

## NOTICE & AGENDA

Notice is hereby given that the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, January 11, 2000, with the Town Council Work Session at 6:00 P.M., followed by a Council Closed Session at 6:30 PM. The regular Council Meeting will be at 7:00 P.M. The meetings will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

6:00 P.M. - OATH OF OFFICE - NEWLY ELECTED COUNCILMEMBERS  
TOWN COUNCIL WORK SESSION

Town Council Welcome to New Members & Presentation

LEI Reports

Youth Council Report

Upper/Lower Water Systems - Gary Bowen

Building Permits & Approved Lots Report - Ernestine Folks

6:30 P.M. - TOWN COUNCIL CLOSED SESSION

Discussion of Personnel

Pending Litigation/Strategy

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

7:00 Invocation and Pledge of Allegiance

7:05 Approval of Agenda Time Frame

7:10 Town Council/Planning Commission  
1999 Meeting Schedules

7:15 Town Council Assignments

7:20 K & C Subdivision, Plat A - Natural Gas Requirement

7:35 Oak Bluff Estates, Plats B & C - Completion of Improvements

7:40 Loafer Canyon South, Plat A/Durability Retainer Release

7:45 Ordinance Enforcement

7:50 Town Shirts with Logo

8:00 Expenditures:

General:

Hall Engineering's Final Bill

Approval of Gate Valve - Gary Bowen

8:10 Approval of Minutes of Previous Meetings

8:15 Adjournment

\*Handicap Access, Upon Request. (48 Hours Notice)

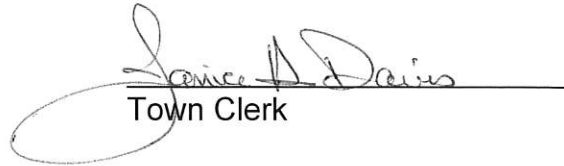
The times which appear on the agenda may be accelerated if time permits. All interested persons are invited to attend this meeting.

Dated this 7<sup>th</sup> day of January, 2000.

  
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, 145 E Utah Ave, Payson, Utah and mailed to each member of the Governing Body on January 7, 2000.

  
Town Clerk

**ELK RIDGE  
TOWN COUNCIL MEETING  
January 11, 2000**

**TIME & PLACE  
OF MEETING**      The regular Meeting of the Elk Ridge Town Council was held on Tuesday, January 11, 2000, with the Council Work Session at 6:00 PM, a Council Closed Session at 6:30 PM, followed by the regular Town Council Meeting at 7:00 PM. The meetings were 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, 145 E Utah Ave, Payson, UT, and to each member of the Governing Body by mailing a copy to each on January 7, 2000.

**6:00 PM                      TOWN COUNCIL WORK SESSION**

**OATH OF OFFICE      Newly Elected Town Council**  
The newly elected members of the Elk Ridge Town Council were given the Oath of Office by the Town Clerk.  
(Councilmembers: Cindi Ellis, Jerry Mason & Michael Motko)

**ROLL CALL**              *Mayor: Cregg Ingram; Town Council: Gary Bowen (Mayor Pro tem), Cindi Ellis, Jerry Mason, & Michael Motko; Former Councilmember: Brent Bluth; Planning Commission: Stewart Jolley; Administrative Assistant: Ernie Folks; Police: Deputy Nelson; Town Engineers: Greg Magleby, Jesse Conway ; Youth Council: Audrey Hatch; Town Attorney: John Fueston; Public: Kim & Carrie Christensen, Burke Cloward, Michael Balserak, Rene' Motko, Erin Balserak, Ken Orton, Robert Horton; & Town Clerk: Janice H. Davis*

**WELCOME/  
PRESENTATION**      Mayor Ingram welcomed the new member of the Town Council (Michael Motko) and those re-elected to office (Cindi Ellis And Jerry Mason). He then publically thanked former Councilmember Brent Bluth for his service to the Town and presented him with a plaque from the Town.

**YOUTH COUNCIL  
REPORT**              Audrey Hatch (Over Parks & Recreation):  
Jill Ingram - Adult Supervisor  
Brian Holcomb - Mayor  
Preston Nilsson - Roads  
Planning & Development - Kara Cazier  
Historian - Josie Hatch

## ELK RIDGE TOWN COUNCIL WORK SESSION - 1-11-00, cont.

The Youth Council would like to add more members to it. They requested an announcement in the Town Newsletter (14 or older). The Youth Council feels that there should be open communication between them and the Town Councilmembers.

### Projects:

There will be a suggestion box in the front office of the Town Hall. They would like to bury a time capsule on the 4<sup>th</sup> of July Celebration. The Youth Council is open to any ideas to put into the capsule.

Mayor: The Youth Council will be sworn in before the next Council Meeting.

## LEI REPORT

:

Greg Magleby (LEI Engineering):

### **1. Haskell Subdivision, Plat G:**

Mr. Haskell's Project: Is coming up for Final Review soon.

Mr. Haskell is required to install a 10" water line connecting the 10" line on N. Park Dr. to the 10" line south of the Town Hall. It was to follow the sewer line from Hillside, west to Elk Meadows Dr. then down (north) to service Haskell, Plat G. Mr. Magleby suggests running the line through the Town Park property to Park Dr., connecting to the existing 8" line there; then, picking up again at Columbus Ln. & Park Dr. with a 10" line to extend to the Haskell Subdivision. This 10" line will eventually run all the way to connect Park Dr. to Goosenest Dr. In the future, if a water tank is located under the ball park, the 8" line could then be replaced by a 10" line, if needed.

The intersection of Park Dr. & Elk Meadows Dr. needs to be engineered to determine where it should be before the line is connected. Greg Magleby was asked if the last estimate given for that project still stands & he replied that it does. He also said that the lines could be placed according to the road rights of way.

### **2. Storm Drainage Study:**

(Letter submitted by LEI):

1. 1<sup>st</sup> Priority for implementing storm drainage study is to select & negotiate a site for a retention basin. Mr. Magleby feels that site #2, as recommended in the study, would be preferable. The study locates the site as fronting Goosenest Dr.; however, further south in the same area is undevelopable & would cost less. Percolation rates in this area have been verified to far exceed the standard and would be conducive to a retention basin.



## ELK RIDGE TOWN COUNCIL WORK SESSION - 1-11-00, CONT

2. Mr. Magleby has spoken with Payson City's Engineer about the possibility of retention basins on the golf course. This option could be could benefit both parties.
3. After locating the site, the next step would be to establish a storm drainage impact fee to fund the initial basin construction & main line piping.
4. Several immediate needs were mentioned in the study. These sites should be evaluated for cost savings and scheduled for construction.

### **3. Mecham Annexation to Payson:**

LEI also acts as Mr. Mecham's engineer and has been asked to make a request of the Town Council. Although an application has been turned in to Payson City to have certain property (about 700 acres) south of Elk Ridge and some of it within the Elk Ridge boundaries, annexed into Payson City; he would like to discuss with the Council of Elk Ridge any possibility of developing this property in Elk Ridge.

A map of the proposed development was shown to the Council.

As the Town's Engineer, Mr. Magleby can see some benefits to this development being in Elk Ridge. He can also see a lot of problems. The problems & affects will be present for Elk Ridge whether Mr. Mecham develops in Elk Ridge or not.

With Elk Ridge's best interest in mind, there could be some tax benefits that could off-set some of this affect on Elk Ridge.

#### Mayor:

As the Town Engineer:

1. Will there be a problem in keeping the alignment between acting as Mr. Mecham's Engineer while also representing the Town?  
(Mr. Magleby assured the Council of this.)
2. What advantages would be available to Elk Ridge?

#### Greg Magleby:

Advantages/Issues:

1. Springwater is located in the area & this water source could augment Elk Ridge's system.
2. Storm drainage would have to be contained on-site.
3. Sewer system that would be required might be a great advantage to Elk Ridge. A trunk-line would be required out of the area. This could be a mechanism to provide the main line needed on the west side of Town. The line will be required. It could be of benefit or bypass the Town.

ELK RIDGE TOWN COUNCIL WORK SESSION - 1-11-00, cont.

4. Possibilities of pressurized irrigation coming from this development. This could cut the water storage rate in half, as well as prolonging the lives of the culinary wells.

5. One of the main concerns is road maintenance. Mr. Magleby proposes that the roads be private and could be maintained by a homeowner's association.

Mayor:

What can the Council do to prepare to consider this proposal?

Mr. Magleby:

1. Start to define the parameters of the development: Would it come under the standard PRD Ordinance or is there some flexibility in this?

2. In a development of this size, it helps to set up an Ad hoc Committee. (To include two members of the Planning Commission, two members of the Town Council and two citizens.)

The most important step in development is at Concept . Everything should be well-defined at this point.

Mayor: Feels the Council should look at the possibilities in the light of what could be gained by allowing the development to occur in Elk Ridge. The Council was in agreement that they would be willing to listen to Mr. Mecham's proposal.

Councilmember Motko is to meet with LEI and discuss an Ad hoc Committee.

**TOWN COUNCIL CLOSED SESSION**

ROLL CALL

*Mayor:* Cregg Ingram; *Town Council:* Gary Bowen (Mayor Pro tem), Cindi Ellis, Jerry Mason, & Michael Motko; *Town Attorney:* John Fueston; *Town Clerk:* Janice Davis.

Discussion of Personnel

Pending Litigation

**TOWN COUNCIL MEETING**  
**January 11, 2000**

TIME & PLACE OF MEETING	<p>The regular Meeting of the Elk Ridge Town Council was held on Tuesday, January 11, 2000, with the Council Work Session at 6:00 PM, a Council Closed Session at 6:30 PM, followed by the regular Town Council Meeting at 7:00 PM. The meetings were 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, 145 E Utah Ave, Payson, UT, and to each member of the Governing Body by mailing a copy to each on January 7, 2000.</p>
ROLL CALL	<p><i>Mayor:</i> Cregg Ingram; <i>Town Council:</i> Gary Bowen (Mayor Pro tem), Cindi Ellis, Jerry Mason, &amp; Michael Motko; <i>Administrative Assistant:</i> Ernestine Folks; <i>Police:</i> Deputy Nelson; <i>Town Engineers:</i> Greg Magleby, Jesse Conway ; <i>Town Attorney:</i> John Fueston; <i>Public:</i> Kim &amp; Carrie Christensen, Robert Horton; &amp; <i>Town Clerk:</i> Janice H. Davis</p>
INVOCATION & PLEDGE OF ALLEGIANCE	<p>Cindi Ellis offered the Invocation.</p> <p>_____</p>
AGENDA TIME FRAME	<p><b>MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY GARY BOWEN TO ADJUST THE AGENDA TIME FRAME BY 30 MINUTES</b></p> <p><b>VOTE: YES (5)                      NO (0)</b></p> <p>_____</p>
TOWN COUNCIL MEETING SCHEDULE/2000	<p><b>MOTION WAS MADE BY JERRY MASON AND SECONDED BY MAYOR INGRAM FOR THE TOWN COUNCIL OF ELK RIDGE TO CONTINUE TO MEET ON THE SECOND AND FORTH TUESDAYS OF EACH MONTH, WITH THE WORK SESSIONS AT 6:00 PM AND THE REGULAR TOWN COUNCIL MEETINGS AT 7:00 PM. IN THE MONTH OF DECEMBER, THE COUNCIL WILL ONLY MEET ON THE SECOND TUESDAY OF THE MONTH.</b></p> <p><b>VOTE: YES (5)                      NO (0)</b></p> <p>_____</p>

ELK RIDGE TOWN COUNCIL MEETING - 1-11-00, CONT.

TOWN COUNCIL  
ASSIGNMENTS

The Mayor proposed the following Council Assignments:  
Public Safety/Parks...Cindi Ellis  
Roads...Jerry Mason  
Planning/Zoning...Michael Motko  
Water/Sewer...Gary Bowen (With Gary Bowen also acting as the  
Mayor Pro tem for the year 2000)  
Administration...Mayor

**MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY  
JERRY MASON TO APPROVE THE TOWN COUNCIL  
ASSIGNMENTS AS NOTED BY THE MAYOR:  
PUBLIC SAFETY/PARKS...CINDI ELLIS, ROADS...JERRY  
MASON, PLANNING/ZONING...MICHAEL MOTKO,  
WATER/SEWER...GARY BOWEN, ADMINISTRATION...MAYOR  
VOTE: YES (5) NO (0)**

LEI REPORTS  
(CONT.)

**Loafer Canyon Road:**

LEI has reviewed all of the studies performed by Hall Engineering, including the Loafer Canyon Road Improvements. A letter was issued to the Town Council expressing his comments and his recommendations.

Greg Magleby:

1. Questions the necessity of a 56' right of way on Loafer Canyon Road. He feels a 36' right of way would be still allow for 28' of pavement + 2' of curb/gutter. He also recommends the improvements be shifted further west to avoid conflicts or undue expense associated with the hillside to the east. This would result in a savings for the Town of about \$25,000.
2. The design drawings should be changed to be a maximum of 400' between manholes to stay consistent with Town Standards.
3. The original plans show a discharge to the existing ditch along the back side of the lots and homes. A continuous easement from the point of discharge form Loafer Canyon Road offsite does not exist. Easements will have to be acquired from some of the existing lots.

If the 36' right of way is agreed upon, Mr. Magleby outlined a schedule of implementation, beginning with a neighborhood meeting of all the property owners in the area, to discuss the acquisition of rights of way. (In about 2 weeks)

Councilmember Motko is to handle setting up the meeting.  
A School bus turnaround was discussed. (LEI could engineer it)

ELK RIDGE TOWN COUNCIL MEETING - 1-11-00, CONT.

K & C  
SUBDIVISION,  
PLAT A

**Natural Gas Requirement:**

Gary Bowen:

It is required by Ordinance for each developer to bring the utilities to to the subdivision lot. The Christensens plan on using propane for their home. This does not relieve them of the obligation of complying with the Ordinance. The Christensens feel the cost would be prohibitive and a waste to install a connector line at this time. In a previous Council meeting, Brent Bluth, as Mayor Pro-tem, suggested not putting the matter to a vote, since it is required in the existing Ordinance. The Council did not oppose the suggestion. Meanwhile, Councilmember Bowen contacted the engineer at Questar Gas Co. They have no idea what size main line to install at this time. Since the proposed County Road will continue on to connect to 1600 West, it will open up that area for development at that time. The Gas Co. will run the line to the Christensen's lot; but, it would be a connector line, not a main. It would cost about \$12,000. Councilmember Bowen pointed out that the Council has already granted exceptions to the Ordinance for this Subdivision; he sees no reason why this requirement should have to be met, under these circumstances.

Cindi Ellis: Questioned who will be responsible for funding the gas main when that area does develop? Councilmember Bowen responded that this is arranged between the developers and the gas company and should not affect the Town.

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY JERRY MASON TO GRANT AN EXCEPTION TO THE REQUIREMENT OF BRINGING A NATURAL GAS LINE TO THEIR PROPERTY**

**VOTE: YES (5)**

**NO (0)**

OAK BLUFF  
ESTATES,  
PLATS B & C

There are improvements to be completed so that the durability retainer for Plats B and C of Oak Bluff Estates can be released. A list of corrections has been generated by LEI Engineering. Plat E shared the same improvements as Plat B (Coley's Cove). If the corrections are not made, the Town may have to begin the proceedings to declare the developer in default. Councilmember Bowen does not feel this will be necessary.

ELK RIDGE TOWN COUNCIL MEETING - 1-11-00, CONT.

LOAFER  
CANYON  
SOUTH,  
PLAT A

**Durability Retainer Release:**

LEI Engineering inspected the improvements to the Subdivision and recommends that the retainer be released. As per LEI's letter dated January 11, 2000: This waterline was installed but the backfill was not compacted at the time of installation; however, since no road improvements are anticipated across this waterline alignment, any settlement that would continue over the next two or more years will not affect any roadway improvements. Any settling of driveways or other surfaces would be the developers' responsibility.

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY MAYOR INGRAM TO RELEASE THE DURABILITY RETAINER BEING HELD ON LOAFER CANYON SOUTH SUBDIVISION, PLAT A, AS PER ENGINEERING RECOMMENDATION.**

**VOTE: YES (5)**

**NO (0)**

Councilmember Ellis suggested patching Loafer Canyon Road (south of the dugway) on the section between dugway & Loafer Canyon South, Plat A.

ORDINANCE  
ENFORCEMENT

(Memo from Ernie Folks)

The Mayor Pro tem asked that the information gathered by the Administrative Assistant (Mrs. Folks) be made available to the Council and placed on the Town Council Meeting Agenda. Mayor Ingram asked Mrs. Folks to verify and monitor the violations. (Officer Nelson said that monitoring is an effective way to verify each violation of an ordinance.) This information was submitted in the form of memos to the Council.

**1. Animal Control Complaint & Nuisance Ordinance Violation:**

Gary Bowen: Complaint is from Robert Horton (resident)

On 12-29-99, Mr. Horton stated that Jason & Gina Adamson at 230 E. Hudson Ln., Elk Ridge, have 4 dogs & 7 cats. The dogs barking is disturbing, excessive & a nuisance. The 7 cats run at large on Mr. Horton's property. In addition, the Adamson's have 4 old trailers parked on their property which are unsightly. This has been going on for 6 years, and in spite of Mr. Adamson's threats, he would like this situation resolved.

Mr. Horton owns a vacant lot across the street from the Adamsons, which he has been trying to sell. He stated he has sustained the loss of a sale (twice) as a direct result of the conditions at the Adamson's property.

Mrs. Folks called the County Animal Control officer and spoke with



## ELK RIDGE TOWN COUNCIL MEETING - 1-11-00, CONT.

Deputy Kester to find out what is the procedure on complaints they receive. He said on barking dogs, that the dog must be barking in the presence of the Animal Control Officer before he would take any action. On the 1<sup>st</sup> violation, he would only issue a warning.

On the issue of 4 dogs: he said he would need to check into this. He was not aware that Elk Ridge's Ordinance on the number of dogs is not to exceed 2 dogs. He thought Elk Ridge was the same as the County.

He will also speak to other officers to see how they handle violations.

He also recommended Mr. Horton record or video tape the violations, so they could be used in court, if necessary. The complainant would have to go to court if the violator is cited.

Mayor: The policy is in place, the Council just needs to act on it.

1. Letter of violation from Town (30 days to comply)
2. Citation issued

None of this needs to be done. An officer can just go out; however, the officer would have to verify the violation. This is why taping ahead of time is helpful to document the violation.

The barking is only one of the violations. There is also the number of animals and the storage of junk and trash.

Mr. Horton asked the Council to just drive by and inspect the lot.

The Mayor asked that Mr. Horton help to document the violations by taping or videoing the problems.

- A) Barking dogs - document violation
- B) Number of dogs - document, then send officer to cite to owner
- C) Storage of junk - document, then send letter from Attorney

### **2. Nuisance Abatement/Weeds**

Ernestine Folks: The lot with the problem is owned by Jim Winterton (Suburban Land Corp.). Mr. Winterton was sent a certified letter from Attorney Denton Hatch to abate the nuisance (remove the weeds) from his lot at 338 E. Alpine Dr. The letter was received by Mr. Winterton on 11-1-99. He was to have cleared the lot by 12-1-99.

In reviewing the Public Nuisance Ordinance, the owner can seek assistance from the Town Beautification Committee in removing the nuisance (weeds), and can request a hearing with the Town Board of Adjustments. The Attorney did not inform Mr. Winterton of this in his letter.

ELK RIDGE TOWN COUNCIL MEETING - 1-11-00, CONT.

Nothing further has been done on the violation.

Mr. Winterton has not contacted the Town.

Let the new Attorney know of the situation and have him follow up in the spring. Meanwhile, send a follow-up letter informing of his options.

**3. Storage of Commercial Vehicles/Equipment:**

A packet of information documenting the violations in Town was submitted to the Council. Included in the packet were copies of pictures and times when violations occurred, along with the sections of the Ordinances being violated.

How does the Council want the enforcement to proceed?

It has been at least 2 months since the documentation.

A) re-verify the information by Sheriff and the Administrative Assistant.

B) Letters to go to those in violation, giving 30 days to comply, then legal proceedings would begin.

TOWN SHIRTS/  
LOGO

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Information not available.

