and aprons (Pat Jacobson has offered to embroider the Council's names on them)
2. Check McDonald's price for drinks and container

ROAD DAMAGE
FINE

Councilmember Vernon Fritz witnessed a track hoe crossing Town roads several times. He spoke to the driver and to the contractor in charge. They assured Councilmember Fritz that they will use a "mat" or plywood on the road when crossing.

Councilmember Fritz suggested charging a fine for crossing and to charge for any road repair.

Assignment to Councilmember Fritz:

To prepare a resolution prohibiting crossing of Town roads by any heavy track-type vehicles to include weight specifications and a contractor acknowledgment to be signed.

7:50 PM

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY SCOT SESSIONS, TO CLOSE THE PUBLIC HEARING ON THE GENERAL PLAN. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-BRENT BLUTH.

ELK RIDGE TOWN COUNCIL WORK SESSIONS - 6-10-97 - CONT

OTHER BUSINESS

FAIRWAY HEIGHTS, PLAT B

Councilmember Jim Nicolet feels the issue of Town participation on the Hillside Dr. extension into the proposed subdivision of Fairway Heights, Plat B, should be revisited by the Council. Mr. Darling quoted out of the

Development Code, that 60% of the road width was the requirement listed for a partial width road on the part of the developer. The agreement with Mr. Darling was for the 60% to be required of him, as the developer and 40% of the road to be the Town's responsibility, as the Town owns the property on the opposite side of the road. Upon careful review of the applicable Development code, Councilmember Nicolet found that there is no mention of 60% of partial width requirement. He feels the vote was taken assuming that the quote was accurate. ½ of the road plus 9ft has been required in the past;

Councilmember Nicolet questions why the Town should require something different in this situation. Ordinance states that the width "need to be sufficient to cover the utilities systems". Will 60% cover all utilities systems? (It was felt that it is sufficient.)

Councilmember Sessions also feels it is a point that should be noted and perhaps the issue should be revisited.

Councilmember Nicolet - In the future, is the Council forced to delay action until figures and statements are researched?

ELK RIDGE
TOWN COUNCIL MEETING

JUNE 10, 1997

TIME & PLACE
OF MEETING

The regular meeting of the Elk Ridge Town Council was held on Tuesday, June 10, 1997 with three (3) Public Hearings for the purpose of receiving public comment regarding the following: The first Public Hearing was held at 7:00 P.M. on the issue of adopting the Certified Tax Rate for 1997 and the Final Budget for the fiscal year 1997/98, for the operation of the Town of Elk Ridge. The second Public Hearing from 7:20 to 7:50, is on the proposed Elk Ridge General Plan. The Third Public Hearing, from 8:10 to 8:55 PM, was concerned with the issue of Vacating & Amending Lots #19 & #21 from Salem Hills Subdivision, Plat C; to be identified as Harris Estates, Plat A. These Public Hearings will be held in conjunction with the Council Work Session, to begin at 7:50 P.M., followed by 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 June 6, 1997.

ROLL CALL

Mayor Jacobson, Councilmembers: Jim Nicolet, Scot Sessions, Vernon Fritz, (Absent-Brent Bluth); Don Mecham, Ernestine Folks, Scouts: Peter Meyers, Ben Reece, Tony Searle, Jeremy Searle, Pat Jacobson, 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 MAYOR JACOBSON SECONDED BY SCOT SESSIONS, TO APPROVE THE AGENDA TIME FRAME AS SCHEDULED. VOTE: YES-(4), NO-NONE, ABSENT(1)-BRENT BLUTH.

ELK RIDGE TOWN COUNCIL MEETING - 6-10-97 - CONT.

EAGLE SCOUT PROJECT Scout Jeremy Searle was present to obtain Council approval of his Eagle Scout project.

Eagle Project:

To replace 4 of the five trees in the park (north end), as they have died. He intends on fencing the trees and laying wood chips around each tree. A cost breakdown was submitted totaling \$210.00.

Request: Town contribute 2.5 cubic yards of wood chips at \$25/cubic yard = \$62.50

Fund Raisers:

1. Sell potatoes
2. Mow lawns

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY VERNON FRITZ, TO APPROVE THE EAGLE PROJECT PRESENTED BY JEREMY SEARLE, AND APPROVE THE EXPENDITURE OF \$62.50 FOR WOOD CHIPS FOR THE PROJECT. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-BRENT BLUTH.

Scout Searle was complimented on his presentation.

8:10 PM PUBLIC HEARING/VACATE AND AMEND LOTS #19& #20 FROM SALEM HILLS SUBDIVISION, PLAT C

ROLL CALL Mayor Jacobson, Councilmembers: Jim Nicolet, Scot Sessions, Vernon Fritz, (Absent-Brent Bluth); Don Mecham, Ernestine Folks, Scouts: Peter Meyers, Ben Reece, Jeremy Searle, Tony Searle; Pat Jacobson, Ken Harris, Cregg Ingram, JoAnne Ingram, Ty & Cindi Ellis, Jerry & Marie Thun, Doug & Joan Durfey, Dan Montierth, Pam Knight, Kendall Jolley, Henry Bankey, Janice H. Davis, Town Clerk.

Mayor Jacobson opened the Public Hearing on the proposed vacation and amendment of Lots #19 & #20 from Salem Hills Subdivision, Plat C, to be known as "Harris Estates".

Mayor Jacobson:

1. Copies of all written letters and all minutes have gone to each Councilmember.
2. No action by the Council at this time

ELK RIDGE TOWN COUNCIL MEETING/PUBLIC HEARING - 6-10-97 - CONT.

3. Board of Adjustments Decision
It is the legal opinion of 2 attorneys (Denton Hatch and David Church from the Utah League of Cities and Towns), that the decision of the Board of Adjustment to grant a variance to the frontage requirement on the lots in the proposed Harris Estates Subdivision, was legal and binding. If appeals were going to be made, they would have to have been made within 30 days of the variance being granted. That is the opinion that the Town council will support. The council cannot over step the legal bounds and cannot override the decision of the Board of Adjustment.
4. Speaking out of turn will not be tolerated. The public may speak, one at a time. Please state each name and take 3 minutes:
 - 1) Dan Montierth: Question - What improvements will be required of the subdivision?
(Ernestine Folks - 1. Finish out asphalt to the full required width 2. Curb/Gutter 3. Water/Sewer laterals 4. Probably remove power lines and place underground)
 - 2) Jerry Thun: He does not believe that information was available to neighboring property owners of the variance issue.

(Mayor - The Town, at the time, met all legal notice requirements - hand carried notice of the meeting to the Payson Chronicle and posted the notice in 3 separate public places - bulletin board and the 2 telephone poles on Park Dr. and further west on Goosenest Dr. Attorney's opinion - Legal notification requirements were met.

The Town is required to notify property owners, by letter, of the Public Hearing on Vacation and Amendment.

Procedure has changed:

1. Notice to newspaper 2. Post 3. There will be a letter sent to property owners within 300' of the proposed subdivision (Housebill #363), informing them of a Board of Adjustment meeting where any zoning issue is being heard and a possible variance granted.

ELK RIDGE TOWN COUNCIL MEETING/PUBLIC HEARING - 6-10-97 - CONT

Jerry Thun:

Requested seeing the proposed subdivision layout.
(All public was invited to view the plat drawing)
Also wanted to know if the square footage
requirement for homes would change, due to
variance granted on frontage. (No change)

Mayor Jacobson, informed all present that prior to
1993, the zoning in the area of Plat C was for 1/3
acre lots. It is now 1/2 acre minimum.

Cregg Ingram:

When he purchased his 1/2 acre parcel located within
Lot #19, the lot size was 1/3 acre with 100'
frontage. His parcel was in substantial
compliance.

1. Mr. & Mrs. Ingram submitted a written
proposal to the Council, requesting that
their parcel be accepted as a legal lot and
not be included as part of Mr. Harris'
proposed subdivision plat. They feel their
documentation is sufficient to establish
their parcel as a buildable lot.
2. Mr. Ingram commented on the amount of "talk"
against their parcel. It has been in
existence since 1983. The Ingrams feel that
the 1983 subdivision requirements should be
applicable, rather than the current
requirements.
3. They have paid taxes on the parcel since
1983, Mr. Harris has been in the process of
subdividing that land since 1993. This is not
a recent action.

Ken Harris:

Mr. Harris presented a brief history of the lots
in question (#19). These lots were originally
platted in the county as large lots to accommodate
animal rights. As the Town incorporated, the
animal rights were zoned out of the area. At the
time, they were platted so that they could meet
the minimum frontage requirement and be divided
into 1/2 acre lots.

1. Precident - Mr. Harris is not the first
person to request lot splits in Plat C. there
have been other splits, he is #6. (Lots 11,12,
17,25 are all legally split and some of these
are much less than 1/2 acre.)

ELK RIDGE TOWN COUNCIL MEETING/PUBLIC HEARING - 6-10-97 - CONT

Mr. Harris expects to be treated the same as others who have split lots in Plat C. There is a great variance in the size of lots in Plat C, and he feels his proposed lots fit in with the rural atmosphere and the surrounding lots.

2. Mr. Harris feels that Mr. Ingram's $\frac{1}{2}$ acre parcel should be considered a developed lot. Development fees were collected by the Town and taxes have come to the Town specific to that parcel since the lot was originally divided.

Questions for Mr. Harris (The mayor yielded the floor to those who had questions for Mr. Harris.)

JoAnne Ingram: Do you plan on building 5 homes on those 5 lots?

(Mr. Harris has no current plans to sell or build on the lots at this time. His intention is to hold the land for investment purposes. He has owned the land since 1974. He may be forced to sell one or more of the lots, but that is not his immediate intent.)

Kendall Jolley

1. Objects to curb/gutter in the middle of an established subdivision where there are no curbs or gutters.
2. Salem Hills Dr. was originally installed as $\frac{1}{2}$ of the road on the east side of the right of way, (Opposite side from where he lives) $\frac{1}{2}$ of the road is not completed.
3. Asked of the public present where most of the development in town is going in, on the smaller lots down in the northern section of Town, not on the larger lots. Larger lots are not necessarily an advantage, they are difficult to improve and maintain.

Mr. Harris questioned the wisdom of having a patch of curb/gutter in the midst of an established Plat where there has not been the requirement.

(Mayor - any new subdivision plat will have curb/gutter)

ELK RIDGE TOWN COUNCIL MEETING/PUBLIC HEARING - 6-10-97 - CONT

Jerry Thun - Can this requirement be amended.

(Councilmember Jim Nicolet - The curb & gutter requirement was established based on the Engineer's recommendation. Reason - to preserve the road edges. Curb/gutter extends the life of the road. The Town does not have the funds available to maintain the roads we do have.