EXPENDITURES:

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**General:**

**1. Office Furniture:**

It was established in a previous Council Meeting that, to make better use of office space, two work stations could go into the Town Clerk's office. The cost of the same type of work stations in the other office is about \$2,100.

The electrical set-up needs to be addressed, as well.

**MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO APPROVE UP TO \$2,100 FOR OFFICE FURNITURE, TO CREATE TWO WORK STATIONS IN THE TOWN CLERK'S OFFICE.**

**VOTE: YES (5)**

**NO (0)**

**2. Signs/Ballfield:**

A sign is needed on the ballfield to prohibit motorized vehicles on the ballfield. A sign is needed that says Ingram Field for the ballfield, as well. The Ingram Field sign could be an Eagle Project. The other sign just needs to be ordered.

ELK RIDGE TOWN COUNCIL MEETING - 1-11-00, CONT.

**3. Tod Wilson/Y2K**

Tod Wilson performed the Town's Y2K check on the computers. Payson City feels that since he got the job through Brent Bluth, that it is a conflict of interest and informed him that he could not accept pay from the Town. It was suggested that perhaps he could receive a donation. \$300 was approved.

**4. Hall Engineering/Final Bill:**

**MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY MICHAEL MOTKO TO APPROVE \$2,952.50 TO BE PAID TO HALL ENGINEERING FOR SERVICES DIRECTLY TO THE TOWN; WITH THE PAYMENT SPLIT INTO THE APPROPRIATE DEPTS.**

**VOTE: YES (4) NO (0) ABSENT (1) JERRY MASON**

**5. Gate Valve:**

A gate valve on the lower water tank is not working correctly, preventing the ability to shut down the line. It needs to be installed further down on the line rather than by the tank.

The materials & work will cost \$787.98.

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO APPROVE UP TO \$800 TO INSTALL A GATE VALVE TO GO IN ON OAK LANE.**

**VOTE: YES (4) NO (0) ABSENT (1) JERRY MASON**

MINUTES

Town Council Minutes of 9-28-99:

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO APPROVE THE TOWN COUNCIL MINUTES OF 9-28-99, WITH CHANGE:**

**PG.12 (BOTTOM OF PAGE) UNDER FORREST COUNCIL GRANT ...CHANGE DENIED TO ELK RIDGE'S APPLICATION WAS NOT ONE CHOSEN TO RECEIVE THE GRANT.**

**VOTE: YES (4) NO (0) ABSENT (1) JERRY MASON**

Minutes of 11-9-99:

**MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO APPROVE THE TOWN COUNCIL MINUTES OF 11-9-99, WITH CORRECTION OF TYPO ON PG. 2: IS DEFINED**

**VOTE: YES (4) NO (0) ABSENT (1) JERRY MASON**

ELK RIDGE TOWN COUNCIL MEETING - 1-11-00, CONT.

ADJOURNMENT    **MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY  
MAYOR INGRAM TO ADJOURN THE MEETING.**  
**VOTE: YES (4)    NO (0)    ABSENT (1) JERRY MASON**

  
TOWN CLERK

### NOTICE & AGENDA

Notice is hereby given that the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, January 25, 2000. There will be a Town Council Closed Session at 6:00 PM, followed by the Town Council Work Session at 6:45. The regular Town Council Meeting will be held at 7:00 PM. The meetings will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

6:00 PM - TOWN COUNCIL CLOSED SESSION

Discussion of Personnel  
Pending Litigation

6:45 PM - TOWN COUNCIL WORK SESSION

Annexation Fees/Discussion  
Ordinance Enforcement  
Impact Fees/64 Coley's Cove - Gary Bowen


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

- 7:00 Invocation and Pledge of Allegiance
- 7:02 Approval of Agenda Time Frame
- 7:05 Eagle Project - Cameron Searle  
Planning/Zoning
- 7:10 Haskell Subdivision, Plat G; Request to Amend the Zone Map/General Plan
- 7:15 Haskell Subdivision, Plat G/Approval Street Name
- 7:20 Haskell Subdivision, Plat G - Final Plat Approval
- 7:45 Development Code Amendments:  
Set Public Hearings:
  - 1. Area of Accessory Buildings
  - 2. Regulations Within All Zones
- 7:50 Annexation Fees/Resolution Amendment - Gary Bowen
- 8:00 Impact Fees/64 Coley's Cove - Gary Bowen  
Administration
- 8:05 Job Descriptions - Office Personnel
- 8:10 Town Newsletter
- 8:15 Town Hall/Fire Station/Improvements - Gary Bowen  
Water/Sewer Depts. - Gary Bowen
- 8:25 Delinquent Water Bills/Bad Checks
- 8:30 Back Flow Control/Jolley Home Damage
- 8:35 Fire Hydrants
- 8:40 Re-setters/Salem Hills Circle
- 8:45 Oak Lane Water Line/Replace 2 ½ Galvanized Pipe
- 8:55 Storm Drain/N Clark Ln. to Park Dr.
- 9:00 Water Rates/Discussion & Set Public Hearing  
Expenditures: General:
- 9:15 Shirts/With Town Logo
- 9:20 Approval of Minutes of Previous Meetings
- 9:25 Planning Commission Member Approval
- 9:30 Adjournment

Town Council Agenda  
1-25-2000

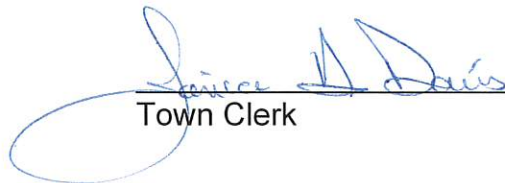
\*Handicap Access, Upon Request. (48 Hours Notice)

The times which appear on this amended agenda may be accelerated if time permits. All interested persons are invited to attend this meeting. Dated this 24<sup>th</sup> Day of January, 2000.

  
\_\_\_\_\_  
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 Amended Notice of Agenda was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, on January 24, 2000.

  
\_\_\_\_\_  
Town Clerk



**ELK RIDGE  
TOWN COUNCIL MEETING  
January 25, 2000**

**TIME & PLACE  
OF MEETING**

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**6:00 PM**

**TOWN COUNCIL CLOSED SESSION**

**ROLL CALL**

*Mayor Pro-tem:* Gary Bowen; *Town Council:* Cindi Ellis, Jerry Mason, & Michael Motko (Absent: Mayor Ingram); *Town Clerk:* Janice H. Davis

Discussion of Personnel  
Pending Litigation

**TOWN COUNCIL WORK SESSION**

**ROLL CALL**

*Mayor Pro-tem:* Gary Bowen; *Town Council:* Cindi Ellis, Jerry Mason, & Michael Motko (Absent: Mayor Ingram); *Planning Commission:* Stewart Jolley; *Administrative Assistant:* Ernestine Folks; *Officer:* Robert Nelson; *Public:* Tony Searle, Cameron Searle; & *Town Clerk:* Janice H. Davis

**ANNEXATION  
FEES**

There has been a \$400/acre Annexation Fee charged for annexations into Elk Ridge. This fee was set back in 1981. The laws are more strict now, and fees must be justified by actual costs. The current Ordinance allows three fees to be set by resolution. They are for specific costs incurred in the annexation process. The \$400/acre fee needs to be eliminated.

Gary Bowen: Payson City has a \$200 flat fee. It is an administration fee. Andrew Jackson needs to determine what fee, if any, should take the place of the \$400/acre fee.

ORDINANCE  
ENFORCEMENT

**1. Commercial Vehicles:**

Mrs. Folks was asked to monitor the violations for another 2-week period of time. Her report is completed. One of the violators has not corrected the problem. A letter will go out to this resident from the Town, signed by the Mayor, allowing 2 weeks to comply or the matter will be turned over to the Town Attorney.

**2. Animal Control:**

The County Attorney claims that the Town does not have a valid contract, because the '95 renewal did not specify the exceptions to the number of dogs allowed. At first, the claim was that there was no Enforcement Contract; however, it is in existence and was signed in 1995 as a renewal, good for 10 years unless canceled by either party, in writing. It has not been canceled. Then the County Attorney said that the contract was invalid because the exceptions were not listed on the contract, itself. Cindi Ellis will contact the Town's Attorney and have him contact the County Attorney to work this out.

**3. Nuisance Ordinance:**

The Town's current Nuisance Ordinance states that a Nuisance Inspector is suppose to be appointed. The Administrative Assistant, Ernestine Folks, was given the assignment by the Mayor to gather information pertaining to ordinance violations. She is willing to be appointed as the Inspector. (Put on the next Town Council Agenda.)

**4. 64 Coley's Cove/Impact Fees:**

Rhone Thompson built a house at this address. It has never received a Final Inspection. It has been over two years. Impact fees are due on the lot. Mr. Thompson refuses to pay, saying that he was notified of the fees about one year after the permit was issued.

He has been sent letters informing him that the fees are due. If there is no action on this by the first of the month, the water will be turned off. Cindi Ellis suggested putting a lien on the lot for the amount of the impact fees owed.

Water usage is a problem during construction. Currently a flat fee is charged for the use of water during construction. Stewart Jolley suggested charging \$80 for 4 months (If they take more time, then they could be billed 20/month...\$20 = the base rate).

**TOWN COUNCIL MEETING  
January 25, 2000**

**TIME & PLACE OF MEETING**      The regular Meeting of the Elk Ridge Town Council was held on Tuesday, January 25, 2000, with the Council Closed Session at 6:00 PM, a Council Work Session at 6:45 PM, followed by the regular Town Council Meeting at 7:00 PM. The meetings were 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, 145 E Utah Ave, Payson, UT, and to each member of the Governing Body by mailing a copy to each on January 21, 2000. An Amended Notice of Agenda was faxed to the Payson Chronicle on January 24, 2000.

**ROLL CALL**      *Mayor Pro-tem:* Gary Bowen; *Town Council:* Cindi Ellis, Jerry Mason, & Michael Motko (Absent: Mayor Ingram); *Planning Commission:* Stewart Jolley; *Administrative Assistant:* Ernestine Folks; *Fire Chief:* Seth Waite; *EMT:* Terry Spoor; *Officer:* Robert Nelson; *Public:* Lee F. Haskell, Tony Searle, Cameron Searle; & *Town Clerk:* Janice H. Davis

**INVOCATION & PLEDGE OF ALLEGIANCE**      Gary Bowen offered the Invocation.  
\_\_\_\_\_

**AGENDA TIME FRAME**      **MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY MAYOR INGRAM TO ADJUST THE AGENDA TIME FRAME BY 15 MINUTES**  
**VOTE: YES (4)      NO (0)      ABSENT (1) MAYOR INGRAM**

**EAGLE PROJECT**      Cameron Searle proposes, as his Eagle Scout Project, to build soccer goals for the ball field and to create a soccer field, with lines on it. The projected cost is about \$250. Concern was expressed that another project was to build soccer goals and they were climbed on by kids and eventually broke, were repaired, then broke again and are now down and useless. The Council was assured that these goals would be patterned after the ones in Payson. These have been standing for years with no problems. They are smaller and constructed in a sturdier way. The goals would be removable. He will fund part of the project through the sale of potatoes from Idaho.

**MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY JERRY MASON TO APPROVE CAMERON SEARLE'S EAGLE PROJECT TO BUILD SOCCER GOALS AND MAKE A SOCCER FIELD ON THE BALL PARK, WITH THE TOWN TO SUPPLY \$100 TOWARD THE PROJECT**  
**VOTE: YES (4) NO (0) ABSENT (1) MAYOR INGRAM**

PLANNING/  
ZONING

**1. Haskell Subdivision, Plat G/Request to Amend Zone Map & General Plan:**

The reason for the Zone Change, as stated in the application, read addition of more lots . This is financial in nature and should not be a reason to grant the Zone Change.

The Planning Commission recommended that the request to change the Zone Map be approved because it is more logical to have the boundary between the two zones on a street rather than running through the center of some lots or a parcel of ground. The Council agreed that a street is the better boundary; however, the reason stated on the application is the one which must be considered.

Councilmember Bowen spoke with the Town Attorney and with the Town Planner, Andrew Jackson and they both agreed that it would be best to schedule another Public Hearing, restating the reason for the zone change request. The proposed change would only affect 4 lots on the west side of Mr. Haskell's proposed Subdivision. It was also advised that, if Mr. Haskell wanted to go ahead with the construction on the Plat G, that the Council could grant Final approval on all but the four lots involved in the Zone change. The Mylar for Plat G would have to be redrawn for recording without the four lots. All improvements would be in conjunction with Plat G, so work on the project could begin. After the Public Hearing, if the Zone Change is approved on the basis of what would be beneficial for the Community, then Mr. Haskell could come forward with an additional Plat, to include the other four lots.

Mr. Haskell does not want to submit another Plat, he would rather wait until after the Public Hearing and keep the Subdivision as it is.

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO DENY LEE HASKELL'S REQUEST TO AMEND THE ZONE MAP AND THE GENERAL PLAN ON THE BASIS THAT THE REASON, AS STATED ON THE APPLICATION, IS FINANCIAL IN NATURE**

**VOTE: YES (4) NO (0) ABSENT (1) MAYOR INGRAM**

ELK RIDGE TOWN COUNCIL MEETING - 1-25-2000, CONT

**MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY MAYOR INGRAM TO SET THE PUBLIC HEARING TO RE-CONSIDER THE REQUEST TO AMEND THE ZONE MAP AND GENERAL PLAN FOR FEBRUARY 22, 2000, AT 6:00 PM**  
**VOTE: YES (4) NO (0) ABSENT (1) MAYOR INGRAM**

HASKELL,  
PLAT G  
STREET NAME

**MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY MICHAEL MOTKO TO APPROVE THE CHANGE OF THE NAME OF A STREET IN THE PROPOSED HASKELL SUBDIVISION, PLAT G, FROM OLYMPIA TO OLYMPIC LANE**  
**VOTE: YES (4) NO (0) ABSENT (1) MAYOR INGRAM**

HASKELL SUBD.  
PLAT G, FINAL  
APPROVAL

Mr. Haskell withdrew his request for Final Plat approval from the Town Council for the proposed Haskell Subdivision, Plat G.

DEVELOPMENT  
CODE  
AMENDMENTS

Set Public Hearings:

1. Size of Accessory Buildings

Currently the Town's Zoning Ordinance limits the size of accessory buildings based on the size of the required rear yard. The Planning Commission desires to change this to limit the area of accessory buildings based on the area of the lot the building will be on.

**MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY JERRY MASON TO SET A PUBLIC HEARING ON A PROPOSED ORDINANCE AMENDING THE ELK RIDGE TOWN DEVELOPMENT CODE, SECTION 10-3-3.5, REGULATING THE AREA OF ACCESSORY BUILDINGS, FOR FEBRUARY 22, 2000, AT 6:15 PM**

**VOTE: YES (4) NO (0) ABSENT (1) MAYOR INGRAM**

2. Home Occupations as a Permitted Use in all of the Zones

Currently, the Town's Zoning Ordinance permits Home Occupations subject to conditions and Board of Adjustment approval. The Planning Commission recommends that the Town permit Home Occupations administratively and to remove the Board of Adjustments from the process.

ELK RIDGE TOWN COUNCIL MEETING - 1-25-2000, CONT.

**MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY  
MICHAEL MOTKO TO SET A PUBLIC HEARING ON A  
PROPOSED ORDINANCE AMENDING CERTAIN SECTIONS OF  
THE ELK RIDGE TOWN DEVELOPMENT CODE REGARDING  
HOME OCCUPATIONS FOR FEBRUARY 22, 2000, AT 6:30 PM  
VOTE: YES (4) NO (0) ABSENT (1) MAYOR INGRAM**

The Planning Commission recommends approving both proposed Ordinances.

ANNEXATION  
FEES/  
RESOLUTION

The Town's Annexation Ordinance does not allow for the \$400 fee to be charged on a per acre basis. The Town Planner will review this and draft a resolution which matches the Ordinance.

IMPACT FEES/  
64 COLEY'S  
COVE

Water usage is such that it seems that the home at 64 Coley's Cove is occupied.

The letters, beginning in 1997, from Mayor Jacobson, have not been responded to. The Impact fees were not charged at the actual time of the issuance of the building due to Plat B, Oak Bluff Estates, having been listed on the building permit. Impact Fees were paid by the developer for Plat B. The lots in Plat E do have Impact Fees owing on them. So, only about two months had elapsed from the time the permit was issued and when the owner was informed of the error.

Councilmember Ellis suggested contacting the Town's Attorney. The owner could be given a space of time in which to clear this up with the Attorney, then the utilities should be turned off. (Water service)

Gary Bowen: The Attorney does not need to be used to shut off their water, they are already in violation.

Cindi Ellis: Suggested a lien be place on their home.

Gary Bowen: Feels that turning the water off will get a response from the owners.

**MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY  
JERRY MASON TO SHUT OFF WATER SERVICE TO 64  
COLEY'S COVE AND TO ATTACH A LIEN TO THE PROPERTY  
IN THE AMOUNT OF \$4,355.00**

Discussion:

Mike Motko: suggested attaching a date to shut off the water.



ELK RIDGE TOWN COUNCIL MEETING - 1-25-00, CONT

Gary Bowen: Advised waiting until Monday, 1-31-00. He wants to give them time during the week to pay the Town and get the water turned back on. He does not want this to go into a week-end. The owners will be notified that the water will be turned off.

**VOTE: YES (5)**

**NO (0)**

The Attorney should assist in the correct wording for the lien to be filed.

JOB  
DESCRIPTIONS/  
OFFICE  
PERSONNEL

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Gary Bowen: Updated job description are needed on all personnel. Copies of the current descriptions will be in the Councilmembers' folders. (Councilmember Motko needs keys to the building.)

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TOWN  
NEWSLETTER

The Council feels that the Town Newsletter needs to be cut down to a one-page newsletter with a Calendar on the back. Too much of the Deputy Town Clerk's time is being spent on the task of collecting information and writing the articles for the newsletter.

**MOTION WAS MADE BY JERRY MASON AND SECONDED BY  
MICHAEL MOTKO TO SHORTEN THE TOWN NEWSLETTER TO  
ONE PAGE OF PERTINENT INFORMATION AS TO THE TOWN'S  
ACTIVITIES WITH A CALENDAR ON THE BACK.**

**VOTE: YES (4)**

**NO (0)**

**ABSENT (1) MAYOR INGRAM**

TOWN HALL/  
FIRE STATION  
IMPROVEMENTS

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Gary Bowen: The Town Office needs to be rearranged to make better use of the space.

1. Mayor's Office: It is purposed to take the 2 desks out of the office. One could be used for the Fire Chief in a Bay Area Office. The foundation could be finished off and an office built for the Fire Fighters.

The other desk could be used out in the Area currently housing the EMT Vehicle (Which is never used). This could become Kent Haskell's office.

The Mayor needs a desk (already approved) and another work station could go in on the other side of the room.

Councilmember Bowen will get the costs together to present to the Council.

2. The Office needs at least two more phone lines.

3. The electrical system needs to be upgraded to accommodate the added computers.

4. Air conditioning needs to replace the Swamp cooler.

ELK RIDGE TOWN COUNCIL MEETING - 1-25-00, CONT.

NON-AGENDA  
ITEM

Fire Chief Seth Waite: (ISO Rating)

The report is back from the ISO analysis. It is a good report. The cities/towns are rated from 1 to 10, with 1 being perfect. Prior to the analysis, the Town was rated by default the same as the next closest city or town. We used to take on Payson's rating. The Town received a rating of five (which is good) throughout most of the Town...with the exception of the Goosenest area, which is rated nine (9). The ratings are for insurance under-writing purposes. This will be effective as of 3-1-00. The Town stands on its own as far as response goes. There still exists the option to call Salem for assistance. Currently, the Town has a verbal agreement with Salem. It will be in writing. This rating means that fire insurance will go down on the homes rated lower.

Councilmember Ellis commended the Fire Dept. And the EMT Dept. for the great job they do to qualify for such a good rating.

Fire Hydrants:

Certain hydrants have problems which need to be addressed (example...one resident has placed a fence between the hydrant and the road, so there is no access).