That is why there is the requirement of all new roads in new subdivisions, even on partial roads. This has been discussed a great deal.

Pam Knight

Does the Town have plans to extend curb and gutter throughout the Town?

(Mayor, no plans, at the present time, to extend curb and gutter beyond new subdivisions)

Joan Durfey

Her lot is adjacent to Mr. Harris' proposed subdivision. Mrs. Durfey read the "intent" for their zone (R-1-20,000) Wherein it states that: "The zone is characterized by spacious lots, uncrowded buildings, and quiet residential conditions favorable to the rearing of children." Mrs. Durfey feels that allowing Mr. Harris' subdivision to go forward with the 100' frontages will force homes to be crowded and will not comply with the intent of the R-1-20,000 zone.

The Durfey's were out of the country at the time that the frontage variance was granted. They feel the criteria for granting a variance by the Board of Adjustment was not met; however, they do respect the decision of the Town that it was granted legally. She expressed concern that this Public Hearing is their only chance to oppose the proposed subdivision, which opposition is based on the opinion of the Durfey's that the subdividing of the lots with the 100' frontages will have an adverse affect on them and on their property value.

Due to the limited buildable area on the Durfey's lot, they had to place their home at an angle, close to the east property line. This would place the home directly in their front view. If the future owners install a fence, it would further detract from their property.(A home being built on a lot east of their property line could come with in 10' of that property line.)

ELK RIDGE TOWN COUNCIL MEETING/PUBLIC HEARING - 6-10-97 - CONT

The Durfey's inquired of Mr. Harris as to the future of the lots and felt there was no development eminent. They assumed any future home would be centered on the lot, consequently they felt comfortable in turning their home at the existing angle.

Mrs. Durfey proposes a "walk-through" assessment of this area, prior to any final decision being made.....this is different than merely looking at a plat map. She feels the proposed subdivision would be considered "spot zoning" and that, in this case, damage to personal; property is a factor to be considered.

She suggested 3 lots on Oak Lane rather than 4. Should the subdivision be approved, the Durfeys would be left with only one option, that of purchasing the lot to the east of them to protect their rights to enjoy their property. She also feels the proposed subdivision is in violation of Section 10-7-5.6 #1. She requests that the developer be required to remove and bury power lines as a requirement of the subdivision process.

Councilmember Vernon Fritz asks that a copy of Mrs. Durfey's material be submitted to the Councilmembers for review.

Mrs. Ingram - Asked of Mrs. Durfey how having a house next door to her would hinder her privacy or the enjoyment of her property?

(Mrs. Durfey again asked that those interested come up and see the situation)

Ken Harris - Mr. Harris pointed out that regardless of the size of the lot, property owners can build within 10 ft. of the side property line.

Ty Ellis

1. Property values, narrow lots present the potential of decreasing property values. (Narrow lots usually have taller homes on them).
2. Curb/Gutter - one patch of curb/gutter is unsightly. Suggests: cash in lieu of installation of curb/gutter for future installation, if applicable.

Cindi Ellis - They bought their lot due to the spaciousness. 100 ft. frontage does crowd the homes.

ELK RIDGE TOWN COUNCIL MEETING/PUBLIC HEARING - 6-10-97 - CONT

JoAnn Ingram - Lots with 100' frontage are attractive lots. Example: Meredith lot, across the street from Ingram, has plenty of room. Mrs Ingram does not feel that 100' frontages has anything to do with property values. If someone builds a nice home on ½ acre, how could that lower property values?

Jerry Thun - Agrees that curb/gutter should not go in at this time. He feels surrounding home values would go down, and that it would "sectionalize" the plat.

Dan Montierth - He agrees with eliminating curb/gutter requirement.

Pam Knight

1. Understands and agrees with the concept of curb/gutter, that it preserves the road
2. Also feels to install it "piecemeal" could cause problems. She feels "cash in lieu of" is a good option.
3. She feels the power lines should be buried.

Ken Harris - Could curb/gutter be bonded for?

(Ernestine Folks - Any deviation to install curb/gutter would have to be addressed by the Council. Engineering recommends installation of the improvements.

Joan Durfey - Durfeys agree with curb/gutter, also helps stop erosion.

Kendall Jolley - If there is a concern with finances, lots with homes on them are worth more than vacant lots.

(Mayor - Statistically, for every \$100 (any house built), the Town collects in taxes, it costs \$115 worth of services.)

MOTION WAS MADE BY MAYOR JACOBSON TO CLOSE THE PUBLIC HEARING- MOTION WITHDRAWN AFTER DISCUSSION.

Discussion:

Councilmember Nicolet was willing to extent the agenda item for any further comments.

ELK RIDGE TOWN COUNCIL MEETING/PUBLIC HEARING - 6-10-97 - CONT

MOTION WAS MADE BY VERNON FRITZ SECONDED BY JIM NICOLET, TO EXTEND THE PUBLIC HEARING ON THE PROPOSED VACATION AND AMENDMENT OF SALEM HILLS SUBDIVISION, PLAT C, FOR ANOTHER 10 MINUTES. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-BRENT BLUTH.

Joan Durfey - Is there a time limit for approvals?

(Town Clerk - There is a time limit (one year) between Preliminary and Final approvals, not after final is granted...under the 1993 version of the Development Code. The new version (not yet adopted) has a time limit after final approval, however, Mr. Harris is vested under the current Ordinance.)