Most are problems that the Chief can work out with the residents. There are places in Town which are in need of hydrants. A list was submitted to the Council. A hydrant needs to be installed at Park Dr. and Elk Meadows when Lee Haskell installs his line as part of his off-site improvements for Plat G.

WATER/  
SEWER  
DEPT.

**1. Delinquent Water Bills/Bad Checks:**

The Town is carrying delinquent bills for 3 months or more before enforcement measures are taken. There is an Ordinance in place which says that if residents are late, they have until the end of the month in which they receive the bill to pay the full amount due, or have their water shut off. There is a \$25 return check fee in place. The Ordinance needs to be enforced. The Town cannot carry the bad debts for so long.

**2. Back flow Control/Jolley Home Damage:**

Gary Bowen: There was \$280 in damages to the Jolley home when water was pulled out of their lines due to them not having a back flow preventer in place. (The water was turned off in their area so work could be done to the water main.) Technically, it would not be considered the Town's fault; but, because it is not a large sum of money, Councilmember Bowen offered to reimburse the Jolleys for the damage.

## ELK RIDGE TOWN COUNCIL MEETING - 1-25-00, CONT.

The Jolleys, in turn, will have to pay the Town \$105 for the back flow device that will be installed in their line.

### **3. Hydrants:**

This has already been discussed with Chief Waite. Some of the hydrants have more critical problems. When a 4" line, which was attached to a hydrant, was discovered by digging it up, Councilmember Bowen had the Public Works Superintendent change the line to a 6" line that attached to the hydrant. The lead bends were also replaced. Other galvanized connections need to be replaced.

Prior to any re-paving of roads, it needs to be determined where those connections are and replace them.

### **4. Re-setters/Salem Hills Circle**

3/4" water meters, which draw more than 18 gpm, do not read correctly. These need to be replaced. A re-setter is installed where the meter sits. It is now required to have a double check valve to prevent back flow. Letters informing residents of this were to go out in the coming week. There are some critical meters on Salem Hills Cr. that need to be changed.

### **5. Oak Lane Water Line/Replace 2 ½ Galvanized Pipe:**

The line that leads from the well to the tank on Oak Lane needs to be replaced. The 6" valve (approved last Council meeting) will be placed at the connecting point of a 6" line which will connect onto the 10" main and run into the well house. The well casing is too short. It has to be 18" above the concrete. The Town has been written-up on this and given until November, 2000 to fix it. Once this line is in, the 2 ½ galvanized line will be abandoned; it will be of no use and will be disconnected.

### **6. Storm Drain/N. Clark Ln.:**

Kevin Reece's property is going to re-landscape his yard and wants to put in a sidewalk for the school children to cross through to get to the bus stop. This will go from the cul de sac (Clark Ln.) to Park Dr. He has agreed to dig a ditch from the cul de sac to Park Dr. He would like the Town to furnish the 15" pipe to go into the ditch. This will take the water from the cul de sac to Park Dr.

Cindi Ellis: Wants to make sure that this is not giving the problem to someone else on Park Dr. and creating flooding elsewhere.

Gary Bowen: The water already drains there. The rest of the drainage problems still need to be addressed; but, this will not create any new ones.

**7. Water Rates/Discussion & Set Public Hearing:**

Gary Bowen:

**A.** There is a proposal to change to a system of electronically read meters in the Town. As the meters are being replaced they are being replaced with Sensus Meters...the type of meters that will convert to this electronic system. The Town Has been using Sensus meters for the past 4 to 5 years.

It is compatible with Caselle Software.

Advantages: Faster to read and more accuracy.

There are different types of systems that could be used:

1. Radio-control: From a car (relatively expensive)
2. Hand held: less expensive and still faster and more accurate. These could later be converted to the radio-control.

Santaquin has already installed the system. They want Salem to share the cost of the radio control car between Salem, Santaquin and Spanish Fork. All 3 cities could be read in one day.

The estimate to change over to the electronic system for Elk Ridge is about \$20,000.

The Attorney recommends:

A) Add \$1 or \$2 onto the base rate to cover the cost until the charges reimburse the Town.

B) Consider a Special Improvement District (SID).

In the discussion of water rates, it has already been explained that water rates need to cover the Town's bond requirements. The base rate could be raised from \$20/12,000 gals. To \$21. It could be raised another \$1 or \$2 to cover the cost of changing over to the electronic system.

In the Public Meeting to be set, it will be proposed to raise the base rate to \$21 or \$23. Once the system is online, the extra \$2 could be taken off.

The set fee charged to new home owners to set their meters needs to be adjusted to cover the cost of the new meters. (Connection fee)

**B. Fee Schedule:**

Councilmember Bowen has consulted with various people about rate changes.

Possibility: Raise Base Rate for up to 12,000 gals.

From 12,001 gals. to 50,000 = \$1.25/gal.

(Currently it is 12,001 to 35,000 = \$1.00/gal

35,001 to 50,000 = \$1.25/gal)

ELK RIDGE TOWN COUNCIL MEETING - 1-25-00, CONT.

The reason 50,000 gals. is suggested, is that if everything in Town is turned on (wells), no more than 50,000 gals. per lot can be put into the system. So, any time anyone draws more than 50,000 gals., more water is being drawn by that resident than the system can supply. Therefore, they are using someone else's water.

Cindi Ellis: Suggested still going from 12,001 gals. to 35,000 gals. and 35,001 to 50,000.

Gary Bowen: This could be considered. The extra money brought in would go into upgrading the system. If it becomes possible to increase the amount of water that goes into the system to 60,000 gals./lot, then he would have no problem adjusting the rates again. He wants to have the Public Hearing, explain everything and see what the Town has to say.

There are projects which have to be funded.

Water conservation must also be a priority in our semi-arid climate.

**MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY JERRY MASON TO SET A PUBLIC HEARING TO CONSIDER WATER RATES AND TO DISCUSS THE WATER SYSTEM, FOR MARCH 14, 2000, AT 6:00 PM.**

**VOTE: YES (4) NO (0) ABSENT (1) MAYOR INGRAM**

**EXPENDITURES: General:**

No general expenditures.

**Shirts with Town Logo:**

2 proposals were obtained. One was from a local business, the other was from a business in Salem. The business in Salem, Stitch in Time, was slightly lower on each item; and there was no set-up fee.

**MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY CINDI ELLIS TO APPROVE THE PROPOSAL FROM STITCH IN TIME, IN SALEM, TO DO THE EMBROIDERY WORK ON DENIM SHIRTS FOR THE TOWN EMPLOYEES AND THE TOWN COUNCILMEMBERS.**

**VOTE: YES (4) NO (0) ABSENT (1) MAYOR INGRAM**

This takes the place of the cost of the annual Council Christmas Dinner that the Council waived.

ELK RIDGE TOWN COUNCIL MEETING - 1-25-00, CONT.

MINUTES

Town Council Minutes of 12-14-99:

**MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY  
MICHAEL MOTKO TO APPROVE THE TOWN COUNCIL  
MINUTES OF 12-14-99, WITH CHANGES:  
PG.6 (UNDER GARY BOWEN'S COMMENTS): ...USING  
PROPANE RATHER (ADD: THAN)... ;  
PG.8 (UNDER B ): CHANGE YANK TO TANK ;  
(UNDER FLOW METER ): CHANGE FLOE ' TO FLOW ;  
(UNDER ATTORNEY'S CONTRACT): CHANGE \$500" TO \$550"  
VOTE: YES (4) NO (0) ABSENT (1) MAYOR INGRAM**

PLANNING  
COMMISSION  
MEMBER

Stewart Jolley's term of office on the Planning Commission ends in February, 2000. He is willing to serve again.

**MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED  
BY CINDI ELLIS TO RE-APPOINT STEWART JOLLEY AS A  
PLANNING COMMISSION MEMBER. HIS TERM OF OFFICE  
WILL END FEBRUARY, 2005.**

**VOTE: YES (4) NO (0) ABSENT (1) MAYOR INGRAM**

ADJOURNMENT

**MOTION WAS MADE BY JERRY MASON AND SECONDED BY  
MICHAEL MOTKO TO ADJOURN THE MEETING.**

**VOTE: YES (4) NO (0) ABSENT (1) MAYOR INGRAM**

  
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 8, 2000. There will be a Town Council Closed Session at 6:00 PM, followed by the regular Town Council Meeting at 7:00 PM. The meetings will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

6:00 PM - TOWN COUNCIL CLOSED SESSION

Discussion of Personnel  
Pending Litigation

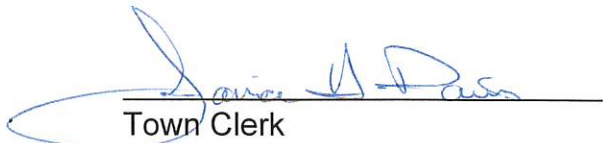
7:00 P.M. - REGULAR COUNCIL MEETING AGENDA ITEMS:

Invocation and Pledge of Allegiance  
7:02 Approval of Agenda Time Frame  
7:05 Reverse Slope Driveway Exception/Greg Morgan  
7:15 Growth Management Strategy-Stewart Jolley  
7:25 Planning Commission  
    Envision Utah /Scheduled Date  
7:30 Monthly Building Permits/Approved Lots Report-Ernestine Folks  
7:35 Appointment of Chair/Vice Chair of Planning Commission  
7:40 Hall Engineering Billing/Update-Gary Bowen  
7:45 Impact Fees/64 Coley's Cove/Update-Gary Bowen  
7:50 Available Money/Enterprise Funds/Update-Gary Bowen  
8:00 Backflow Preventers/Lead Bends Update-Gary Bowen  
8:05 Mecham Development/Adhoc Committee-Mike Motko  
8:10 Appointment/Nuisance Inspector  
8:15 Appointment/Town Clerk & Treasurer  
8:20 Resolution/Water Meter  
8:25 Resolution/Town Fee Schedule  
8:30 Oak Hills Subdivision, Plat B/Bond  
8:40 Expenditures: General:  
8:45 Approval of Minutes of Previous Meetings  
8:50 Adjournment

\*Handicap Access, Upon Request. (48 Hours Notice)


The times which appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting.

Dated this 4<sup>th</sup> Day of February, 2000.

  
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, 145 E Utah Ave, Payson, Utah, and mailed to each member of the Governing Body on February 4, 2000.

  
\_\_\_\_\_  
Town Clerk

**ELK RIDGE  
TOWN COUNCIL MEETING  
February 8, 2000**

**TIME & PLACE  
OF MEETING**

The regular Meeting of the Elk Ridge Town Council was held on Tuesday, February 8, 2000, with the Council Closed Session at 6:00 PM, followed by the regular Town Council Meeting at 7:00 PM. The meetings were 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, 145 E Utah Ave, Payson, UT, and to each member of the Governing Body by mailing a copy to each on February 4, 2000.

6:00 PM

**TOWN COUNCIL CLOSED SESSION**

**ROLL CALL**

*Mayor:* Cregg Ingram; *Town Council:* Gary Bowen, Cindi Ellis, & Michael Motko (Absent: Jerry Mason); *Town Clerk:* Janice H. Davis

Discussion of Personnel  
Pending Litigation

**ELK RIDGE  
TOWN COUNCIL MEETING  
February 8, 2000**

**TIME & PLACE  
OF MEETING**

The regular Meeting of the Elk Ridge Town Council was held on Tuesday, February 8, 2000, with the Council Closed Session at 6:00 PM, followed by the regular Town Council Meeting at 7:00 PM. The meetings were 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, 145 E Utah Ave, Payson, UT, and to each member of the Governing Body by mailing a copy to each on February 4, 2000.

ELK RIDGE TOWN COUNCIL MEETING - 2-8-00, CONT.

ROLL CALL                      *Mayor: Cregg Ingram; Town Council: Gary Bowen, Cindi Ellis & Michael Motko (Absent: Jerry Mason); Planning Commission: Stewart Jolley; Officer: Robert Nelson; Youth Council: Brian Holcomb; & Town Clerk: Janice H. Davis*

INVOCATION &  
PLEDGE OF  
ALLEGIANCE                      Michael Motko offered the Invocation.  
  
\_\_\_\_\_

AGENDA TIME  
FRAME                      **MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY CINDI ELLIS TO ADJUST THE AGENDA TIME FRAME BY 10 MINUTES & TO ADD THE YOUTH COUNCIL REPORT**  
**VOTE: YES (4)      NO (0)      ABSENT (1) JERRY MASON**

YOUTH COUNCIL  
REPORT                      Brian Holcomb:  
Report on the 1-25-00 Youth Council Meeting:  
The Youth Council decided on a Mission Statement. A copy was submitted to the Town Council for approval.  
Possible Youth Activities:  
1. Dance 2. Battle of the Bands 3. Sports Tournament  
The Mayor asked if the Youth Council members had any idea of a projected budget. The response was that the Town Council would have to approve each individual project.

**MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO APPROVE THE MISSION STATEMENT FOR THE ELK RIDGE YOUTH COUNCIL**  
**VOTE: YES (4)      NO (0)      ABSENT (1) JERRY MASON**

Other Projects:  
They are checking on any Eagle Project they could assist with.  
Consideration is being given to where to bury the Time Capsule Flag Raising Ceremony on Presidents' Day.  
4<sup>th</sup> of July Events...Audrey Hatch will contact Councilmember Ellis.  
    Perhaps a booth to raise some funds for the Youth Council  
    Mayor suggested the Youth Council take on the Hot Dog Dinner  
The High School has been contacted as a place to hold some of the activities...they are willing to waive some of the fees & they would need a copy of the Town's liability policy.

ELK RIDGE TOWN COUNCIL MEETING - 2-8-00, CONT.

REVERSE SLOPE DRIVEWAY/  
EXCEPTION Stewart Jolley: Reported that the Greg Morgan home on N. Park Dr. The driveway was installed without Planning Commission approval. It slopes the wrong way (toward the house), which causes flooding. Drawing has gone to the engineer. LEI has re-engineered the driveway...about ½ of the existing driveway will have to be torn out and replaced to meet Town standards.

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY  
MICHAEL MOTKO TO APPROVE THE REVERSE-SLOPE  
DRIVEWAY FOR GREG MORGAN**

**VOTE: YES (4) NO (0) ABSENT (1) JERRY MASON**

GROWTH  
MANAGEMENT  
STRATEGY

Stewart Jolley: The Town Planner has considered the proposed Ordinance and has recommended that the Town Council decide:

1. To allow development to occur...then consider growth management; or
2. If further development is not allowed, then there is no sense in reviewing the Policy any more.

Gary Bowen: Has been opposed to anything that will adversely affect the Town's water system. He does not feel that borrowing against unavailable water connections is a good idea. He would rather not have growth management, with water as the basis of control. In his opinion, if developers want to subdivide, then they should be responsible to install the necessary facilities to allow that development to occur.

Stewart Jolley: Reasonable control of unbuilt lots was a goal. There are enough developed, vacant lots in Town to manage already.

Mayor: Agrees; however, there are situation that must be dealt with. (Meaning any proposed subdivisions who feel they may be vested )

Gary Bowen: It must be realized that providing water does not refer to water shares, it refers to actually providing the water for the proposed development.

Cindi Ellis: It is storage capacity and source (wells) and distribution.

The Mayor advises taking action on a resolution regarding the Town's policy on development, as advised by the attorney for the Utah Local Govt. Trust (Craig Bott).

The Mayor will research the developments that could be considered vested .

PLANNING/  
ZONING

**1. Building Permits/Approved Lots Report:**

Stewart Jolley: Building permits are down in number from last year.

ELK RIDGE TOWN COUNCIL MEETING - 2-8-00, CONT.

**2. Envision Utah /Scheduled Date:**

On 2-17-00, the Planning Commission will have the Envision Utah people at their meeting at 7:00 PM. The Council is invited to attend. It will need to be noticed as a joint meeting.

**3. Appointment of Chair/Vice-Chair of Planning Commission:**

Stewart Jolley was appointed Chair and the Vice-Chair is Robert Goodwin.

HALL  
ENGINEERING  
BILLING/  
UPDATE

Gary Bowen: Has been addressing the last bill received from Hall Engineering. The Council had decided to pay the part of the bill having to do with Town services and not pay the part of the bill regarding services to developers. Councilmember Bowen has been trying to help out by contacting the individual developers and convincing them to pay their bills to Hall Engineering. Some have paid and he is still in the process of contacting a few of them. K & C Subdivision - paid, Loafer Ridge Subd. - paid, Haskell - paid, Mecham - said he would contact Bruce Hall and settle the bill with him, MGM (Moody & Gasser) have been contacted and said that they would work it out with Hall. Ron Ririe has not been contacted. Hamid Mortezaazadeh has been contacted & told that the Town will not sign off on any more disbursements until his bill is cleared up. RL Yergensen was contacted and he said he would arrange with Hall to settle the bill.

Loafer Canyon South, Plat B, is going to be more difficult to collect. A bill was run up; but, the subdivision was dropped by LeBarrons. Kim LeBarron does not even own the land. It is owned by Keith Shuler (who died).

The Mayor is handling the bill for Forrest Darling.

Most of these developers had not even been contacted by Hall Eng.

IMPACT FEES/  
COLEY'S COVE

Gary Bowen: This has already been discussed. Impact fees are on the home at 64 Coley's Cove. The home has not received a Final Inspection and it is believed that it is occupied. The water has been turned off. There has still been no direct response.

Cindi Ellis: Still feels that a lien should be attached to the property. It is listed on the Town's Assessment list; but, nothing at the County.

Mayor: Concerned that someone could buy the home and not know about the fees owing.

Gary Bowen: Said that, according to the Town Attorney, it won't make any difference. A title policy cannot be issued without a certificate of occupancy.



ELK RIDGE TOWN COUNCIL MEETING - 2-8-00, CONT.

AVAILABLE  
MONEY/  
ENTERPRISE  
FUNDS

Kim Peterson has agreed to review the Audits for the Town. Councilmember Bowen has spoken with Mr. Peterson and he seems to have a problem coming up with a usable figure of Retained earnings in the Enterprise Funds. This is what is needed to be able to plan the capital projects in the Water & Sewer Depts. Mr. Peterson has reviewed the different accounts the Town has at the State Treasury to see what excess funds may be available from these accounts. A CPA Firm in Logan, UT, was contacted (Jones, Wright, Simkins & Associates LLP...specifically, Mike Kidman) and was asked if Mr. Kidman could examine a few years of the Town's audits and come up with a figure of usable money in the Water & Sewer Depts. He said he could...given the last two years' of Town audits, including this last year (1998/1999). By using the figures off of the Audits, Mr. Kidman came up with a usable breakdown of the Audits. He came up with the following figures (less impact fees):

**Water Fund:**        1998

Net income not including impact fees (return on assets):

$$\frac{\$21,753.00}{1,677,886.00} = 1.30\%$$

1,677,886.00 (Enterprise fund assets, net of depreciation)

1999

Net income not including impact fees (return on assets):

$$\frac{\$17,577.00}{1,644,305.00} = 1.07\%$$

1,644,305.00 (Enterprise fund assets, net of depreciation)

These figures show a gradual decrease in the Town's rate of return and the ability to support our own bond requirements.

According to Councilmember Bowen, if there is no change in the trend, in 8 years this Fund will be in the red .

**Sewer Fund:**        1998

Net income not including impact fees (return on assets):

$$\frac{\$21,520.00}{270,634.00} = 7.9\%$$

270,634.00 (Enterprise fund assets, net of depreciation)

1999

Net income not including impact fees (return on assets):

$$\frac{\$22,221.00}{261,068.00} = 8.48\%$$

261,068.00 (Enterprise fund assets, net of depreciation)

These figures show a better trend in the Sewer Fund.



ELK RIDGE TOWN COUNCIL MEETING - 2-8-00, CONT.

Gary Bowen: (Referring to the Water Dept.):

Because of the financial trend in the Water Dept., there is reason for serious concern. For instance, the galvanized pipes need to be replaced in Town. The Town cannot afford to fix the existing problems in the system...new development aside. Impact fees will offset this a bit, but not totally. The water rate structure is not covering the needs of the Town. The CPA's comment was that we are not meeting the needs nor are we building for the future .

Councilmember Bowen asked the CPA Firm, Wright, Simkins and Assoc., to submit a proposal to conduct the Town's annual audits. Even though they are located in Logan, perhaps it would be worth it to the Town to pay a bit more if usable and understandable information would be available.

BACKFLOW  
PREVENTERS/  
LEAD BENDS

Information has been gathered on the total number in Town...There are about 70 lead bends which need to be removed and about 130-140 backflow devices not installed. One area at a time will be taken care of. The people will be billed for them. The plan is to have all of the backflow devices in by November, 2000. The lead bends may take a little longer since the replacement has to coincide with road repairs since the lead bend attach to the mains.

MECHAM DEV.  
AD HOC  
COMMITTEE

Michael Motko: Councilmember Motko has the following names to recommend for the Ad Hoc Committee:

Joyce Prather (Planning Commission)

Dennis Dunn (Resident)

Randy Jones (Resident in the Oak Bluff area of Town)

Alvin Harward (Resident...Former Planning Commission Chair)  
(Has not spoken to Mr. Harward, yet)

Michael Motko will be the Town Councilmember representative on the Committee.

Mayor Ingram: Even though Councilmember Motko will represent the Town on the Committee, one of the other Town Councilmembers will probably be to the meetings.

The first meeting will probably be at Mr. Mecham's home. Their recommendation will go to the Planning Commission, then to the Council.

Cindi Ellis: Questioned why Mr. Mecham withdrew his annexation application from Payson City. (Payson was requiring a costly study up-front.) The required studies & reports would still have to be done.

ELK RIDGE TOWN COUNCIL MEETING - 2-8-00, CONT.

Part of the job description for the Administrative Assistant is to verify and document ordinance violations.

APPOINT  
NUISANCE  
INSPECTOR

The current Nuisance Ordinance states that an Inspector should be appointed. Originally, Councilmember Fritz was temporarily appointed. The Administrative Assistant (Ernestine Folks) has been verifying violations in Town and documenting information, under the direction of the Mayor. Her duties have included the broader view of Ordinance Enforcement. This is to provide information for the Mayor and the Town Council. The enforcement process is already in place.

**MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY CINDI ELLIS TO APPOINT THE ADMINISTRATIVE ASSISTANT AS THE NUISANCE INSPECTOR**

**VOTE: YES (4) NO (0) ABSENT (1) JERRY MASON**

APPOINTMENT:  
TOWN CLERK &  
TREASURER

The Town Clerk and the Treasurer should be re-appointed on an annual basis.

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY MAYOR INGRAM TO RE-APPOINT JANICE H. DAVIS AS THE TOWN CLERK AND LINDA COOPER AS THE TREASURER**

**VOTE: YES (4) NO (0) ABSENT (1) JERRY MASON**

RESOLUTION/  
WATER METER

The new meters that need to be installed have the capacity to be automatically read. The meter connection fee schedule needs to be adjusted to match the cost of the upgraded meters. Currently, the fee is set by ordinance. The Town Planner is working on changing this to being set by resolution. The fee is set at \$250 (\$200 in the meter/\$50 installation). Councilmember Bowen recommends changing the fee to \$325. It will have the automatic-read system already on it. When the Town eventually goes to the automatic-read system, rather than taking three days to read meters, it will only take one day. It will be faster, more accurate and it could be done anybody. The system could be converted to radio-read, telephone-read.

RESOLUTION/  
TOWN FEE  
SCHEDULE

**MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY GARY BOWEN TO APPROVE A RESOLUTION AMENDING RESOLUTION NO. 99-7-27-9R SETTING A SCHEDULE OF FEES FOR OFFICE SERVICES**

**VOTE: YES (4) NO (0) ABSENT (1) JERRY MASON**

ELK RIDGE TOWN COUNCIL MEETING - 2-8-00, CONT.

This resolution removes the \$400/acre Annexation Fee from the resolution and changes the Temporary Occupancy Fee from \$300 to \$100 and removes the sale of Town Maps Fee (\$1.50). The maps will cost the same as a regular copy, .05/copy.

NON-AGENDA  
ITEM

Cindi Ellis: There was a car accident the night before (2-7-00) near Park Dr. & Columbus Ln. The officer said that speed was a factor. The vehicle rolled into the rocks and landscaping of the resident living on the corner. He has requested that a barrier be put up on the corner to keep people on the road, not in his yard. That corner and the curve in Park Dr. need to be addressed as far as safety. The rocks from the National Guard work are scattered all over the road.

Kent Haskell suggested reflectors on the curve (right side) to clearly define where the road ends and the shoulders begin.

OAK HILLS SUBD.  
PLAT B /BOND

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO SUSPEND ALL FURTHER ISSUANCES OF BUILDING PERMITS AND INSPECTIONS ON THE LOTS IN THE OAK HILLS SUBDIVISION, PLAT B , UNTIL THE BOND IS IN FULL COMPLIANCE WITH ELK RIDGE TOWN'S REQUIREMENTS AS STATED IN THE DEVELOPMENT CODE; SPECIFICALLY AS AN INTEREST-BEARING ESCROW ACCOUNT. THE FUNDS DEPOSITED THEREIN SHALL BE NO LESS THAN THE REQUIRED AMOUNT FOR THE DURABILITY RETAINER FOR THE SUBDIVISION AND THE ENGINEERING FEES DUE HALL ENGINEERING ARE TO BE SETTLED WITH BRUCE HALL**

**VOTE: YES (4)      NO (0)      ABSENT (1) JERRY MASON**

**MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO SET A PUBLIC HEARING FOR FEBRUARY 22, 2000, AT 6:45 PM, TO DECLARE THE DEVELOPMENT BOND FOR OAK HILL ESTATES, PLAT B, IN DEFAULT**

**VOTE: YES (4)      NO (0)      ABSENT (1) JERRY MASON**

EXPENDITURES:

General:

Jerry Mason: The estimated costs for the road work done by the National Guard was going to be about \$3,000. As it turned out, all of the materials used were free to the Town. Jerry Mason and Dale Bigler need to be reimbursed for the lunches for the guardsmen.

ELK RIDGE TOWN COUNCIL MEETING - 2-8-00, CONT

MINUTES

Town Council Minutes of 1-11-00:


**MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY GARY BOWEN TO APPROVE THE TOWN COUNCIL MINUTES OF 1-11-00, AS WRITTEN:**

**VOTE: YES (4) NO (0) ABSENT (1) JERRY MASON**

ADJOURNMENT

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO ADJOURN THE MEETING.**

**VOTE: YES (4) NO (0) ABSENT (1) JERRY MASON**

  
TOWN CLERK

## NOTICE & AGENDA

Notice is hereby given that the Town Council of Elk Ridge will hold four Public Hearings on Tuesday, February 22, 2000. The Public Hearings are for the purpose of receiving public comment regarding the following: The first Public Hearing, commencing at 6:00 PM, is on an Ordinance amending the Zoning District for certain real property from the C-1 Retail Commercial Zone to the R-1-15,000 Residential Zone, & providing for the effective date; The second Public Hearing, at 6:15 PM, is concerning an Ordinance amending certain sections of the Elk Ridge Development Code regulating the area of Accessory Buildings. The third Public Hearing will take place at 6:30 PM, it is about an Ordinance amending sections of the Elk Ridge Development Code regarding Home Occupations; and the forth Public Hearing, scheduled for 6:45 PM, will be for the purpose of declaring that the Performance Guarantee for the improvements on Oak Hills Estates, Plat B, does not comply with the current Ordinance and is to be considered in default. These Public Hearings will be held in conjunction with the regular Town Council Meeting scheduled for Tuesday, February 22, 2000, at 7:00 PM, followed by a Town Council Closed Session. The meetings will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

6:00 PM - **PUBLIC HEARING/ZONE MAP & GENERAL PLAN AMENDMENT**

Public Hearing on an Ordinance amending the Zoning Map & General Plan of Elk Ridge Town, Utah; Changing the Zoning District for certain real property within the Haskell Subdivision, Plat G, from the C-1 Retail Commercial Zone District to the R-1-15,000 Residential Zone District, and providing an effective date.

6:15 PM - **PUBLIC HEARING/AREA OF ACCESSORY BUILDINGS**

Public Hearing on an Ordinance Amending the Elk Ridge Development Code, regulating the area of Accessory Buildings, Providing for Codification, Inclusion in Code, & Scrivener's Errors, providing for Severability, & Providing an Effective Date.

6:30 PM - **PUBLIC HEARING/REGARDING HOME OCCUPATIONS**

Public Hearing on an Ordinance Amending the Elk Ridge Development Code, Sections 10-5-2.2, 10-5-2.3, 10-5-4.2, 10-5-4.3, 10-5-6.2, 10-5-6.3, 10-5-8.2, 10-5-8.3, 10-5-10.2, 10-5-10.3, 10-5-12.2, 10-5-12.3, regarding Home Occupations, Providing for Codification, Inclusion in Code, and Scrivener's Errors, Providing for Severability, & Providing an Effective Date.

6:45 PM - **PUBLIC HEARING/OAK HILL ESTATES, PLAT B, BOND - DEFAULT DECLARATION**

Public Hearing on a Town Council Declaration that the Performance Guarantee for Improvements on Oak Hill Estates, Plat B, is to be Considered Forfeited; and in Accordance with Section 10-8-6 of the Elk Ridge Development Code, the Developer, Mr. RL Yergensen, is to be Considered in default



Elk Ridge Town Council

Pg 2

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

- Invocation and Pledge of Allegiance
- 7:02 Approval of Agenda Time Frame
- 7:05 Eagle Project - Tyler Tribett
- 7:10 Beauty Pageant Contestant Contribution
- 7:15 Mountainland Association of Governments Presentation/21<sup>st</sup> Century Planning Commission Items:
- 7:30 Request for Change in Zone Map/General Plan (Haskell, Plat G)
- 7:35 Haskell Subdivision, Plat G - Final Plat Approval
- 7:45 Development Code Amendment - Area of Accessory Buildings
- 7:50 Development Code Amendment - Home Occupations
- 7:55 Oak Hill Subdivision, Plat B - Default Declaration
- 8:00 Set Public Hearing/Ordinance Establishing Adequate Public Facilities
- 8:05 Ad hoc Committee Update - Michael Motko
- 8:10 Ordinance Enforcement Update - Gary Bowen
- 8:15 PUD (Planned Unit Development) Ordinance/Discussion & Assignment
- Public Safety:
- 8:25 Animal Control Update - Cindi Ellis
- Roads:
- 8:30 Street Repair Update - Jerry Mason
- Water/Sewer Depts:
- 8:35 Backflow Devices/Lead Bends Update-Gary Bowen
- 8:40 Well Repair - Gary Bowen
- 8:45 Request to Use Town Hall
- 8:50 General Administration - Mayor Ingram
- 8:55 Expenditures:
  - General:
  - Telephone Package - Gary Bowen
- 9:00 Approval of Minutes of Previous Meetings
- 9:05 Adjournment to Town Council Closed Session

**TOWN COUNCIL CLOSED SESSION**

- Discussion of Personnel
- Pending Litigation

\*Handicap Access, Upon Request. (48 Hours Notice)

The times which appear on this amended agenda may be accelerated if time permits. All interested persons are invited to attend this meeting.

Dated this 18<sup>th</sup> Day of February, 2000.

  
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, 145 E Utah Ave, Payson, Utah, and mailed to each member of the Governing Body on February 18, 2000.

  
Town Clerk



**ELK RIDGE  
TOWN COUNCIL MEETING  
February 22, 2000**

**TIME & PLACE  
OF MEETING**

The regular Meeting of the Elk Ridge Town Council was held on Tuesday, February 22, 2000, at 7:00 PM, in conjunction with four Public Hearings on the following: The first Public Hearing, commencing at 6:00 PM, was on as Ordinance amending the Zoning Map & General Plan of Elk Ridge Town, Utah; changing the Zoning District for certain real property from the C-1 Retail Commercial Zone District to the R-1-15,000 Residential Zone District. The second Public Hearing was at 6:15 PM. It was concerning an Ordinance amending the Elk Ridge Town Development Code, section 10-3-3.5, regulating the area of Accessory Buildings.

The third Public Hearing, at 6:30 PM, was about an Ordinance amending the Elk Ridge Development Code, in certain sections regarding Home Occupations.

The forth Public Hearing took place at 6:46 PM and was for the purpose of declaring the Performance Guarantee on Oak Hills Estates, Plat B, to be in a state of non-compliance with the Elk Ridge Development Code and that the developer is to be considered in default .

A Council Closed Session followed the regular Town Council Meeting. The meetings were 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, 145 E Utah Ave, Payson, UT, and to each member of the Governing Body by mailing a copy to each on February 18, 2000.

6:00 PM

**PUBLIC HEARING/ZONE MAP & GENERAL PLAN AMENDMENT**

ROLL CALL

*Mayor: Cregg Ingram; Town Council: Gary Bowen, Cindi Ellis, Michael Motko, Jerry Mason; Planning Commission Chair: Stewart Jolley; Administrative Asst.: Ernestine Folks; Sheriff: Deputy Nelson; Public: Tony Widowski (MAG), Lee Haskell; & Town Clerk: Janice H. Davis*

**MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY  
MICHAEL MOTKO TO OPEN THE PUBLIC HEARING ON AN  
ORDINANCE AMENDING THE ZONING MAP & GENERAL PLAN OF  
ELK RIDGE TOWN, UTAH; CHANGING THE ZONING DISTRICT  
FOR CERTAIN REAL PROPERTY WITHIN THE HASKELL  
SUBDIVISION, PLAT G, FROM THE C-1 RETAIL COMMERCIAL  
ZONE DISTRICT TO THE R-1-15,000 RESIDENTIAL ZONE  
DISTRICT, AND PROVIDING AN EFFECTIVE DATE.**

**VOTE: YES (5)**

**NO (0)**

Discussion:

The Planning Commission recommends approval of the proposed Zone Map change.

The request has gone to Public Hearing previously; however, the request was withdrawn by Mr. Haskell, to amend the application.

The application (#6) states that the request is to amend the Zoning Map to adjust the boundary line between the C-1 & the R-1-15,000 Zones to conform with the current & future roadway alignment. The change will promote the general welfare of the community by separating zones and land uses by a street right-of-way.

The Town Council agreed that the proposed change would be beneficial to the Town in that streets are natural zone boundary dividing lines.

There was discussion about the corner of Park Drive and Elk Meadow Drive. Mr. Haskell is to extend a water line down the south side of East Park Drive to connect it onto the 10" line on N Park Dr. Mr. Haskell will have to cross the road; how much will the patch cost? The corner needs to be re-engineered to a 90° intersection.

There was no further discussion.

**MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY  
MICHAEL MOTKO TO CLOSE THE PUBLIC HEARING ON THE  
ZONE MAP AND GENERAL PLAN AMENDMENT**

**VOTE: YES (5)**

**NO (0)**

ELK RIDGE TOWN COUNCIL PUBLIC HEARINGS - 2-22-00, CONT.

NON-AGENDA  
ITEM

There has been a request to use the Town Hall for a campaign meeting for Greg Hawkins, running for the Senate seat occupied by Orin Hatch. The problem is getting keys to the building. Councilmember Ellis is willing to come down to the meeting. The meeting will be on Thursday, March 9, 2000.

6:15 PM -

**PUBLIC HEARING/AREA OF ACCESSORY BUILDINGS**

ROLL CALL

*Mayor:* Cregg Ingram; *Town Council:* Gary Bowen, Cindi Ellis, Michael Motko, Jerry Mason); *Planning Commission Chair:* Stewart Jolley; *Administrative Asst.:* Ernestine Folks; *Sheriff:* Deputy Nelson; *Public:* Tony Widowski (MAG); & *Town Clerk:* Janice H. Davis

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO OPEN THE PUBLIC HEARING ON AN ORDINANCE AMENDING THE ELK RIDGE DEVELOPMENT CODE, REGULATING THE AREA OF ACCESSORY BUILDINGS, PROVIDING FOR CODIFICATION, INCLUSION IN CODE & SCRIVENER'S ERRORS, PROVIDING FOR SEVERABILITY & PROVIDING AN EFFECTIVE DATE.**

**VOTE: YES (5)**

**NO (0)**

Currently, the Town's Zoning Ordinance limits the size of accessory buildings based upon the size of the rear yard. It is proposed to limit the area of accessory buildings based on the area of the lot the building will be on.

There was no public comment.

The Planning Commission recommends adoption of the Ordinance.

The Council had no comments.

**MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY JERRY MASON TO CLOSE THE PUBLIC HEARING ON THE AREA OF ACCESSORY BUILDINGS.**

**VOTE: YES (5)**

**NO (0)**

NON-AGENDA  
ITEMS

Ernestine Folks (Nuisance Ordinance): In August, 1996, the Council adopted Policies & Procedures for Abating Public Nuisances . It includes definition of nuisances and also mentions the office of Inspector and procedures of notification. Then in October, 1996, the Council passed another ordinance which establishes the duties of the Office of Inspector. There isn't anything in the 2<sup>nd</sup> ordinance which

ELK RIDGE TOWN COUNCIL PUBLIC HEARINGS - 2-22-00, CONT

repeals the first Ordinance, or which specifically amends sections of the Ordinance. The suggestion was to send them to the Town Attorney to review; however, it was felt that the Mayor and Mrs. Folks could better make a decision on how the ordinances need to be clarified. The Mayor will review the Ordinances.

Deputy Nelson: Reported that the Sheriff's Dept. May have a lead on the man who has been attempting to talk to children in Town. It was reported that a man tried to get these children into the car with him. The officers have been patrolling more in an effort to catch him. As a result of these occurrences, the response to a Neighborhood Watch program has increased.

6:30 PM

-

**PUBLIC HEARING/HOME OCCUPATIONS**

**MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY JERRY MASON TO OPEN THE PUBLIC HEARING ON AN ORDINANCE AMENDING THE ELK RIDGE DEVELOPMENT CODE, SECTIONS 10-5-2.2, 10-5-2.3, 10-5-4.2, 10-5-4.3, 10-5-6.2, 10-5-6.3, 10-5-8.2, 10-5-8.3, 10-5-10.2, 10-5-10.3, 10-5-12.2, 10-5-12.3, REGARDING HOME OCCUPATIONS, PROVIDING FOR CODIFICATION, INCLUSION IN CODE, AND SCRIVENER'S ERRORS, PROVIDING FOR SEVERABILITY & PROVIDING AN EFFECTIVE DATE.**

**VOTE: YES (5)**

**NO (0)**

ROLL CALL

*Mayor*: Gregg Ingram; *Town Council*: Gary Bowen, Cindi Ellis, Michael Motko, Jerry Mason); *Planning Commission Chair*: Stewart Jolley; *Administrative Asst.*: Ernestine Folks; *Sheriff*: Deputy Nelson; *Public*: Tony Widowski (MAG); & *Town Clerk*: Janice H. Davis

Stewart Jolley: In the current Ordinance, it is required to go before the Board of Adjustment to obtain permission for Home Occupations, it should be an administrative decision. This should be changed from a conditional use to a permitted use, in all of the zones. The regulations for Home Occupations still apply.

There were no questions and no comments from the public.

**MOTION WAS MADE BY JERRY MASON AND SECONDED BY CINDI ELLIS TO CLOSE THE PUBLIC HEARING ON HOME OCCUPATIONS.**

**VOTE: YES (5)**

**NO (0)**

ELK RIDGE TOWN COUNCIL PUBLIC HEARINGS - 2-22-00, cont.

PUD  
DISCUSSION

Gary Bowen: One of the differences between a Planned Residential Development (PRD) & a Planned Unit Development (PUD) is that one allows commercial (PUD) and the other is residential (PRD). The size of the project should be considered. In Councilmember Bowen's opinion, under 5 acres may be too small to develop under these options.

Stewart Jolley: A PRD or PUD would be allowed in all zones.

Mayor: The developments must be done in accordance with the General Plan. There must be control.

Gary Bowen: The only commercial in Mr. Mecham's proposed development, that he knows of, that is being planned, would be horse trails, if that could be considered commercial.

There is a section dedicated for a park area. There is a slide zone in the area where the park would be...the sliding condition is not significant, it just can't be built upon.

Stewart Jolley: Multi-family dwellings should be given some thought. What multi-family dwellings will be allowed, and in which of the zones?