Ty Ellis -

1. Feels that Ingram's lot should be considered "buildable"
2. Also feels that the remaining portion of Lot #19 could be reduced to 3 larger lots, rather than 4.

Councilmember Vernon Fritz - Questioned Mrs. Durfey if she has approached Mr. Harris about purchasing the proposed lot next to her, from him.

Joan Durfey - Yes, but, they were informed that the Harris' were unsure as to what they would be doing with the lots. The Durfey's would like an option to buy.

JoAnn Ingram - Refers to the letter submitted to the Council reiterating that development fees were paid for the parcel they purchased. "One of the terms of acceptance of the lot was payment of development fees to the Town of Elk Ridge"; therefore, she feels this should be considered a legal lot.

Cindi Ellis - When taxes are paid on a parcel, then the Town collects a portion of those taxes. Is this considered acceptance by the Town, that a parcel is a legal lot?

(Mayor - No - Parcels are sold by metes and bounds (deed with a survey description of the parcel) that may be recorded, and the property owner will pay taxes on it. Legally, that is not a "lot" in the sight of the Town. A subdivision plat recorded as a plat, meeting all requirements is necessary, before it is a recognized lot in the sight of the Town.

REGULAR TOWN COUNCIL MEETING AGENDA - 6-10-97 - CONT.

Jerry Thun - When purchasing their lot from Berrys, who were considering a lot division, he offered a good price for the land, as a single, larger lot. There is the potential of making a good profit on a bigger lot. To accommodate the area, he asks the the Harris's to consider larger lots.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY VERNON FRITZ, TO CLOSE THE PUBLIC HEARING. VOTE: YES-(4), NO-NONE(0). ABSENT(1)-BRENT BLUTH.

GENERAL PLAN/
ADOPTION OF
ORDINANCE

No further comments

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY SCOT SESSIONS, TO APPROVE THE ORDINANCE ADOPTING THE ELK RIDGE GENERAL PLAN. VOTE: POLL; SCOT SESSIONS-AYE, JIM NICOLET-AYE, VERNON FRITZ-AYE, MAYOR JACOBSON-AYE, MOTION PASSES 4-0, ABSENT(1)-BRENT BLUTH.

1997 CERTIFIED
TAX RATE

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY JIM NICOLET, TO ADOPT THE 1997 CERTIFIED TAX RATE. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-BRENT BLUTH.

1997/1998 FISCAL
YEAR BUDGET

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY JIM NICOLET, TO ADOPT THE BUDGET FOR THE OPERATION OF THE TOWN OF ELK RIDGE FOR THE 1997/1998 FISCAL YEAR. VOTE: POLL; SCOT SESSION-AYE, JIM NICOLET-AYE, VERNON FRITZ-AYE, MAYOR JACOBSON-AYE, MOTION PASSES 4-0, ABSENT (1)-BRENT BLUTH.

ORDINANCE/
COMPENSATION
OF ELECTED AND
STATUTORY
OFFICERS FOR
ELK RIDGE

Salary adjustments were based on straight Cost of Living adjustments (COLA).

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY JIM NICOLET, TO ADOPT ORDINANCE #97-6-10-5, PROVIDING FOR THE COMPENSATION OF ELECTED AND STATUTORY OFFICERS OF THE TOWN OF ELK RIDGE. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-BRENT BLUTH.

REGULAR TOWN COUNCIL MEETING AGENDA - 6-10-97 - CONT.

ROAD IMPROVEMENTS/
HILLSIDE DR.
APPROVAL

Letter from Hall Engineering - Cost estimate for the Town's portion of the Hillside Dr. extension.
Curb = \$4,743 ; Asphalt & Base = \$6,291
Total Cost Estimate = \$11,034

Discussion:

Councilmember Nicolet - "Where will funding come from?" He still feels the issue of percentages should be revisited, based on the opinion that the Council was given the misinformation of 60% partial width requirement. Is preference being shown or does the Council require of Mr. Darling what has been required of other developers? (Funding to come from next year's Fund Balance)

Opinions:

Mayor - Do not revisit the issue.

Vernon Fritz - Feels the obligation to have correct information lies with the Council, even if it means delaying any action until the figures presented are correct. He feels an agreement was arrived at with Mr. Darling and that it should stand. He has a problem with a difference in standards required of individuals. (New Standards will eliminate this)

Scot Sessions - Is ready to approve the estimate, with the understanding that this does not set a precedence and the new standards will correct this problem of varied requirements.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY SCOT SESSIONS, TO ACCEPT THE COST ESTIMATE OF \$11,034 AND TO PROCEED WITH THE WORK. VOTE: POLL; MAYOR JACOBSON-AYE, SCOT SESSIONS-AYE, VERNON FRITZ-AYE, JIM NICOLET-NAY, ABSENT(1)-BRENT BLUTH.

ROAD DAMAGE
FINE

Postponed until a resolution is prepared

EXPENDITURES
GENERAL

PARKS GRANT
(TENNIS COURT)

Invoices and copies of checks for expenditures on the Tennis Court have been turned in to Utah County. They will reimburse 25% of total expenditures (includes donated labor).

REGULAR TOWN COUNCIL MEETING AGENDA - 6-10-97 - CONT.

The Mayor submitted a list of all the volunteer work which has been done, in an attempt to justify the additional \$5,400. (Over \$2,600 has been spent on the work done. To receive the \$2,000 reimbursement, \$8,000 worth of work must be justified.)

LIST OF
EXPENDITURES
MAY, 1997

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY VERNON FRITZ, TO APPROVE THE LIST OF TOWN EXPENDITURES FOR THE PERIOD ENDING 5/31/97. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-BRENT BLUTH.

APPROVAL OF
MINUTES
4-8-97

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY JIM NICOLET, TO APPROVE THE MINUTES OF 4-8-97. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-BRENT BLUTH.

APPROVAL OF
MINUTES
5-27-97

MOTION WAS MADE BY SCOT SESSIONS SECONDED BY JIM NICOLET, TO APPROVE THE MINUTES OF 5-27-97. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-BRENT BLUTH.

ADJOURNMENT

MOTION WAS MADE BY SCOT SESSIONS SECONDED BY JIM NICOLET TO ADJOURN, VOTE: YES-(4), NO-NONE(0). ABSENT(1)-BRENT BLUTH.


TOWN CLERK

NOTICE & AGENDA

Notice is hereby given that the Town Council of Elk Ridge will hold a Public Hearing at 7:45 PM for the purpose of hearing public comment on A RESOLUTION AMENDING RESOLUTION NO. 97-1-28-2R ENTITLED THE 1996 BUDGET FOR THE FISCAL YEAR 1996/1997 FOR THE OPERATION OF THE TOWN OF ELK RIDGE.

The Public Hearing will be held in conjunction with the regular Town Council Meeting on Tuesday, June 24, 1997. The Council Work Session will begin at 7:00 PM with the regular Town Council Meeting beginning at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

COUNCIL WORK SESSION

THIS WILL BE COUNCIL DISCUSSION ONLY (The public is welcome to attend.)

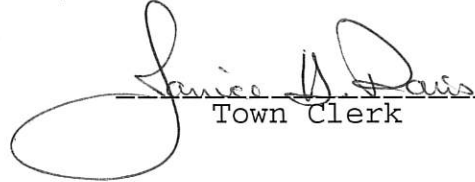
Ingram ½ Acre Parcel/Discussion
Discussion/Harris Estates Subdivision
Public Hearing/Material Injury?
Curb/Gutter ("Cash in Lieu of")
Power Lines

PUBLIC HEARING

- 7:45 P.M. - Public Hearing to adopt A RESOLUTION AMENDING RESOLUTION NO. 97-1-28-2R ENTITLED THE 1996 BUDGET FOR THE FISCAL YEAR 1996/1997 FOR THE OPERATION OF THE TOWN OF ELK RIDGE.
- 8:00 P.M. - REGULAR TOWN COUNCIL MEETING AGENDA ITEMS:
- 8:00 Invocation & Pledge of Allegiance
 - 8:03 Approval of Agenda Time Frame
 - 8:05 Elk Ridge Heights Subdivision, Plat A
Final Plat Approval
 - 8:20 Haskell Subdivision, Plat E/Final Plat Approval
 - 8:35 Decision/Ingram ½ Acre Parcel
 - 8:45 Harris Estates Subdivision
 - A. Decision: Public Hearing/Material Injury?
 - B. Curb/Gutter (Cash in Lieu of?)
 - C. Power Lines (Removal/Bury Required at Time of Development or Building Permit?)
 - 9:00 Adoption/Final Amended 1996/97 Fiscal Year Budget for the operation of the Town of Elk Ridge
 - 9:05 Discussion/Approval of Ordinance: Municipal Energy Sales & Use Tax
 - A. Agreement-UT State Tax Commission/Elk Ridge Town
 - 9:20 Approval/Elk Ridge 3rd Ward Service Project
 - 9:25 4th of July Update-Scot Sessions
 - 9:30 Hillside Dr. Drainage Issue/Update
 - 9:35 Approval of Minutes of Previous Meeting
 - 9:40 Expenditures
General
 - 9:45 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 16th day of June, 1997.




Town Clerk

*Handicap Access Available, Upon Request.

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 faxed (for publication) to the Payson Chronicle, 145 E. Utah Ave, Payson, Utah and to the Daily Herald, 1555 N. 200 W., Provo, UT, and mailed to each member of the governing body on June 16, 1997.



Town Clerk

ELK RIDGE
TOWN COUNCIL WORK SESSION

JUNE 24, 1997

TIME & PLACE
OF MEETING

The regular meeting of the Elk Ridge Town Council was held on Tuesday, June 24, 1997 with a Public Hearing at 7:45 PM for the purpose of receiving public comment on A RESOLUTION AMENDING RESOLUTION NO. 97-1-28-2R ENTITLED THE 1996 BUDGET FOR THE FISCAL YEAR 1996/1997 FOR THE OPERATION OF THE TOWN OF ELK RIDGE. The Public Hearing was held in conjunction with the regular Town Council Meeting with the Work Session beginning at 7:00 PM and the regular Town council Meeting at 8:00 PM. 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 June 20, 1997.

ROLL CALL

Mayor Jacobson, Councilmembers: Scot Sessions, Vernon Fritz, Brent Bluth (Absent-Jim Nicolet); Ernestine Folks, Ty & Cindi Ellis, Janice H. Davis, Town Clerk.

INGRAM
½ ACRE PARCEL

Mayor Jacobson reviewed the history of the ½ acre parcel.