---

**PUBLIC HEARING /OAK HILL ESTATES, PLAT B, BOND -DEFAULT**

**MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY CINDI ELLIS TO OPEN THE PUBLIC HEARING ON A TOWN COUNCIL DECLARATION THAT THE PERFORMANCE GUARANTEE FOR IMPROVEMENTS ON OAK HILL ESTATES, PLAT B, IS TO BE CONSIDERED FORFEITED; AND IN ACCORDANCE WITH SECTION 10-8-6 OF THE ELK RIDGE DEVELOPMENT CODE, THE DEVELOPER, MR. RL YERGENSEN, IS TO BE CONSIDERED IN DEFAULT .**

**VOTE: YES (5)**

**NO (0)**

ROLL CALL

*Mayor*: Cregg Ingram; *Town Council*: Gary Bowen, Cindi Ellis, Michael Motko, Jerry Mason); *Planning Commission Chair*: Stewart Jolley; *Administrative Asst.*: Ernestine Folks; *Sheriff*: Deputy Nelson; *Public*: Tony Widowski (MAG); & *Town Clerk*: Janice H. Davis

The problem remains with the bonding arrangements. The Bank still has not complied with the Town's requirements. Councilmember Bowen has been in contact with First Security Bank in an effort to explain the options. The Bank has agreed to comply. It has not happened yet. The Council was specific in not having Mr. Yergensen name on the account. If the Bank will follow the Town's disbursement

## ELK RIDGE TOWN COUNCIL MEETING - 2-22-00, CONT.

process, then a Ban Control (Bank Control) account would be workable, at this point, with Mr. Yergensen's Durability Bond. The problem with this particular issue is that the bonding has been deficient from the beginning of the construction period. Mr. Yergensen agreed to and signed Escrow Agreement documents, as did the Bank. They did not comply with the agreement. When it was discovered, they sent written assurance of compliance...but, they still had not complied. Our bond document does not specify that the Town's name has to be on the account. The bank would be liable for any disbursement not authorized by the Town. Councilmember Bowen feels the Town is protected with the account as it is.

Mayor: Advised having the Town's legal advisor review the bonding documents and make recommendation to the Town.

**MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY CINDI ELLIS TO CLOSE THE PUBLIC HEARING ON DEFAULT ACTION FOR THE OAK HILL SUBDIVISION, PLAT B.**

**VOTE : YES (5)**

**NO (0)**

### **ELK RIDGE TOWN COUNCIL MEETING February 22, 2000**

#### **TIME & PLACE OF MEETING**

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A Council Closed Session followed the regular Town Council Meeting. The meetings were held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.



ELK RIDGE TOWN COUNCIL MEETING - 2-22-00, CONT.

Notice of time, place and Agenda of this meeting was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to each member of the Governing Body by mailing a copy to each on February 18, 2000.

ROLL CALL

*Mayor:* Cregg Ingram; *Town Council:* Gary Bowen, Cindi Ellis, Michael Motko, Jerry Mason); *Planning Commission Chair:* Stewart Jolley; *Administrative Asst.:* Ernestine Folks; *Sheriff:* Deputy Nelson; *Public:* Tony Widowski (MAG); & *Town Clerk:* Janice H. Davis

INVOCATION &  
PLEDGE OF  
ALLEGIANCE

Mayor Ingram offered the Invocation.

---

AGENDA TIME  
FRAME

**MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY  
JERRY MASON TO APPROVE THE AGENDA TIME FRAME  
VOTE: YES (5) NO (0)**

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EAGLE  
SCOUT  
PROJECT

Tyler Tribett (Scout) presented his proposed Eagle Scout Project to the Town Council. He wants to spray-paint house numbers on curbs in the Oak Bluff area. This will be useful to better identify addresses for emergency purposes as well as for the general public. The Mayor requested a copy of the write-up of the project. Councilmember Ellis also requested a cost breakdown of the projected expenditures. Scout Tribett was unsure of the amount. The Mayor suggested approving up to \$100 and whatever is not used, return it to the Town.

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY  
CINDI ELLIS TO APPROVE TYLER TRIBETT'S EAGLE SCOUT  
PROJECT AND TO APPROVE UP TO \$100 FOR USE ON THE  
PROJECT.**

**VOTE: YES (5) NO (0)**

---

BEAUTY  
PAGEANT  
CONTESTANT  
CONTRIBUTION

One of Elk Ridge's residents, Michelle Brinkerhoff, is in the National Miss Teen Contest. Her mother, Trina Brinkerhoff, was present to request a donation from the Council. \$50 has been donated in the past for another resident participating in a beauty pageant.

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY  
MICHAEL MOTKO TO APPROVE \$50 TOWARD THE NATIONAL  
MISS TEEN PAGEANT, FOR MICHELLE BRINKERHOFF.**

**VOTE: YES (5) NO (0)**

ELK RIDGE TOWN COUNCIL MEETING - 2-22-00, CONT.

HASKELL  
SUBDIVISION,  
PLAT G -

It is the Planning Commission's recommendation to approve the Haskell Subdivision, Plat G, for Final Plat; but, to not record the Plat until all the items on the Engineering letter are completed. There is also a recommendation to grant an exception from the required 8% grade on Columbus Ln. To 11.11%.

The following items to be completed by the developer:

1. Contractual Agreement for Performance Guarantee
2. Street sign fees added to cost estimates
3. Recording fees, \$49, to be paid
4. Tax Clearance notice
5. Payment of all Hall Engineering & LEI Engineering Review fees
6. Payment of Park Impact Fees (\$13,157.50)
7. Letter from Strawberry Electric
8. Copy of deed
9. Owner's signature & notary
10. Mylar with addresses

**MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY  
MICHAEL MOTKO TO APPROVE THE HASKELL, PLAT G  
SUBDIVISION AND GRANT FINAL PLAT;**

**1. WITH A MODIFICATION TO THE STANDARD FOR  
COLUMBUS LANE, ON THE GRADE OF THE ROAD, FROM 8%  
TO 11.11%.**

**2. LEI ENGINEERING & MR. HASKELL WORK OUT THE COST  
ESTIMATE**

**3. COMPLETION OF CHECKLIST FOR FINAL PLAT APPROVAL  
VOTE: YES (5) NO (0)**

SET PUBLIC  
HEARING/ORD.  
ESTABLISH  
ADEQUATE  
PUBLIC  
FACILITIES

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY  
CINDI ELLIS TO SET A PUBLIC HEARING FOR AN  
ORDINANCE ESTABLISHING ADEQUATE PUBLIC FACILITIES  
PRIOR TO APPROVAL OF NEW SUBDIVISIONS,  
ESTABLISHING A TIME FRAME FOR THE EXPIRATION OF  
VESTED APPROVALS, ESTABLISHING AN APPEAL PROCESS  
FOR VESTING, AND ESTABLISHING AN EFFECTIVE DATE, IN  
THE TOWN OF ELK RIDGE, FOR MARCH 14, 2000, AT 6:50 PM.  
VOTE: YES (5) NO (0)**

Although a Public Hearing is not required for this Ordinance, it was felt that it would be a good idea to allow developers & the public to understand what is going on. This Ordinance will establish which developments are to proceed with the current water capacity.

ELK RIDGE TOWN COUNCIL MEETING - 2-22-00, CONT.

AMEND  
DEV. CODE:  
AREA OF  
ACCESSORY  
BLDGS.

**MOTION WAS MADE BY JERRY MASON AND SECONDED BY CINDI ELLIS TO APPROVE AN ORDINANCE AMENDING THE ELK RIDGE TOWN DEVELOPMENT CODE, SECTION 10-3-3.5, REGULATING THE AREA OF ACCESSORY BUILDINGS, PROVIDING FOR CODIFICATION, INCLUSION IN CODE, AND SCRIVENER'S ERRORS, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.**

**VOTE (POLL): JERRY MASON-AYE, CINDI ELLIS-AYE, GARY BOWEN-AYE, MICHAEL MOTKO-AYE AND MAYOR INGRAM-AYE**

**PASSES 5-0**

AMEND  
DEV. CODE:  
HOME  
OCCUPATIONS

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY MICHAEL MOTKO TO APPROVE AN ORDINANCE AMENDING THE ELK RIDGE TOWN DEVELOPMENT CODE, SECTION ORDINANCE, SECTION 10-5-2.2, 10-5-2.3, 10-5-4.2, 10-5-4.3, 10-5-6.2, 10-5-6.3, 10-5-8.2, 10-5-8.3, 10-5-10.2, 10-5-10.3, 10-5-12.2, 10-5-12.3, REGARDING HOME OCCUPATIONS, PROVIDING FOR CODIFICATION, INCLUSION IN CODE, AND SCRIVENER'S ERRORS, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.**

**VOTE (POLL): JERRY MASON-AYE, CINDI ELLIS-AYE, GARY BOWEN-AYE, MICHAEL MOTKO-AYE AND MAYOR INGRAM-AYE**

**PASSES 5-0**

OAK HILL  
ESTATES,  
PLAT B -  
DEFAULT

Mayor: Recommends that the Town not place Oak Hill Estates, Plat B, into a default situation for the bond, at this time, based on information provided by First Security Bank. (The Hall Engineering bill has been paid.) The Mayor & Councilmember Bowen feel that the letter from First Security Bank is assurance that the Bonding arrangement for the Durability Retainer for Oak Hill Estates, Plat B, is sufficient.

**MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY GARY BOWEN TO ACCEPT THE LETTER ISSUED BY FIRST SECURITY BANK REGARDING THE STATUS OF THE ACCOUNT HOLDING THE DURABILITY RETAINER FOR OAK HILL ESTATES, PLAT B, AS MEETING THE BOND REQUIREMENTS FOR THE TOWN.**

ELK RIDGE TOWN COUNCIL MEETING - 2-22-00, CONT

Discussion:

Cindi Ellis: Wanted clarification on the terms of the account. (The account is referred to as a Ban Control or Bank Controlled Account. The Town is not a signer on the account. They have assured the Town that they will follow the Town's accepted procedures for disbursement of funds from the account.)

Councilmember Ellis pointed out that even though the Bank had previously agreed to and signed Escrow Account documents, they are now unwilling to honor that agreement. The Subdivision Ordinance states the choices for bonding...the choices do not include a Ban Control Account.

The Mayor feels that because the Bank will be liable for the amount held as the Durability Retainer, and that they have stated that they will follow the Town's disbursement process, that the Town's position is safe.

Stewart Jolley: Advised that if this form of account is acceptable, then the Ordinance should be changed...but, the Council should not allow one case to be the exception to the current requirement.

Town Clerk: The Ordinance leaves no doubt in the choices available. In fact, Victor Robertson (1<sup>st</sup> Security Bank) admitted just that, after receiving a copy of the section of the Ordinance having to do with Performance Bonding. He said that, though he felt the Agreement is somewhat vague, that the Ordinance left no doubt. He signed the Escrow Account documents and assured the Town that the money had been transferred to an Escrow Account.

Gary Bowen: A Ban Control account can be an escrow account...the difference is that the bank is the signer on the account rather than the Town.

Town Clerk: If the Bank is willing to follow the Town's requirements, to a point, then why not all of them and place the money into an Escrow Account, with the Town in control of the money?

The point is, that the Bank already signed a contract...and the disbursement process will not be the same; it cannot be if the signers on the account are not the same as those authorized to release money. Neither Mr. Yergensen's signature nor the Engineer's signature will be required...only a letter from the Mayor.

Cindi Ellis: Expressed her discomfort with accepting the ban control account with the Bank as the only signers.

**VOTE: YES (3)**

**NO (2) CINDI ELLIS, JERRY MASON**

ELK RIDGE TOWN COUNCIL MEETING - 2-22-00, CONT.

**MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY GARY BOWEN REGARDING OAK HILL ESTATES, PLAT B SUBDIVISION: THAT ALL IMPROVEMENTS MUST BE COMPLETED BY MARCH 31, 2000, OR BE CONSIDERED IN DEFAULT**

**VOTE: YES (5)**

**NO (0)**

AD HOC  
COMMITTEE  
UPDATE

Michael Motko: The Meeting will be on 2-23-00 at 7:30 PM. The members of the committee are: Alvin Harward, Dennis Dunn, Randy Jones, Joyce Prather (Planning Commission) and Michael Motko (Town Council). The Town Engineer will be present, as well as the Town Planner...Gary Bowen (Town Council) will also be there. One of the concerns has been that LEI Engineering represents Mr. Mecham on this project and also the Town. This could be a conflict of interest. Mr. Mecham has a plan to pull LEI off the project, when appropriate.

ORDINANCE  
ENFORCEMENT  
UPDATE

Gary Bowen: Has been working on having letters sent out to violators of the Ordinance on no storage of commercial vehicles in residential zones...and working the terms out with the individuals involved. Non-payment of Town utility bills is being addressed. 1. 64 Coley's Cove...Cindi Ellis is to contact the Town Attorney to Get the wording for a lien on the property. There are mixed feelings on whether a lien is necessary. Councilmember Bowen feels that if Councilmember Ellis wants to take care of it and file it, then he doesn't care.

PUD ORD./  
DISCUSSION &  
ASSIGNMENT

The Planning Commission will be drafting a Planned Unit Development Ordinance (PUD). They need input from the Council on where to plan for commercial, parks, roads, trails, etc. to be able to proceed.

ANIMAL  
CONTROL

Nothing to report at this time.

STREET REPAIR  
UPDATE

Jerry Mason: Councilmember Mason met with Councilmember Bowen and Kent Haskell regarding roads being considered for chip & seal and for overlay. Kent Haskell is compiling costs. Councilmember Mason will have a plan with maps by the next Council Meeting. The timing has to coincide with the replacement of lead bends. (Highland Cr., Astor Ln., Clark Ln.)

ELK RIDGE TOWN COUNCIL MEETING - 2-22-00, CONT.

Patching Loafer Canyon Rd. Needs to be addressed. It is in bad condition after the winter.

BACK-FLOW  
DEVICES/LEAD  
BENDS

Gary Bowen: The back-flow devices are going in the same areas as the lead bends and road repair.

WELL REPAIR

Gary Bowen: Asked for cost breakdowns to repair 3 of the Town's wells, not just the lower well. (To be able to increase flow) The total of the entire breakdown is \$33,300 for all three wells. In that figure, the lower well has to have the hole in the casing re-patched. The patch is guaranteed to be in place and working or there will be no charge. (The existing patch has been filmed to determine what needs to be done.)

1. Fix Oak Lane Well: Casing only extends about 41/2"...It must be at least 18". It must be changed by Nov. 1, 2000.

There is a new valve & a new 6" line running from the 10" line to the well house. When the switch is made, the old 2 1/2" line needs to be abandoned. Some time, the 2 1/2" line going out the side of the tank needs to be capped off.

Another 10" line needs to go from Elk Ridge Estates down to the junction between the line to Loafer Canyon & the one extending north. It is proposed that this would replace the 10" line that Haskell and Preece (Now Nelson) would connect onto Loafer Canyon, to increase the flow. That line could still go in, but as the surrounding property develops.

2. Lower Loafer Well: Propose replacing pump with larger one

3. Lower (Highline) Well: Patch casing & drop pump to lower depth. (Would increase the output of that well to 450 gph)

This water is being pumped through a 6" line to the tank. The Town should plan on putting an 8" connection off of the 10" line that Lee Haskell is installing, to the well. This would not only take the head pressure off of this well, but could increase the flow by another 20%.

Gary Bowen: Recommends (for now):

1. Fix Lower well (patching): \$7,800 for the 1<sup>st</sup> patch. All the patches after that are \$1,500 each (if already in Town). The plan is to press out the patch in the casing and put one in (7,800). If the patch in the casing is not fixable, it will be pulled out and the hole patched. About \$12,000 to \$13,000 would go to repair all of the lower well (cleaning, etc.).



ELK RIDGE TOWN COUNCIL MEETING - 2-22-00, CONT.

GEN. ADMIN. No information.

EXPENDITURES: **General:**  
**Phone Package:**  
Gary Bowen: The Town Office needs more lines. Information will come forth in the form of a proposal, with costs, for the next Town Council Meeting.

MINUTES  
Town Council Minutes of 10-26-99:  
**MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY MICHAEL MOTKO TO APPROVE THE TOWN COUNCIL MINUTES OF 10-26-00, AS WRITTEN:**  
**VOTE: YES (5) NO (0)**

Minutes of 1-25-00:  
**MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY CINDI ELLIS TO APPROVE THE TOWN COUNCIL MINUTES OF 1-25-00, WITH CORRECTIONS:**  
**Pg 7 (PAR. 1)..CHANGE TO VOTE: (5)**  
**Pg 8 (PAR. 1)..CHANGE TO from NOT form**  
**(LAST PAR.#1)..CHANGE TO bad debts**  
**Pg 9 (LAST PAR., )..CHANGE TO bus & from**  
**VOTE: YES (5) NO (0)**

ADJOURNMENT **MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY CINDI ELLIS TO ADJOURN THE MEETING TO CLOSED SESSION**  
**VOTE: YES (5) NO (0)**

**TOWN COUNCIL CLOSED SESSION**

Discussion: Personnel & Pending Litigation

ROLL CALL Mayor Ingram, *Town Council*: Jerry Mason, Michael Motko, Cindi Ellis, Gary Bowen & *Town Clerk*: Janice H. Davis

  
TOWN CLERK

### NOTICE & AGENDA

Notice is hereby given that the Town Council of Elk Ridge will hold a Public Hearing on Tuesday, March 14, 2000. The Public Hearing, commencing at 6:00 PM is for the purpose of discussing and receiving public comment regarding the Elk Ridge Water System and a proposed amendment to Resolution #96-5-28-7R, regarding Culinary Water Service Fees. The Public Hearing will be held in conjunction with the regularly scheduled Town Council Meeting scheduled for Tuesday, February 22, 2000, at 7:00 PM. The meetings will be held at the Elk Ridge Town Hall, 80 E Park Dr., Elk Ridge, Utah.

6:00 PM - **PUBLIC HEARING/ELK RIDGE WATER SYSTEM & SERVICE FEES**

Public Hearing for the purpose of discussion and comments on the Elk Ridge Water System and Service Fees.

6:30 PM - **TOWN COUNCIL WORK SESSION**

- 6:30 Jim Griffin/Address Council on House of Representatives
- 6:35 Youth Council Report
- 6:40 City League Athletics/Discussion
- 6:50 Building Permits/Available Lots Report
- 6:55 Ad Hoc Committee Update - Michael Motko

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

- Invocation and Pledge of Allegiance
- 7:02 Approval of Agenda Time Frame
- 7:05 Lee Haskell Request for Change in Water Line Improvement
- 7:10 Water System/Discussion & Action
- 7:20 Budget/Capital Improvement Plan Discussion
- 7:30 Ordinance/Adequate Public Facilities & Development Vesting  
Set Public Hearing
- 7:40 Building Inspector/Discussion - Gary Bowen
- 7:45 Lead Bends Update - Gary Bowen
- 7:50 Road Salt/ Salem Agreement - Gary Bowen
- 7:55 Oak Hill Subdivision, Plat B - Bonding Update
- 8:00 Town Hall Phone Lines - Gary Bowen
- 8:10 Sale of Old Snowplow/Bids
- 8:15 Ordinance Enforcement Update
- 8:20 Expenditures:
  - General:
  - MAG Annual Payment
  - Town Shirts/Approval of costs
- 8:30 Approval of Minutes of Previous Meetings
- 8:35 Adjournment

\*Handicap Access, Upon Request. (48 Hours Notice)

Town Council 3-14-00

The times which appear on this amended agenda may be accelerated if time permits. All interested persons are invited to attend this meeting.

Dated this 10<sup>th</sup> Day of March, 2000.



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, 145 E Utah Ave, Payson, Utah, and mailed to each member of the Governing Body on March 10, 2000.



Town Clerk

**ELK RIDGE  
TOWN COUNCIL MEETING  
March 14, 2000**

**TIME & PLACE  
OF MEETING**

The regular Meeting of the Elk Ridge Town Council was held on Tuesday, March 14, 2000, at 7:00 PM, in conjunction with a Public Hearing commencing at 6:00 PM, followed by the Council Work Session at 6:30 PM. The Public Hearing was for the purpose of receiving public comment regarding the Elk Ridge Water System and a proposed amendment to Resolution #95-5-28-7R, regarding Culinary Water Service Fees. The meetings were 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, 145 E Utah Ave, Payson, UT, and to each member of the Governing Body by mailing a copy to each on March 10, 2000.