Issues:

1. Lot of record
 2. Subdivision required
 - A. Could requirements be based on 1978 Zoning requirements
 - B. Stay with Mr. Harris' current proposed subdivision
- *Deed to parcel was recorded by meets and bounds
 - *There was no subdivision plat
 - *Divided lots were subject to the Zoning/Subdivision Ordinances in place at the time.
 - *No minutes or record of Town Council Approval of the lot split
 - *Proof of payment of development fees has been accepted by the Town Council

In February, 1997, the Town Council considered this, and all lot splits, at length. The decision was made, at the time, that the Ingram's parcel does not qualify as a "lot of record" and that there was no proof that the subdivision requirements in place in 1981 were fully met.

ELK RIDGE TOWN COUNCIL WORK SESSION - 6-24-97 CONT.

Councilmember Sessions observed that all the options will cost the Ingrams money to improve the parcel. It seems that to stay with Harris' Subdivision would be the easiest option since the Harris' are nearly ready for Final.

Councilmember Bluth, feels as Councilmember Sessions, that 2 options are open for platting. There is no adequate proof that the parcel is a lot of record.

Councilmember Fritz, feels the parcel should be Platted. It is the owner's responsibility to pursue the process to a finish, regardless of the choice Mr. Ingram makes to accomplish this.

Mayor Jacobson, does not feel the Council should change its previous decision as to the status of the ½ acre parcel. His opinion is that it is not a lot of record.

HARRIS ESTATES
SUBDIVISION

1. Public Hearing/Material Injury

The Council will decide if continuance of the proposed subdivision would cause "material injury"

A. Durfeys claim the frontage allowance of 100' will force a home to be built too close to their property and would devalue the Durfey's lot.

1. Mayor - If the frontage was over 200', a home could still be built within 10' of the side property line.
2. Councilmember Fritz - Went up and walked the property in question with the Durfeys. He agrees that there is the possibility of a house being built in an adverse location; but, that when the Durfey's built and positioned their home, they could not hope to control the placement of any future home next to them. The possible problem existed at the time the Durfey's purchased their lot. Councilmember Fritz is of the opinion that the only way to have control over the property next door is to purchase the lot. It is a common practice.

ELK RIDGE TOWN COUNCIL WORK SESSION - 6-24-97 CONT

2. Curb & Gutter

There was a strong opinion expressed at the Public Hearing against "hit and miss" curb & gutter in an area that is established without it. There was a suggestion of cash in lieu of installation, to be held until such time as the whole area would have curb and gutter.

Councilmember Fritz - Strongly opposed to "hit and miss" curb and gutter. He agrees with acceptance of cash for future curbing.

Councilmember Bluth - The issue has been forced with other developers

Councilmember Sessions - Consistency is the Town's strength, for all. Would acceptance of cash for this area cause problems with other developers.

Bruce Hall has advised that to properly install curb and gutter in Plat C (higher on the hillside) should require an underground drainage system, sumps would not handle the run off from the channeled water from curbing. This would affect the entire Town. This area has clay soil, which renders sumps ineffective because there is no percolation at all with clay.

Ernestine Folks - suggested declaring no curb and gutter in Plat C. In the future, if curb and gutter is to go in, with a drainage system, it could go in with a Special Improvement District.

3. Power Line

Strawberry Electric has insisted that the power line in the area must be buried. This will be the responsibility of the developer

7:45 PUBLIC
HEARING

At 7:45, Mayor Jacobson opened the Public Hearing on Amending Resolution #97-1-28-2R entitled the 1996 Budget for the Fiscal Year 1996/1997 for the Operation of the Town of Elk Ridge.

Review by the Town Clerk.

ELK RIDGE TOWN COUNCIL MEETING - 6-24-97 CONT.

MOTION WAS MADE BY SCOT SESSIONS SECONDED BY MAYOR JACOBSON, TO MOVE DIRECTLY TO THE 9:00, 9:25 AGENDA ITEMS TO GIVE INDIVIDUALS ASSOCIATED WITH SUBDIVISION PLATS TIME TO ARRIVE. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-JIM NICOLET.

ADOPTION
FINAL AMENDED
BUDGET-
1996/1997

MOTION WAS MADE BY SCOT SESSIONS SECONDED BY BRENT BLUTH, TO ADOPT A RESOLUTION AMENDING RESOLUTION #97-1-28-2R ENTITLED THE 1996 BUDGET FOR THE FISCAL YEAR 1996/1997 FOR THE OPERATION OF THE TOWN OF ELK RIDGE. VOTE: POLL; MAYOR JACOBSON-AYE, BRENT BLUTH-AYE, SCOT SESSIONS-AYE, VERNON FRITZ-AYE, NO-NONE(0), ABSENT(1)-JIM NICOLET. MOTION PASSES 4-0

4TH OF JULY

Councilmember Scot Sessions - Plans for the Celebration are going well. Councilmember Vernon Fritz will represent the Council in the Parade. Fliers of the events went out to residents.

Mayor - Hot Dog Cook-out (6:30 PM on July 3)

Required by the Health Dept.

1. Hand washing facilities
2. Rubber Gloves and tongs
3. Hat

Aprons are being donated by the Mayor

Councilmember Fritz, recommended having fire extinguishers handy for the Bar B Ques.

Gary Prestwich will set up the sound system.

HASKELL
SUBDIVISION,
PLAT E/
FINAL PLAT

This Plat will extend Ama Fille Lane, to connect onto Hudson Lane on the east end. Oak Ridge Dr. will also connect onto Ama Fille Lane .

Ernestine Folks: Reviewed the subdivision documents with the Council.

On April 24, 1997 the Elk Ridge Planning Commission acted to grant Final Plat approval to Haskell Subdivision, Plat E. The Planning Commission recommends to the Town Council that the Final Plat be approved and the proposed dedications accepted. Recording of the Plat will be after the Escrow Account is set up. All other requirements have been met.

ELK RIDGE TOWN COUNCIL MEETING - 6-24-97 CONT.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY SCOT SESSIONS, TO APPROVE HASKELL SUBDIVISION, PLAT E AND TO GRANT FINAL PLAT APPROVAL. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-JIM NICOLET.

INGRAM
½ ACRE PARCEL

Decisions:

1. Lot of Record

Comments:

Councilmember Fritz - The ½ acre parcel should not be accepted as a non-conforming lot of record. The subdivision process was not completed.

MOTION WAS MADE BY VERNON FRITZ SECONDED BY MAYOR JACOBSON, TO NOT ACCEPT THE INGRAM ½ ACRE PARCEL AS A LOT OF RECORD. THERE IS NOT ADEQUATE PROOF THAT THE SUBDIVISION PROCESS WAS COMPLETED. "VERBAL" AGREEMENTS ARE NOT LEGALLY BINDING FOR COMPLETION OF THE PROCESS. VOTE: POLL; SCOT SESSIONS-AYE, VERNON FRITZ-AYE, MAYOR JACOBSON-AYE, BRENT BLUTH-AYE, ABSENT(1)-JIM NICOLET. MOTION PASSES 4-0.

2. Subdivision Process Required
 - A. 1978 Subdivision Ordinance

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY VERNON FRITZ TO:

1. REQUIRE THE PARCEL TO BE PLATTED (INDIVIDUALLY OR IN CONJUNCTION WITH THE HARRIS SUBDIVISION, THE CHOICE IS THE PROPERTY OWNERS).
2. UTILITIES BE INSTALLED IN ACCORDANCE WITH THE 1978 STANDARD SPECIFICATIONS, WHICH COVERS THE TIME PERIOD THE PARCEL WAS PURCHASED BY THE INGRAMS.

Discussion:

Scot Sessions - If the motion is approved, are the Standards the same as far as depth, size, etc. as the current requirements?

The size of the water mains are different, Laterals are the same.

ELK RIDGE TOWN COUNCIL MEETING - 6-24-97 CONT.

Question: If platting the parcel is necessary, why go back to the 1978 requirements? That would require Mr. Ingram to plat the parcel individually rather than with Mr. Harris, because Mr Harris would be subject to the current standards.

VOTE: POLL; SCOT SESSIONS-NO, BRENT BLUTH-NO, VERNON FRITZ-NO, MAYOR JACOBSON-NO, ABSENT(1) JIM NICOLET. MOTION IS NOT PASSED.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY SCOT SESSIONS, THAT MR. INGRAM BE REQUIRED TO PLAT THE ½ ACRE PARCEL EITHER AS PART OF THE HARRIS SUBDIVISION OR INDIVIDUALLY, AS HE SO DESIRES AND THAT DEVELOPMENT OF THE LOT BE IN ACCORDANCE WITH THE CURRENT STANDARD SPECIFICATIONS. VOTE: POLL; SCOT SESSIONS-AYE, BRENT BLUTH-AYE, VERNON FRITZ-AYE, MAYOR JACOBSON-AYE, ABSENT(1)-JIM NICOLET. MOTION PASSES 4-0.

HARRIS
ESTATES
SUBDIVISION

The plat is not at the point of approval; however, for the Harris to go forward, decisions are to be made by the Town Council.

1. "Material Injury" (Injury to property values in the general area)

Comments:

Brent Bluth - Evidence does not prove any material injury.

Scot Sessions - Could the issue be tabled until a legal opinion is obtained on the definition of "Material Injury"?

Vernon Fritz - He has empathy for the adjacent property owners and their concerns but does not see that there is Material Injury and he does not see a legal legitimacy for amending the use of the property. The property owners had free choice, when they purchased the adjacent lots, to position their homes as they would. He finds no cause for material damage.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY VERNON FRITZ, THAT THE TOWN COUNCIL FINDS NO MATERIAL INJURY AS A RESULT OF HARRIS ESTATES SUBDIVISION GOING FORWARD. VOTE: POLL; SCOT SESSIONS-AYE, VERNON FRITZ-AYE, BRENT BLUTH-AYE, MAYOR JACOBSON-AYE, ABSENT(1)-JIM NICOLET. MOTION PASSES 4-0.

MOTION WAS MADE BY BRENT BLUTH SECONDED BY MAYOR JACOBSON, THAT THERE IS "GOOD CAUSE" TO VACATE AND AMEND SALEM HILLS SUBDIVISION, PLAT C. THE "GOOD CAUSE" IS THE RIGHT OF THE PROPERTY OWNERS TO DEVELOP THEIR PROPERTY. THIS STATEMENT IS TO BE ON THE PLAT MYLAR. VOTE: POLL; SCOT SESSIONS-AYE, VERNON FRITZ-AYE, BRENT BLUTH-AYE, MAYOR JACOBSON-AYE, NO-NONE(0), ABSENT(1)-JIM NICOLET. MOTION PASSES 4-0.