**6:00 PM**

**PUBLIC HEARING/ELK RIDGE WATER SYSTEM & SERVICE FEES**

**ROLL CALL**

*Mayor:* Cregg Ingram; *Town Council:* Gary Bowen, Cindi Ellis, Jerry Mason, (Absent: Michael Motko); *Administrative Asst.:* Ernestine Folks; *Planning Commission:* Stewart Jolley; *Sheriff:* Deputy Bob Nelson; *Public Works Superintendent:* Kent Haskell; *Payson City Councilmember:* Jim Griffin; *Mountainlands Supply:* Mike Edwards & *Sensus Technology:* Ardell Dobson; *Public:* Mitch Stoker, Rhonda Salcido, JoAnn Bigler, Todd Jackson, Brad Cox; and *Town Clerk:* Janice H. Davis

**MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY GARY BOWEN TO OPEN THE PUBLIC HEARING ON THE ELK RIDGE WATER SYSTEM & PROPOSED AMENDMENT TO THE CULINARY WATER SERVICE FEES**

**VOTE: YES (4)      NO (0)      ABSENT (1) MICHAEL MOTKO**

Gary Bowen: Representatives from Mountainland Supply were present to discuss the Touch read water meter system. A hand-held device reads the meters automatically. The heads on these meters can be changed to adapt to the automatic system. Advantages: Greater accuracy and less time to do the readings.

The readings will interface with Caselle's Utility Billing Program. Entry-level for Touch-read System: Approximately \$22,000 for the Town to convert over. The Town has been installing the Sensus Meters in Town for about 4-5 years.

ELK RIDGE TOWN COUNCIL PUBLIC HEARING - 3-14-00, CONT.

Santaquin City has gone to the motorized option, with Salem & Spanish Fork. The total cost of this option would be approximately \$21,000 above the change-over cost. With this system, 420 connections were read in 20 minutes. And would allow the meters to be read 12 months/year with even more increased accuracy.

Options to pay for this system

1) \$2.00 added to the base rate. Once the system is paid off, then the \$2 could be removed from the base rate.

2) A Special Improvement District (SID) could be used to pay for it; however, Councilmember Bowen is not in favor of this method. He would rather see something that is more gradual.

Meters: Meters installed in the Town need to be of the kind that will convert over to this automated system and should be on a 1" connection or larger. More money needs to be charged at building permit time for these meters (\$250 might go to \$325).

**Water System:**

The Water System is losing money from year to year. The Enterprise Funds must be able to support themselves. The analysis of the Town financial audits (CPA Firm in Logan) indicates that in 1998 there was a 1.30 percent return and in 1999, it dropped to 1.07. This gradual decline, if continued, would result in the Water Dept. not being able to support itself in about 7 or 8 years.

Councilmember Bowen went on to explain that the base rate (water service charges) should be able to cover the bond requirements (according to CPA Kim Peterson). Currently, the base rate is not quite accomplishing this. The difference could be covered by adding about \$1.00 to the current base rate. This would give the Town about \$4,000 more per year to cover the bond requirements.

**Lead Bends:**

The State has dictated that these must be removed at a rate of 20% annually (roughly \$16,000/year over the next five years). A plan must be in place by June, 2000.

**MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY CINDI ELLIS TO CLOSE THE PUBLIC HEARING ON THE ELK RIDGE WATER SYSTEM AND WATER RATES**

**VOTE: YES (4)      NO (0)      ABSENT (1) MICHAEL MOTKO**

ELK RIDGE TOWN COUNCIL WORK SESSION - 3-14-00, CONT.

**TOWN COUNCIL WORK SESSION**

ROLL CALL

*Mayor:* Cregg Ingram; *Town Council:* Gary Bowen, Cindi Ellis, Jerry Mason, (Absent: Michael Motko); *Administrative Asst.:* Ernestine Folks; *Planning Commission:* Stewart Jolley; *Sheriff:* Deputy Bob Nelson; *Public Works Superintendent:* Kent Haskell; *Payson City Councilmember:* Jim Griffin; *Mountainlands Supply:* Mike Edwards & *Sensus Technology:* Ardell Dobson; *Public:* Mitch Stoker, Rhonda Salcido, JoAnn Bigler, Todd Jackson, Brad Cox; and *Town Clerk:* Janice H. Davis

JIM GRIFFIN

Jim Griffin is on the City Council in Payson. This is his second term of office. He has filed for the House Seat #67 (Bill Wright's Seat). He is concerned with education in Payson and is familiar with the problems in the area. He is active in the Republican Party. Mr. Griffin would like the support of Elk Ridge in his effort to represent the area.

YOUTH  
COUNCIL  
REPORT

Mayor Ingram: Reported on the Youth Council Meeting:  
Discussed:

1) Town League Athletics

Currently, Payson & Salem are charging an added \$20 extra per child for non-residents to register with their athletic depts. The Mayor has Assigned the Youth Council to come up with some alternative ideas for Elk Ridge's Children.

2) They are working on a Time Capsule to bury at the July 4<sup>th</sup> Celebration.

3) Projects:

A. Get a flag for the Town

B. Organize a youth dance at the Pavilion

CITY LEAGUE  
ATHLETICS

Issue: the added \$20 charge for non-residents to participate in the athletic programs in Payson & Salem.

Mayor Ingram: Gave a brief history of the reason behind the added charge. The Mayor did not vote to approve this action taken by the neighboring cities. The cities have to do whatever they feel it takes to maintain their individual programs. The charge is \$40 per event to register; but, for non-residents there is an added \$20 per child.

Basically, it started with Spanish Fork providing data showing that 40% of Utah County residents were being provided with athletic programs by Spanish Fork City. No taxes are paid to the City by these



ELK RIDGE TOWN COUNCIL WORK SESSION - 3-14-00, CONT.

Non-residents. Spanish Fork asked the County to supplement Spanish Fork's programs with restaurant taxes. The County refused any support to Spanish Fork. Spanish Fork decided to charge non-residents an added charge for the upkeep of the programs & facilities. Payson & Salem felt the same problem existed within their programs. The charges will be re-evaluated at the end of the summer.

There have been requests from some of the citizens in Elk Ridge to have our own Athletic Program.

Problems:

Facilities for the programs (Basketball, baseball, football, soccer, etc.)

People to run the programs.

Would there be enough teams to compete against one another?

The Mayor has spoken with Payson's and Salem's Mayors about an Elk Ridge team, at different age levels, participating in their programs. The Elk Ridge teams would have the extra \$20 waived. We would have a team participating in their league. Elk Ridge would have to provide uniforms, equipment, etc. The cost to the Town would have to be considered.

Mitch Stoker (Elk Ridge Resident): Mr. Stoker spoke with Payson City's Mayor. For Mr. Stoker to have his children take part in the Payson City's program, it would cost him an extra \$180 per year. Elk Ridge citizens support Payson City businesses much more than that amount per year. Elk Ridge children go to school in Payson...In fact, most Elk Ridge citizens consider Payson to be their community, as well. Mayor Taylor commented that Payson residents pay taxes, Elk Ridge residents do not. Mr. Stoker was offended that the Mayor made a comment that Elk Ridge residents could afford it. He feels that this kind of thinking segregates the two communities. Mr. Stoker is willing to head-up whatever is needed to put an end to this. He feels a solution can be reached.

Jim Griffin: Payson City also approached the County Commissioners. The intent was not to pit Payson against Elk Ridge. A big new athletic complex is being built in Payson. It has to be paid for. The situation can be compared to out-of-State tuition being higher at colleges and universities. People should call the County Commissioners and register complaints about not assisting the various communities.

Kent Haskell: Many of the coaches for the teams come from Elk Ridge in both Salem and Payson.

Mitch Stoker: How many children will not be playing in either of the Cities' leagues?

ELK RIDGE TOWN COUNCIL WORK SESSION - 3-14-00, CONT.

Mayor Ingram: Proposal: 1) How many people are interested in creating a committee to determine what the main concerns are and any solutions to those concerns?

2) The mayor will make the arrangements for this committee to be heard by Salem and Payson.

Mitch Stoker said he is willing to head-up this committee.

Rhonda Salcido: Reported that she has about 30 kindergartners who want to play T-ball. It is just a group of kids wanting to play.

Mayor Ingram: The Mayor suggested creating Elk Ridge's own teams and letting the Council know how they can assist in supporting them. Information needs to be gathered on what kind of liability would be involved in having Elk Ridge teams, playing on the Elk Ridge field. The Mayor will look into the liability.

Jim Griffin: Stated that the Payson City Council would be glad to meet with any committee to help solve the problem.

Kent Haskell: Many of the parents are upset that it was such an enormous jump all at once. A lesser amount might have been received better.

BUILDING  
PERMITS/  
AVAILABLE  
LOTS REPORT

Ernestine Folks: Copies of the report were submitted to the Council. Only two building permits were issued in February, 2000. The only change was the addition of one water connection to the System (the one not in Elk Ridge belonging to the Hansens).

AD HOC  
COMMITTEE

Michael Motko not present to give the report.

NON-AGENDA  
ITEM

Jerry Mason: Councilmember Mason submitted a proposed road maintenance/repair report to the Council. It is specifically for 2000/2001.

Astor Lane, Highland Cr., Bridger In. And the south half of North Loafer Drive are scheduled for overlay. A section of Oak Ridge Lane is also being considered for overlay.

Chip & Seal: Most of Park Drive

Approximate cost = \$48,143

**ELK RIDGE  
TOWN COUNCIL MEETING  
March 14, 2000**

TIME & PLACE OF MEETING	<p>The regular Meeting of the Elk Ridge Town Council was held on <u>Tuesday, March 14, 2000, at 7:00 PM</u>, in conjunction with a <u>Public Hearing commencing at 6:00 PM</u>, followed by the <u>Council Work Session at 6:30 PM</u>. The Public Hearing was for the purpose of receiving public comment regarding the Elk Ridge Water System and a proposed amendment to Resolution #95-5-28-7R, regarding Culinary Water Service Fees. The meetings were 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, 145 E Utah Ave, Payson, UT, and to each member of the Governing Body by mailing a copy to each on March 10, 2000.</p>
ROLL CALL	<p><i>Mayor:</i> Cregg Ingram; <i>Town Council:</i> Gary Bowen, Cindi Ellis, Jerry Mason, (Absent: Michael Motko); <i>Administrative Asst.:</i> Ernestine Folks; <i>Planning Commission:</i> Stewart Jolley; <i>Sheriff:</i> Deputy Bob Nelson; <i>Public:</i> Mitch Stoker, Rhonda Salcido, JoAnn Bigler, Brad Cox, Todd Jackson; and <i>Town Clerk:</i> Janice H. Davis</p>
INVOCATION & PLEDGE OF ALLEGIANCE	<p>Jerry Mason offered the Invocation.</p> <p>_____</p>
AGENDA TIME FRAME	<p><b>MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY JERRY MASON TO APPROVE THE AGENDA TIME FRAME AND TO ADJUST THE TIME FRAME BY 25 MINUTES</b></p> <p><b>VOTE: YES (4)      NO (0)      ABSENT (1) MICHAEL MOTKO</b></p>
HASKELL/ REQUEST FOR CHANGE IN WATER LINE	<p>_____</p> <p>The Town Engineers are requiring a 10" water line to be installed running from Hillside Dr. down to Goosenest Dr. When the line gets to Oak Ridge Dr., there is no rolled curbing. The Engineer is requiring that the line be installed 14' from property lines, which places the line two ft. from the future gutter (2' into the asphalt). That would mean that the road would have to be cut and patched for approximately 750' (four ft. wide). Mr. Haskell feels that the line could be installed in the easement. The Engineer feels that if the curb is ever moved, the curb might be on top of the water line. He asked, when would the curb ever be moved? Further, the existing line is in the easement.</p>

ELK RIDGE TOWN COUNCIL MEETING - 3-14-00, CONT.

His request: To leave the line in the easement. No asphalt nor traffic flow would be disturbed.

Gary Bowen: Does not know how he feels about it; because he also understands that the Engineer wants to see the same standard everywhere.

Ernestine Folks: The Planning Commission has to up-hold the standards. She felt that the Planning Commission would probably go with the recommendation of the Engineer.

Gary Bowen: For that particular location, he does not see what would be accomplished by digging up the main thoroughfare in the Town and cutting four feet off of the side.

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY JERRY MASON TO APPROVE LEE HASKELL'S REQUEST TO INSTALL THE WATER LINE DOWN THE SIDE OF THE ROAD RIGHT OF WAY, WITHIN THE EASEMENT (JUST OUTSIDE THE CURB, INSTEAD OF INSIDE THE CURB).**

Discussion:

Jerry Mason: This seems like a common-sense solution.

Cindi Ellis: Is concerned that if the standard is deviated from, that future problems could arise; however, she does not think it is wise to cut into the road.

**VOTE: YES (4)      NO (0)      ABSENT (1) MICHAEL MOTKO**

WATER SYSTEM  
DISCUSSION/  
ACTION

Gary Bowen: As discussed in the Work Session, the Water Dept. Is losing money.

Mayor Ingram: Proposal: No action should be taken until more information is available.

Gary Bowen: Is the Council in favor of changing the meter size to a minimum of 1"? If so, he will have a resolution drawn up to make the change and to amend the fee schedule. Councilmember Bowen will contact Andrew Jackson.

He will have the document by the next Council meeting.

BUDGET/  
CAPITAL  
IMPROVEMENT  
PLAN

Discussion took place in the Work Session.

Ernestine Folks: (Brief Review of Past Projects 1998/1999)

Road for Mr. Darling (Hillside Dr.) = \$12,000 to \$15,000

Powell Rd. Overlay = \$11,945 (East end of Alpine added,  
not Powell Cr. With no petromat)

Chip/Seal = 14,426 to 17,984

Street Corners = \$3,000 (3 intersections...2 of the 3 were done)

Loafer Canyon Rd. Project = \$21,000 to 11,980 (Engineer)

ELK RIDGE TOWN COUNCIL MEETING - 3-14-00, CONT

Tennis Court = \$17,000 to \$34,882 (\$2,315 in grant money)  
Trails = \$3,000 to \$0.00 (went to Tennis Crt.)  
Hillside Water line up-grade = Not in 1998/1999 (in 1999/2000)  
Hillside Water Line Extension = \$12,000 to \$9,273  
Utility Truck = \$15,000 (not in Orig. Budget...\$3,750 should have gone to each of the Funds.  
Sewer Manholes on Oak Ridge Dr. & Powell Rd.: (Need to be verified with Kent Haskell)  
Electrical System Upgrade (Sewer Plant) = \$18,000 (not done)  
Storm Drainage/Run-off = \$5,000 (Engineering Study)  
Town Hall/Fire Station = \$2,500 to \$1,320

Mayor: The Councilmembers need to project for their Depts. For 2000/2001

Tentative Budget to be presented at the 1<sup>st</sup> Council Meeting in May.

ORD./  
ADEQUATE  
PUBLIC  
FACILITIES

**Set Public Hearing:**

**MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY CINDI ELLIS TO SET A PUBLIC HEARING TO CONSIDER AN ORDINANCE REGARDING ADEQUATE PUBLIC FACILITIES AS RELATED TO DEVELOPMENT VESTING, FOR MARCH 28, 2000, AT 6:00 PM**

**VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO**

BUILDING  
INSPECTOR

Gary Bowen: Met with 2 or 3 different inspectors...LEI Engineering, Sunrise Engineering, Payson Inspector, Current Town Inspectors. LEI has proposed to have their firm cover building inspections, as well as being the Town's Engineering Firm. Councilmember Bowen feels that the Town should stay with the current inspectors; that there is an advantage in having them be familiar with the Town's Ordinances. A contract is needed, regardless of who the inspector is.

Kent Partridge said that he could match the turn-around time for checking plans (counting the actual time he receives the plans). He would still only be available 2 days/week. The other inspectors would be available 5 days/week. Councilmember Bowen is cautious about having LEI provide building inspections, as well as the engineering...there could be a conflict of interest.

Mayor: Feels that the inspector should be available more than 2 days/week. If the needs of the Town cannot be met, then perhaps they should consider other inspectors.

The Mayor will follow up.

ELK RIDGE TOWN COUNCIL MEETING - 3-14-00, CONT.

LEAD BENDS  
UPDATE

Gary Bowen: All the lead bends have been removed from Astor Ln. He and Kent Haskell are working on Highland Cr. Bridger Lane is also on the list for lead bends removal. There is a limit, financially, to how many can be removed. Bridger Lane may have to be reconsidered for road work.

ROAD SALT/  
SALEM  
AGREEMENT

Salem charges for ½ of the stockpiles being stored for snowplowing. If the sand/salt were stored on Elk Ridge grounds, then it would cost the Town much less. A disadvantage is that is an eye-sore. This needs to be researched. The Mayor will meet with Jerry Mason and Kent Haskell will work out the costs.

OAK HILL  
ESTATES/  
PLAT B

1) Todd Jackson and Brad Cox were present to register a complaint with the Council about RL Yergensen. They were given protective covenants for Oak Hill Estates, Plat B, and were held to the standards listed therein when building their homes. It has been discovered that the covenants were not recorded at the County and were never valid. No protective covenants were approved by the Town.

Mr. Cox and Mr. Jackson would like to know if the Town can assist them in any way. (Copies of two versions of the documents were submitted to the Council.)

Other homes being built in the Subdivision are not being held to the same covenants.

The Mayor will check with John Fueston on the issue of the protective covenants.

2) Bonding: There has been a problem with getting the bonding right with RL Yergensen and First Security from the beginning of the subdivision process. Currently, it is in a Ban Control account, without Mr. Yergensen as a signer on the account. First Security has assured Elk Ridge that they will follow the Town's disbursement procedure.

There was a Council motion to suspend all building permits in the Subdivision until the bonding met the requirements of the Town. The Council feels confident that the bonding is in place and the issuance building permits and inspections on current homes in the construction process can be resumed.

TOWN PHONE  
LINES

Gary Bowen: The Town Office needs more phone lines, particularly since the dialing feature has been added to the telemetry system for the tanks and the Loafer Well, the Internet and just to have more lines available for office work. Councilmember Bowen has been gathering information and costs.



## ELK RIDGE TOWN COUNCIL MEETING - 3-14-00, CONT

It would cost about \$102/month to lease all the lines needed plus equipment. It would be \$4,600 - \$4,700 to purchase the package. (All lines would be intercom compatible.) The advantage of leasing: they will upgrade and replace equipment. Could there be a lease/option? (Yes) Tritell is the name of the company.

Cindi Ellis: The Town Office also needs a copier and air-conditioning. The copier could also be leased with an option to buy.

There are too many computers to not get air-conditioning.

Mayor: Priority of purchases: Electrical, air-conditioning, copier, then phone lines. The costs will be presented at the next Town Council Meeting for approval.

### SALE - OLD SNOWPLOW

The old yellow snowplow has been advertised for sale. The highest bid submitted is \$750. Councilmember feels at least \$1,000 should be paid for it. A dead line for submitting bids will be set and the highest bid accepted.

### ORDINANCE ENFORCEMENT

Ernestine Folks:

1) Animal Control: A Officer was to warn the people next to the Nortons, with dogs barking and too many dogs. It is not known if they were warned or not.

Nothing has been settled about the enforcement of County Ordinances vs. Town Ordinances, regarding the number of dogs allowed.

There is also a nuisance complaint against the same person with the dogs barking. The Sheriff did visit the offenders and told them that the County Ordinance would be enforced until it could be changed (It allows up to 3 dogs).

A counter-complaint was filed against the Nortons because of weeds growing too high (over 12"), within 10' of any fence or any roadway.

There are weed violations all over Town.

The weeds along the easements need to be cut by the Town.

The interpretation of this ordinance needs to be clarified as to what is a nuisance and what isn't.

### EXPENDITURES: **General:**

The maintenance agreement for the copier is up for renewal. It will not be renewed, since the Town is going to get a new copier.

ELK RIDGE TOWN COUNCIL MEETING - 3-14-00, CONT.

South Utah Valley Municipal Water Assoc. (SUVMWA):  
Annual payment is due = \$468.30

**MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO APPROVE THE ANNUAL PAYMENT OF \$468.30 TO SUVMWA**

**VOTE: YES (4) NO (0) ABSENT(1) MICHAEL MOTKO**

**1) MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO APPROVE UP TO \$500 FOR T-SHIRTS WITH THE TOWN LOGO FOR THE TOWN EMPLOYEES**

**VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO**

2) Mountainlands Association of Governments (MAG) has some of their funding withdrawn which comes from Federal and State Governments. They are asking the municipalities involved with them to participate on a per-capita basis. Elk Ridge's allocation is about \$400 per year. The Mayor feels it is well worth the expense to maintain the Town's relationship with MAG. There are many benefits.

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO APPROVE THE ANNUAL PAYMENT TO MOUNTAINLANDS ASSOCIATION OF GOVERNMENTS (MAG) OF UP TO \$400**

**VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO**

**3) List of Expenditures for January, 2000**

**MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO APPROVE THE WARRANT REGISTER FOR JANUARY, 2000.**

**VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO**

**List of Expenditures for February, 2000**

**MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO APPROVE THE WARRANT REGISTER FOR FEBRUARY, 2000, WITH THE EXCEPTION OF PAYING THE ICBO DUES FOR ERNIE MUIRHEAD.**

**VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO**

ELK RIDGE TOWN COUNCIL MEETING - 3-14-00, CONT.

MINUTES

Town Council...2-8-00

**MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY CINDI ELLIS TO APPROVE THE TOWN COUNCIL MINUTES OF 2-8-00, WITH CORRECTIONS: PG. 7, 1<sup>ST</sup> MOTION: CHANGE VOTE TO: YES (4)**

**VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO**

**MOTION WAS MADE BY JERRY MASON AND SECONDED BY CINDI ELLIS TO APPROVE UP TO \$50,000 FOR ROAD REPAIRS IN THE FISCAL YEAR 2000/2001**

**VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO**

ADJOURNMENT

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO ADJOURN THE MEETING**

**VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO**



TOWN CLERK

### **AMENDED NOTICE & AGENDA**

Notice is hereby given that the Town of Elk Ridge will hold a Public Hearing on Tuesday, March 28, 2000. The Public Hearing, commencing at 6:00 PM, is for the purpose of discussing and receiving public comment regarding an ordinance establishing adequate public facilities prior to approval of new subdivisions.

The Public Hearing will be held in conjunction with the regularly scheduled Town Council Meeting scheduled for Tuesday, March 28, 2000, at 7:00 PM. The meetings will be held at the Elk Ridge Town Hall, 80 E Park Dr., Elk Ridge, Utah.

**6:00 PM - PUBLIC HEARING/ADEQUATE PUBLIC FACILITIES**

Public Hearing on an ordinance establishing adequate public facilities prior to approval of new subdivisions, establishing a time frame for the expiration of vested approvals, establishing an appeal process for vesting, and establishing an effective date.

**6:15 PM - TOWN COUNCIL WORK SESSION**

6:15 Youth Council Report

6:20 **Meet the Candidates**/Town Council Position

6:30 2000/2001 Budget Discussion/Capital Improvement Plan

**7:00 PM REGULAR COUNCIL MEETING AGENDA ITEMS:**

Invocation and Pledge of Allegiance

7:02 Approval of Agenda Time Frame

7:05 Appoint Town Council Member

7:15 Ordinance/Adequate Public Facilities-Vesting Subdivisions

7:20 Set Public Hearing: Development Code Amendment  
Churches-Conditional Use

7:25 Water-Sewer Depts. - Gary Bowen

Water Rates Discussion

Resolution/1" Meters

Flow Meter

Ordinance/Septic Tanks - Sewer System (Set Public Hearing)

7:45 Planning Commission Update - Michael Motko

Ad Hoc Committee Update

7:55 Oak Hill Subdivision, Plat B - Development Improvements

8:00 Town Hall - Phone Lines, Electrical, Copier, Air Conditioning

8:10 Expenditures:

General:

Lawn Mower/Parks Dept. - Cindi Ellis

8:15 Approval of Minutes of Previous Meetings

8:20 Adjournment

\*Handicap Access, Upon Request. (48 Hours Notice)

Town Council 3-28-00


The times which appear on this amended agenda may be accelerated, if time permits. All interested persons are invited to attend this meeting.

Dated this 24<sup>th</sup> Day of March, 2000.

  
\_\_\_\_\_  
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, 145 E Utah Ave, Payson, Utah, and mailed to each member of the Governing Body on March 24, 2000.

  
\_\_\_\_\_  
Town Clerk

**ELK RIDGE  
TOWN COUNCIL MEETING  
March 28, 2000**

**TIME & PLACE  
OF MEETING**

The regular Meeting of the Elk Ridge Town Council was held on Tuesday, March 28, 2000, at 7:00 PM, in conjunction with a Public Hearing commencing at 6:00 PM, followed by the Council Work Session at 6:15 PM. The Public Hearing was on an Ordinance Requiring adequate public facilities prior to approval of new subdivisions, establishing a time frame for the expiration of vested approvals, establishing an appeal process for vesting, and establishing an effective date.

The meetings were 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, 145 E Utah Ave, Payson, UT, and to each member of the Governing Body by mailing a copy to each on March 24, 2000.

6:00 PM

**PUBLIC HEARING/ADEQUATE PUBLIC FACILITIES**

**ROLL CALL**

*Mayor:* Cregg Ingram; *Town Council:* Gary Bowen, Cindi Ellis, Michael Motko, absent-Jerry Mason; *Administrative Asst.:* Ernestine Folks; *Sheriff:* Deputy Bob Nelson; *Public:* Lee Haskell, Ken Harris, Ken Orton, Lesley Johnson, Kent Anderson, Jason Bullock (Sunrise Engineering); and *Town Clerk:* Janice H. Davis

**MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY CINDI ELLIS TO OPEN THE PUBLIC HEARING ON AN ORDINANCE ESTABLISHING ADEQUATE PUBLIC FACILITIES PRIOR TO APPROVAL OF NEW SUBDIVISIONS, ESTABLISHING A TIME FRAME FOR THE EXPIRATION OF VESTED APPROVALS, ESTABLISHING AN APPEAL PROCESS FOR VESTING, AND ESTABLISHING AN EFFECTIVE DATE.**

**VOTE: YES (3)      NO (0)      ABSENT (2) MICHAEL MOTKO**

Discussion:

**JERRY MASON**

The Planning Commission recommends adoption of this proposed ordinance.

Elk Ridge is concerned about the storage capacity of culinary water for the Town, as well as about the capacity of the sanitary sewer facilities. Sunrise Engineering was commissioned to conduct engineering



## ELK RIDGE TOWN PUBLIC HEARING - 3-28-00, CONT.

studies to determine said capacities. Based on the information in the studies, the Council has determined that it would be in the best interest of the Town to not approve additional subdivisions until there are adequate public facilities to serve the current and future residences. The number of approved connections has reached the maximum number allowed for the current capacities.

The proposed ordinance allows any developer who feels he/she is vested in the subdivision process, to present his/her reasons to the Town Council before June 30, 2000. The Council will hear the appeals and decide if they feel that the developer is vested. The developer may further appeal to the Board of Adjustments of the Town. After this date, there will be no more appeals. Copies of the ordinance are to be sent out to each developer who has developed in Town who may have reason to believe himself/herself to be vested.

It was suggested that the word... 'establishing' adequate public facilities ...in the heading of the proposed ordinance should be changed to requiring ...it was felt that this would clarify the meaning. There was no further discussion.

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY MICHAEL MOTKO TO CLOSE THE PUBLIC HEARING ON THE PROPOSED ORDINANCE REQUIRING ADEQUATE PUBLIC FACILITIES PRIOR TO APPROVAL OF NEW SUBDIVISIONS, ESTABLISHING A TIME FRAME FOR THE EXPIRATION OF VESTED APPROVALS, ESTABLISHING AN APPEAL PROCESS FOR VESTING AND ESTABLISHING AN EFFECTIVE DATE.**

**VOTE: YES (4)                      NO (0)                      ABSENT (1) JERRY  
MASON**

### TOWN COUNCIL WORK SESSION

YOUTH COUNCIL    No report.

#### MEET THE CANDIDATES

Mayor Ingram welcomed the candidates to the Meeting and thanked them for being willing to participate in their local government. He explained that the position of Town Councilmember takes time and effort and they are always open to public scrutiny.

The position which is open is that of Town Councilmember.

Jerry Mason is moving from Town and has turned in his resignation. The appointment will be later in the regular session of the Town Council Meeting by vote of the Council.

ELK RIDGE TOWN COUNCIL MEETING - 3-28-00, CONT.

Candidates introduced themselves and commented on their reasons for wanting to be appointed:

(Lee Haskell, Lesley Johnson & Kent Anderson...Stewart Jolley did submit his name, but withdrew it to remain as the Planning Commission Chairman.)

2000/2001  
BUDGET  
DISCUSSION

The Capital Improvement Plan was discussed, beginning with back-up information on the 1998/1999 fiscal year. The figures reflect the prior year's actuals as compared to what was planned for in the Plan. Mrs. Folks, as per Mayor Ingram's assignment, is revising the Capital Improvement Plan for the upcoming fiscal years. To project into next year's projects, she needs the information from the Council as soon as possible.

Mayor: The Mayor explained that the Capital Improvement Plan was developed based upon perceived needs of the Town. Then, reality brings about unexpected changes and the Plan has to be changed accordingly. Requirements arise, such as the lead bends needing to be replaced, that leaves the Town no choice but to comply.

Ernestine Folks: The 2005/2006 Year will have to be added on to the end of the 5 year Plan. (Current year + 5 years)

Town Clerk: One of the biggest concerns is in the area of building permits. \$80,000 was projected for the current year (1999/2000). There may be a short-fall in revenue of approximately \$30,000. There have not been nearly as many permits issued, probably due to increased interest rates.

Last year's fund balance = \$50,000 of usable money in the General Fund, with \$1,500 pre-budgeted for Fire Dept. and \$20,000 for Reserved Class C Road Funds, which leaves a balance from last year of \$28,500. There is also the Fund Balance budgeted for the current fiscal year, which is over \$29,000.

Park Impact Fees will have to be transferred directly to the Capital Project Fund/Parks. Care must be taken to spend the impact fees properly. Park Impact fees from developers must only be for land acquisition for parks. The fees collected at building permit time, can be used for improving (not maintaining) the existing parks.

**Enterprise Funds**: \$26,000 was budgeted to be transferred from the Sewer Dept. To the new Capital Projects Fund for Storm Drainage. \$13,000 was supposed to be from a Storm Drainage Fee. The fee has not been instigated, so that \$26,000 figure will decrease to \$13,000. The Council was given a budget worksheet to project figures for their departments for the up-coming year (2000/2001).

## ELK RIDGE TOWN COUNCIL MEETING - 3-28-00, cont.

Gary Bowen: Discussed the sewer capacity with the Council. Currently, Salem City has Elk Ridge operating on the number of connections and the plant operates on the number of gallons/day and Salem operates on gals./day. This places Elk Ridge at a disadvantage since capacity is reached prematurely. A flow meter is needed to measure the flow coming out of Elk Ridge.

Costs:

1. Lease: (Could be switched over to a permanent meter)  
\$15,000 estimate (Use of Sewer Impact Fees for the purchase would be allowed).  
Needs to be budgeted for 2000-2001 year.
2. A temporary flow meter is going to cost the Town about \$1,600. This will be done this fiscal year (1999-2000) This was already approved; in fact, the Council approved up to \$3,000. The budget figure will be amended up to \$2,000.

A Tentative Budget should be presented on the 1<sup>st</sup> Council Meeting in May, 2000.

### **ELK RIDGE TOWN COUNCIL MEETING March 28, 2000**

#### **TIME & PLACE OF MEETING**

The regular Meeting of the Elk Ridge Town Council was held on Tuesday, March 28, 2000, at 7:00 PM, in conjunction with a Public Hearing commencing at 6:00 PM, followed by the Council Work Session at 6:15 PM. The Public Hearing was on an Ordinance Requiring adequate public facilities prior to approval of new subdivisions, establishing a time frame for the expiration of vested approvals, establishing an appeal process for vesting, and establishing an effective date.

The meetings were held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

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ELK RIDGE TOWN COUNCIL MEETING - 3-28-00, CONT.

ROLL CALL                    *Mayor:* Cregg Ingram; *Town Council:* Gary Bowen, Cindi Ellis, Michael Motko, absent-Jerry Mason; *Administrative Asst.:* Ernestine Folks; *Sheriff:* Deputy Bob Nelson; *Public:* Lee Haskell, Ken Harris, Ken Orton, Lesley Johnson, Kent Anderson, Jason Bullock (Sunrise Engineering); and *Town Clerk:* Janice H. Davis

INVOCATION &  
PLEDGE OF  
ALLEGIANCE                Ernestine Folks offered the Invocation.  
  
\_\_\_\_\_

AGENDA TIME  
FRAME                    **MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY  
MICHAEL MOTKO TO APPROVE THE AGENDA TIME FRAME  
AND TO ADJUST THE TIME FRAME BY EIGHT MINUTES  
VOTE: YES (4)                    NO (0)                    ABSENT (1) JERRY  
MASON**

APPOINT TOWN  
COUNCIL  
MEMBER                    \_\_\_\_\_  
Mayor Ingram asked Deputy Bob Nelson to tally up the votes.  
Names submitted for appointment:  
Lee Haskell, Lesley Johnson & Kent Anderson  
Vote Taken:  
The Town Council cast their votes and the candidates were  
narrowed to two: Kent Anderson and Lee Haskell  
Second Vote: It was a tie vote.  
Third Vote: Kent Anderson was appointed, to take the place of Jerry  
Mason.  
The Town Clerk administered the Oath of Office to Kent Anderson.  
Councilmember Anderson then took his seat at the Council table.

ORD./  
ADEQUATE  
PUBLIC  
FACILITIES                \_\_\_\_\_  
Mayor Ingram: It was decided in the Work Session to change the  
word Establishing in the Heading for the Ordinance to Requiring .  
**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY  
MICHAEL MOTKO TO ADOPT AN ORDINANCE REQUIRING  
ADEQUATE PUBLIC FACILITIES PRIOR TO APPROVAL OF  
NEW SUBDIVISIONS, ESTABLISHING A TIME FRAME FOR THE  
EXPIRATION OF VESTED APPROVALS, ESTABLISHING AN  
APPEAL PROCESS FOR VESTING AND ESTABLISHING AN  
EFFECTIVE DATE.  
VOTE (POLL): CINDI ELLIS-AYE, KENT ANDERSON-AYE,  
MICHAEL MOTKO-AYE, GARY BOWEN-AYE AND MAYOR  
INGRAM-AYE  
PASSES 5-0**

ELK RIDGE TOWN COUNCIL MEETING - 3-28-00, CONT.

DEV. CODE  
AMENDMENT  
ON  
CHURCHES

**Set Public Hearing:**

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY MICHAEL MOTKO TO SET A PUBLIC HEARING FOR AN ORDINANCE AMENDING THE ELK RIDGE ZONING ORDINANCE, SECTION 10-5-2.2, 10-5-2.3, 10-5-4.2, 10-5-4.3, 10-5-6.2, 10-5-6.3, 10-5-8.2, 10-5-8.3, REGARDING CHURCHES, PROVIDING FOR CODIFICATION, INCLUSION IN CODE AND SCRIVENER'S ERRORS, PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE; FOR APRIL 25, 2000, AT 6:00 PM**

**VOTE: YES (5)**

**NO (0)**

WATER/SEWER  
DEPTS.

**Water Rates Discussion:**

Gary Bowen: Explained water rights and the actual amount of water 1 acre ft. of water translates out to be. Newer lots have to transfer 1.3 acre ft. of water per dwelling. When the engineers updated the water system study, the usage warranted the necessity of requiring more than the 1 acre ft./dwelling transferred to the Town.

Explanation of the current water rates compared to the proposed rates:

**Current**

\$20/mo - 12,000 gal.

\$1.00/1,000 (12,001 to 35,000 gal)

\$1.25 - over 35,000 gals.

(With the Town's current system, with the number of lots developed vs the total amount of water pumped monthly, no more than 50,000 gal. per lot could be provided...if all the lots were pumping the maximum amount allowed.)

The majority of the Town uses in the range of 50,000 gal or less; however, some residents use 200,000 gal and more, during the peak months.

Base Rate: Proposed increase..\$25

**\$1.00** for being under the required % to maintain the Town's bond.

The Town's net revenue of the Water Dept.'s Operating Revenue needs to be at 125% of the Bond payments...the last few years, the Town has had about a \$3,000 short-fall.

**\$4.00** to upgrade the system

(To include the removal of lead bends, automated meter reading, as well as the other projects in Town which will upgrade the system.

**Proposed**

Up to \$25 - 12,000 gal.

\$1.25 (12,001 to 50,000 gal)  
(Or \$1.35/1,000 gal.)

\$1.75 (over 50,000 gal)

## ELK RIDGE TOWN COUNCIL MEETING - 3-28-00, CONT

Explanation of proposed automated (hand-held) meter reading system. In the long run, it would be more cost effective with fewer errors.

After an analysis of the Town's audits...an accounting firm in Logan supplied a report which indicates that the water system is on a gradual decline, financially, and in about 7 or 8 years, could be operating at a loss. There should be an upward trend with a 3% to a 10 % increase as a return on investment. If 10% is reached, the rates can be lowered.

The Water Dept. is at 3.64% and on a decline from year to year. (The Sewer Dept. is at 8.5% and on a gradual climb.)

Chapels in Town use more water; but, they also have to supply more water rights than a single family dwelling. They would be allowed the same rate up to their water rights. (Example: If 3 water rights or 3 acre ft. were supplied for a chapel, then they would be allowed 3 times the amount of water pumped...150,000 gal. Before their rates would go to the higher rate.)

The Churches must assist in water conservation, even with the higher amount of water allowed. One of the Chapels used 1,000,000 gal during a one month period of time.

Councilmember Bowen said that if one of the wells went down at a peak usage time, the Town could not meet the demands for water to the residents. This is due, largely, to the high end usage that is completely out of line.

Councilmember Bowen went on to explain that water rates from different cities and towns cannot be compared. Every situation is different. (Example: Elk Ridge...pumps every gallon of water used, year round. Salem...Pumps in the summer months; but, from October through May, they rely on gravity-flow, artesian wells, with no pumping at all.)

Ernestine Folks: Questioned what figures the 50,000 gal./lot is based on.

Gary Bowen: It is based on the maximum amount of water which can be pumped with all the wells at maximum pumping capacity. The lower well's deficiency is taken into consideration. If at some time that capacity goes up to, say 75,000 gals., then the rates could be adjusted to match the capacity. This needs to be reviewed yearly to check for any necessary adjustments.

Kent Anderson: Agrees with the proposed rates and sees that the Water Dept. must be able to sustain itself, financially, over the years



**MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY KENT ANDERSON TO TAKE THE PROPOSAL PRESENTED TO THE TOWN COUNCIL TO THE TOWN PLANNER, ANDREW JACKSON, TO DRAFT A RESOLUTION TO HAVE AVAILABLE FOR A PUBLIC HEARING**

**VOTE: YES (5)**

**NO (0)**

\*Resolution is to be ready for the next Town Council Meeting.

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**Resolution/1" Meters:**

Gary Bowen: Currently, the connection fee is at \$250. There is a choice between a 3/4" service or a 1" service or whatever size desired. After discussion with the Town Engineer, it was determined that strict adherence to a 1" meter should be required. Breakdown: \$75 is for the installation of the meter, and the cost of the type of meters with the capability of being read automatically. The cost will go to \$375, which represents actual cost, with no profit. The standard size meter will be 1" (not 3/4"). An oversized connection will be \$75 + the cost of the meter.