3. CURB AND GUTTER

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY VERNON FRITZ, TO NOT REQUIRE CURB AND GUTTER ON THE PROPOSED HARRIS SUBDIVISION, LOTS 19,21 OF PLAT C, SALEM HILLS SUBDIVISION, AND THAT CURB AND GUTTER NOT BE REQUIRED IN THE SALEM HILLS SUBDIVISION, PLAT C AT THIS TIME, DUE TO PERCOLATION PROBLEMS IN CLAY SOIL. A FUTURE TOWN COUNCIL MAY PROPOSE AND PASS A SPECIAL IMPROVEMENT DISTRICT (SID) TO ADDRESS POSSIBLE CURB AND GUTTER AND RELATED DRAINAGE ISSUES, AS PER PROPER ENGINEERING, FOR THE AREA OF SALEM HILLS SUBDIVISION, PLAT C. VOTE: POLL; SCOT SESSIONS-AYE, VERNON FRITZ-AYE, BRENT BLUTH-AYE, MAYOR JACOBSON-AYE, NO-NONE(0), ABSENT(1)-JIM NICOLET. MOTION PASSES 4-0.

4. POWER

MOTION WAS MADE BY SCOT SESSIONS SECONDED BY VERNON FRITZ, TO REQUIRE THE DEVELOPER OF LOTS 19,21 OF SALEM HILLS SUBDIVISION, PLAT C TO REMOVE POWER POLES AND TO BURY POWER LINES. VOTE: POLL; SCOT SESSIONS-AYE, VERNON FRITZ-AYE, BRENT BLUTH-AYE, MAYOR JACOBSON-AYE, NO-NONE(0), ABSENT(1)-JIM NICOLET. MOTION PASSES 4-0.

ELK RIDGE TOWN COUNCIL MEETING - 6-24-97 CONT.

ENERGY SALES
AND USE TAX/
ORDINANCE

The revenue from these taxes would be used on road repair in Town. The Mayor explained the proposed Ordinance. Notice was published for 2 days in the Daily Herald and once in the Payson Chronicle. This Ordinance can only apply to energy suppliers (electrical and natural gas). Franchise fees would be collected by the State Tax Commission and they would distribute the taxes to the Cities/Towns (Administration fee of 1 ½ %) . (Effective 6-30-97)

Comments:

Vernon Fritz - No one wants to raise taxes; however, he feels that prudent use of the taxes justifies the increase.

Brent Bluth - No problem

Scot Sessions - What are estimates of gain?

A. 12,000 - 15,000/year (estimate)

B. The State has established a 6% rate

Suggestion: include the portion of minutes with the motion in the file with the Ordinance. The Mayor agrees.

1. MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY VERNON FRITZ, TO APPROVE THE MUNICIPAL ENERGY SALES AND USE TAX AT THE RATE OF 6%, AND THAT COPIES OF THE ORDINANCE BE SENT TO THE GAS AND ELECTRIC SUPPLIERS FOR THE TOWN. VOTE: POLL; SCOT SESSIONS-AYE, VERNON FRITZ-AYE, BRENT BLUTH-AYE, MAYOR JACOBSON-AYE, NO-NONE(0), ABSENT(1)-JIM NICOLET. MOTION PASSES 4-0.
2. MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY VERNON FRITZ, THAT FUNDS COLLECTED FROM THE MUNICIPAL ENERGY SALES AND USE TAX BE USED EXCLUSIVELY FOR ROAD REPAIRS AND MAINTENANCE WITHIN THE TOWN OF ELK RIDGE, AND IF USED FOR ANY OTHER PURPOSE THAN ROAD REPAIR, THE ORDINANCE AND SUBSEQUENT COLLECTIONS WOULD BE NULL AND VOID. VOTE: POLL; SCOT SESSIONS-AYE, VERNON FRITZ-AYE, BRENT BLUTH-AYE, MAYOR JACOBSON-AYE, NO-NONE(0), ABSENT(1)-JIM NICOLET.

ELK RIDGE TOWN COUNCIL MEETING - 6-24-97 CONT.

HILLSIDE DRIVE DRAINAGE Clarification of proposed drainage easements are needed from Bruce Hall.

EXPENDITURES None at this time

SUPPLEMENTAL AGENDA

LAIDLAW WASTE SYSTEMS CONTRACT 1. Collections: 7.67 to 8.36
Containers: 1.25 to 3.00 (2nd container)
2. Roll-offs
A. 1 roll-off bin/1 empty per week
B. Propose only 1 week in the spring/4 dumps

MOTION WAS MADE BY BRENT BLUTH SECONDED BY MAYOR JACOBSON, TO APPROVE AMENDMENT A TO THE AGREEMENT BETWEEN LAIDLAW WASTE SYSTEMS AND ELK RIDGE TOWN EXECUTED JANUARY 14, 1997 AND THAT THE MAYOR BE AUTHORIZED TO SIGN THE AMENDMENT A FOR THE COUNCIL. VOTE; POLL: SCOT SESSIONS-AYE, VERNON FRITZ-AYE, BRENT BLUTH-AYE, MAYOR JACOBSON-AYE, NO-NONE(0), ABSENT(1)-JIM NICOLET.

SHERIFF'S CONTRACT 1997 Agreement for Police Services are at the same cost (28.50/hr: for 80 hours of patrol time). Call-outs are billed separately. Approved by Denton Hatch.

MOTION WAS MADE BY VERNON FRITZ SECONDED BY SCOT SESSIONS, TO APPROVE THE POLICE CONTRACT FOR 1997 AND TO AUTHORIZE MAYOR JACOBSON TO SIGN THE CONTRACT. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-JIM NICOLET.

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


TOWN CLERK