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY MICHAEL MOTKO TO ADOPT A RESOLUTION AMENDING SECTION 2-2-1 OF RESOLUTION 96-7-9-16R REGARDING CULINARY WATER SERVICE FEES ENTITLED NEW CULINARY CONNECTION TO SYSTEM FEE , PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.**

**VOTE (POLL): CINDI ELLIS-AYE, KENT ANDERSON-AYE, MICHAEL MOTKO-AYE, GARY BOWEN-AYE, MAYOR INGRAM-AYE**

**PASSES 5-0**

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**Flow Meter:**

The cost to install a temporary flow meter is \$1,626...this will be for a 30-day reading. The cost for permanent ownership is \$15,000. A flow meter reading is necessary to be able to negotiate with Salem City for Plant ownership percentage.

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**Ordinance/Septic Tanks-Sewer System (Set Public Hearing):**

Gary Bowen: The Well-head protection study was sent to the State. The first item on the well-head protection plan will be coming back this June, 2000. It will require that a No Septic Tank Ordinance be in place. He proposes that the Ordinance be a blanket policy for the entire Town, requiring all residents to connect to the sewer system.

ELK RIDGE TOWN COUNCIL MEETING - 3-28-00, CONT.

Robert Nelson (Loafer Ridge Subdivision) has agreed to take \$27,000 tied up in septic tanks and take the sewer line as far as possible toward the main trunk line. Then the Town would have to find a way to connect onto the line that the Christensens installed. There is a plan to take the sewer line on up Loafer Canyon, up to the dug-way. This will protect the wells. This does not eliminate the existing septic tanks. As sewer becomes available, the residents with septic tanks will be required to connect onto the system within one year (State requirement).

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO SET A PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING THE ZONING ORDINANCE, SECTION 10-7-6.3, OF ELK RIDGE TOWN, UTAH, REGULATING SEWERAGE IN SUBDIVISIONS, PROVIDING FOR CODIFICATION, INCLUSION IN CODE, AND SCRIVENER'S ERRORS, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE; FOR APRIL 25, 2000, AT 6:15 PM.**

**VOTE: YES (5) NO (0)**

Comment: Ernestine Folks: This is an amendment to the Zoning Ordinance, it should go before the Planning Commission for their recommendation to the Council. Check with Andrew Jackson.

PLANNING  
COMMISSION

Michael Motko:

**Ad Hoc Committee:**

All Committee members have assignments due to Councilmember Motko by the end of the next meeting. They are to meet on Wednesday, at 7:00 PM, at Don Mecham's home.

There will be a recommendation to the Planning Commission by the end of April.

**Planning Commission Update:**

Gary Bowen: The Planning Commission discussed the PUD; that it would include a point system and would be in the form of an agreement between the Town and the developer.

**Oak Hill Estates, Plat B:**

The developer (RL Yergensen) has been granted an extension to complete the required subdivision improvements until March 31, 2000. Mr. Yergensen is concerned that some of the things will not be done in time. Councilmember Bowen will check to see if improvements have

ELK RIDGE TOWN COUNCIL MEETING - 3-28-00, CONT

been done. If not completed by the end of March, the issue will go to Public Hearing and Mr. Yergensen will be considered in default.

**MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY MICHAEL MOTKO: IF THE SUBDIVISION IMPROVEMENTS FOR OAK HILL ESTATES, PLAT B, ARE NOT COMPLETED BY MARCH 31, 2000, (ORIGINAL EXTENSION DATE), THEN THE TOWN COUNCIL WILL HOLD A PUBLIC HEARING ON APRIL 11, 2000, AT 6:00 PM, TO DECLARE MR. RL YERGENSEN, AS DEVELOPER OF OAK HILL ESTATES, PLAT B, IN DEFAULT.**

**VOTE: YES (5)**

**(0)**

TOWN HALL/  
PHONE LINES,  
ELECTRICAL,  
COPIER, AIR  
CONDITIONING

1<sup>st</sup>: Electrical needs to be upgraded (About \$1,500)

2<sup>nd</sup>: The air conditioning needs to be installed (Up to \$3,000)

3<sup>rd</sup>: The copier needs to be replaced (About \$6,500 - \$7,000)

(Copier could be leased, with option to buy...about \$2,000/1st year)

Phone System: About \$101/month (Mayor recommends putting off upgrade to phone lines until next fiscal year.

**MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY CINDI ELLIS TO ACCOMPLISH THE FOLLOWING IN THE CURRENT FISCAL YEAR (1999/2000) FISCAL YEAR: ELECTRICAL REPAIRS TO THE TOWN HALL; THE PURCHASE AND INSTALLATION OF AN AIR-CONDITIONING SYSTEM AND THE LEASE OF A COPIER FOR THE TOWN HALL...NOT TO EXCEED \$6,500 TOTAL**

**VOTE: YES (5)**

**NO (0)**

EXPENDITURES: **General:**

1. EMT Garage Door Removal:

Gary Bowen:

The EMT garage is to be converted into an office for Kent Haskell.

The door is to be removed and held at their garage until the Fire Dept. is ready to use it. Then the same company will come back and re-install it. Approximate cost = \$1,500 (Capital Projects-Town Hall/ Fire Station)

2. Chip/Spreader:

The entire amount (\$2,088) is due to Spanish Fork for the Town's portion of the purchase.

3. Utah League of Cities & Towns: Attorney Conference

Should the Town Attorney go? How much should the Town pay toward that? The conference is coming up in May, 2000.

ELK RIDGE TOWN COUNCIL MEETING - 3-28-00, CONT.

The registration was faxed over to Mr. Fueston (Attorney) and he was asked what split he thinks would be fair. He has not returned the information. The Council felt that a 50/50 split would be appropriate.

4. Employee Wages:

Mayor Ingram:

Mayor Ingram has reviewed the Budget for the 2000/2001 Budget Year. He has considered the wages for the current employees. What would be a fair & equitable increase for the Town employees for the upcoming year? Last fiscal year the employees were given a .03 increase (COLA).

Proposes:

Cost of Living Adjustment (COLA) = .03

Mayor Increase of .09 for the Town Clerk (Currently, the Town Clerk is working below the low end of the recommended wage range. This would bring her wage up to above the low end of the range.)

Most other employees would be at about a .06 increase.

\*(Combined Increase to the Budget of about \$7,500)

All of the staff will be interviewed and any input from the Town Council to the Mayor would be appreciated.

Gary Bowen: Kent Haskell needs an Assistant. It would cost about \$40,000/year for the entire package. That is not to be considered at this time.

5. Hall Engineering Billing:

Most of the developers who owed Hall Engineering money have paid. Mr. Mecham owes \$465.10. He has declared that he will not pay until he receives, from Hall Engineering, a detailed bill for services rendered. The Mayor has written a letter to Hall Engineering saying that he considers the Town's bill paid, in full, with the exception of Mecham Development, and that Mr. Mecham will pay the bill when he receives a detailed invoice; or Mr. Hall may submit the invoice to Elk Ridge Town and the Town will pay Mr. Hall and Mr. Mecham would reimburse the Town. Mr. Mecham has attempted to arrange payment to Bruce Hall, but, Mr. Hall has not called him back. The Mayor commented that he would just like to get this over with. Developers will pay the Town back.

Cindi Ellis: Does not agree that the Town should act as the middle-man.

**MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY MAYOR INGRAM TO AUTHORIZE THE MAYOR \$680 TO PAY OFF THE FOUR REMAINING BILLS, OWED BY DEVELOPERS, TO HALL ENGINEERING**

**VOTE: YES (4)**

**NO (1) CINDI ELLIS**

ELK RIDGE TOWN COUNCIL MEETING - 3-28-00, CONT.

**Lawn Mower:**

No figures at this time.

MINUTES

No minutes to approve.

ADJOURNMENT

**MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY  
MICHAEL MOTKO TO ADJOURN THE MEETING**

**VOTE: YES (5)**

**NO (0)**

  
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, April 11, 2000. at 7:00 PM; it will be preceded by the Council Work Session at 6:00 PM. The meetings will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

6:00 - PM     TOWN COUNCIL WORK SESSION

Youth Council Report  
Budget & Capital Improvement Plan  
Ad Hoc Committee Update - Michael Motko  
Building Permits & Approved Lots Report-Ernestine Folks  
Haskell, Plat G/Request for Change in Inspecting Engineers-Lee Haskell

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

Invocation and Pledge of Allegiance  
7:02 Approval of Agenda Time Frame  
7:05 Engineering Inspections/Haskell, Plat G  
7:15 Dave Merrill/Elk Ridge Town Picture  
7:25 Water/Sewer Depts. - Gary Bowen  
7:35 Set Public Hearing/Water Rates Resolution  
7: 40 Parks/Public Safety - Cindi Ellis  
      Lawn Mower/Park  
      Animal Control Agreement  
7:55 Oak Hills Subdivision, Plat B/Subdivision Improvements  
8:00 Expenditures: General:  
8:10 Approval of Minutes of Previous Meetings  
8:15 Adjournment

\*Handicap Access, Upon Request. (48 Hours Notice)

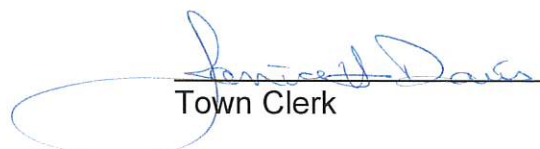
The times which appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting.

Dated this 7<sup>th</sup> Day of April, 2000.

  
\_\_\_\_\_  
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, 145 E Utah Ave, Payson, Utah, and mailed to each member of the Governing Body on April 7, 2000.

  
\_\_\_\_\_  
Town Clerk



**ELK RIDGE  
TOWN COUNCIL MEETING  
April 11, 2000**

**TIME & PLACE  
OF MEETING**      The regular Meeting of the Elk Ridge Town Council was held on Tuesday, April 11, 2000, at 7:00 PM; preceded by the Council Work Session at 6:00 PM. The meetings were 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, 145 E Utah Ave, Payson, UT, and to each member of the Governing Body by mailing a copy to each on April 7, 2000.

**6:00 PM      TOWN COUNCIL WORK SESSION**

**ROLL CALL**      *Mayor: Cregg Ingram; Town Council: Gary Bowen (Mayor Pro tem), Cindi Ellis, (Absent: Michael Motko); Planning Commission: Stewart Jolley; Administrative Assistant: Ernie Folks; Police: Deputy Tracy Jones; Town Engineers: Greg Magleby, Jesse Conway ; Public Works Superintendent: Kent Haskell; Deputy Town Clerk: Lisa Ehlers; Public: Dave Merrill, Lee Haskell; and Town Clerk: Janice H. Davis*

**YOUTH COUNCIL  
REPORT**      No report.

**BUDGET &  
CAPITAL  
IMPROVEMENT  
PLAN**      

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Budget Worksheets: A Budget Worksheet for the 2000/2001 Fiscal Year was submitted to the Council for review. The Dept. Heads are to consider expenditures for their Depts.  
The Town needs to hire another CPA Firm to conduct the annual audit. Peterson & Associates are no longer serving the Town in that capacity. The Mayor will draft a Request for Proposals (RFP) from other accounting firms.  
The firm in Logan is going to send a proposal. They seem to have a good understanding of Government accounting.  
Mayor: Select another couple of accounting firms and ask them to respond with a proposal.

**AD HOC  
COMMITTEE  
REPORT**      

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Michael Motko not present.

ELK RIDGE TOWN COUNCIL WORK SESSION - 4-11-00, CONT

NON-AGENDA  
ITEM

**Building Inspectors:**

Proposals are being submitted for building inspections in the Town. Respondents: LEI Engineering, Sunrise Engineering, Kent Partridge are going to respond. As the proposals are submitted, the Mayor wants the Council to review them and be ready to take some action at the next Council Meeting.

(The question was asked, why consider a change. 1) Currently, the Inspectors in use are not on contract to the Town. 2) There have been complaints about how long it takes to check plans and that the field inspector is only available two days per week.

3) The main reason is that Ernie Muirhead informed the Town that he would be going full-time over at Eagle Mountain, with Kent Partridge. Lee Haskell: Is satisfied with how Ernie Muirhead has performed as a building inspector.

BUILDING  
PERMITS/  
APPROVED LOTS  
REPORT

Ernestine Folks: Only 3 permits were issued in March, 2000.

There were 458 homes in Elk Ridge at the end of March, 2000.

There are 219 vacant lots. With full build-out, there is a potential of 667 homes.

Cindi Ellis: Questioned why certain numbers do not add up. Mrs. Folks will review it and report back.

HASKELL,  
PLAT G/  
REQUEST FOR  
CHANGE IN  
ENGINEERING

Lee Haskell (developer of Haskell Subdivision, Plat G):

(Written request submitted to the Councilmembers)

As a developer in Elk Ridge as well as a resident, Mr. Haskell stated that he has the interest of the Town as well as his own in mind. The issue is about the 6% charge to developers for engineering inspections during the subdivision process. (6% of the subdivision construction cost) In the case of Haskell, Plat G, the 6% would amount to \$21,926.40. From his experience as a developer, Mr. Haskell stated that \$2,000 would cover the required inspections; and even if doubled,, that would only amount to \$4,000. (The stated fees of \$80/hour & \$60/hr. were used to determine the amounts.)

Proposal: Developer to pay LEI \$4,000 or their contracted hourly rate for reviews and inspections; or, pay another temporary engineer a reasonable rate. Also, developer to pay Peterson Bros. Drilling Co. to repair north well (approximately \$16,000) to help solve water shortages for the summer. In return, developer is to be reimbursed 50% of the \$16,000, through future impact fees as houses are built in Plat G, Haskell Subdivision, (a donation to the Town of approximately \$8,000).

ELK RIDGE TOWN COUNCIL WORK SESSION - 4-11-00, CONT.

Mr. Haskell asked, Why not hire a full-time Engineer for the Town at \$40,000/Year? He feels the Town would be ahead in the long run.

Mr. Haskell pointed out that Article 4. Non-Exclusive Rights of the contract the Town has with LEI Engineering states: Nothing in the Contract is to be construed as granting to Engineer the exclusive rights to perform any or all of the Town's requirements of the type contemplated hereunder. Mr. Haskell would like to use a different Engineer for inspections on Haskell, Plat G.

Lee Haskell also sees future problems with LEI Engineering as the engineers on the proposed Mecham Annexation/Development.

He feels this is a conflict of interest.

LEI Consulting Engineers: Greg Magleby and Jesse Conway, representing LEI, addressed the Council and those present:

Santaquin charges 7% for inspections, Spanish Fork charges 7%.

LEI took over inspections for Hamid Mortezaadeh after the water sewer were already installed and they are charging on a per inspection basis...there has already been over \$2,000 charged to the developer. Developers are used to the previous way of billing and inspecting. There is a difference between coming out to inspect a few times and actually monitoring the construction of the subdivision. LEI monitors the entire process closely as the improvements are being installed, not after the fact. They feel a fixed price better represents the Town's interest; otherwise the developer would be complaining that the inspectors are on site too much trying to run up the bill.

Mayor: The result would be to have the improvements installed correctly with fewer corrections.

Cindi Ellis: Misunderstood the contract with LEI. She understood that 6% would be bonded and whatever was not used would be refunded to the developer. LEI responded that this means that if the construction cost comes in lower, then the 6% of the cost would be less...any excess would be refunded.

It concerns her that the developer who does a good job will be paying the same amount as a developer who needs a lot of correction. Refunding the unused portion would motivate developers to do a better job and require fewer inspections. A fixed amount penalizes the developer who does a good job.

Lee Haskell: Robert Nelson's project (Loafer View, Plat A) has 12 lots and the 6% comes to about \$11,000. He cannot see much difference between the inspections required for that subdivision and the required inspection for a 19 lot subdivision.

## ELK RIDGE TOWN COUNCIL WORK SESSION - 4-11-00, CONT.

(Lee Haskell is bringing a water line from Hillside Dr. to his development, which brings the construction cost up a lot higher. Thus, the 6% is considerably higher; but this, Mr. Haskell believes, does not mean there are that many more inspections to warrant nearly \$22,000 in engineering fees.

Lee Haskell: RB&G (Robins, Barnes & Gunnel) Engineering Firm (Provo) would inspect for \$60/hour.

Mr. Haskell has no problem with the quality of engineering from LEI; but, the service has not been that of monitoring ...in fact, he said that he cannot even get through to the engineers and that they don't return calls.

Mayor Ingram: Closed the discussion, commenting that the Town should be getting the monitoring type service for the 6%.

### ELK RIDGE TOWN COUNCIL MEETING April 11, 2000

#### TIME & PLACE OF MEETING

The regular Meeting of the Elk Ridge Town Council was held on Tuesday, April 11, 2000, at 7:00 PM; preceded by the Council Work Session at 6:00 PM. The meetings were 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, 145 E Utah Ave, Payson, UT, and to each member of the Governing Body by mailing a copy to each on April 7, 2000.

#### ROLL CALL

*Mayor*: Cregg Ingram; *Town Council*: Gary Bowen (Mayor Pro tem), Cindi Ellis, (*Absent*: Michael Motko); *Planning Commission*: Stewart Jolley; *Administrative Assistant*: Ernie Folks; *Police*: Deputy Tracy Jones; *Town Engineers*: Greg Magleby, Jesse Conway; *Public Works Superintendent*: Kent Haskell; *Deputy Town Clerk*: Lisa Ehlers; *Public*: Dave Merrill, Lee Haskell; and *Town Clerk*: Janice H. Davis

#### INVOCATION & PLEDGE OF ALLEGIANCE

Kent Anderson offered the Invocation.

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ELK RIDGE TOWN COUNCIL MEETING - 4-11-00, CONT.

AGENDA TIME  
FRAME

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY  
CINDI ELLIS TO ADJUST THE AGENDA TIME FRAME BY 15  
MINUTES**

**VOTE: YES (4)      NO (0)      ABSENT (1) MICHAEL MOTKO**

ENGINEERING  
INSPECTIONS/  
LEE HASKELL  
REQUEST

Mayor Ingram: Reviewed Mr. Haskell's proposal:

If charged the nearly \$22,000, Mr. Haskell's offer stated that:

- 1) \$4,000 would be paid to the Engineers (or their hourly rate)
- 2) The remainder of that amount of money goes to repair the Lower Well (\$16,000)
- 3) Impact fees go back to Mr. Haskell (1/2 of \$16,000) as development occurs

The Mayor feels that the Town has a good agreement with LEI...it needs to be remembered that the administration is done by LEI. If developments are not installed correctly, then the Town becomes responsible for the improvements. The Town Attorney still needs to put in writing his legal opinion.

Kent Anderson: Questions if Lee Haskell wants to hire another engineer for inspections on his development. That does not seem right to him. It is exclusive to not require the same thing for all developments. Whatever engineer the Town uses should be used for all inspections. Councilmember Anderson would like more time to consider this.

Lee Haskell: The Town has the option to upgrade the water system..if this offer is turned down, what will the Town Council say to citizens of Elk Ridge this summer when there is no water?

Cindi Ellis: Continued to express her concern that the contract is different than she thought it was when she voted for it.

Gary Bowen: Agrees with Councilmember Ellis that the excess bond money should be refunded to the developer. That was also his understanding of the contract with LEI. He does not feel 6% should be charged for inspections on the off-site improvements (water line).

Mayor: Proposes tabling the item for the time. It needs to be discussed in closed session. There will be a special Closed Work Session on Tuesday, April 18 or Monday, April 17, at 5:30-7:00 PM (The Mayor will contact Councilmember Motko.)

DAVE MERRILL/  
ELK RIDGE  
PICTURE

Dave Merrill: Elk Ridge resident...artist by trade.

Would like to paint a special picture of Elk Ridge, with elk in the picture. He has done some beautiful work. He submitted photos of some of his work to be reviewed.

ELK RIDGE TOWN COUNCIL MEETING - 4-11-00, CONT.

The Council was impressed with Mr. Merrill's work.

Proposal:

Do a print, promoted through Elk Ridge billing.

Production would cost \$1,200 - \$1,500. The prints could be sold at \$50/print. If the Town funded the production, then a limited edition could be done. The legalities need to be determined.

The Mayor and Dave Merrill are to get together and work out the proposal. (How much would Mr. Merrill get and how much would the Town be gaining as revenue? 60%/40%?)

This could possibly be ready for consideration by the date of the Closed Session on April 18. A regular session could follow.

WATER/SEWER  
DEPTS.

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Gary Bowen:

1) Lead Bends: About \$800 each to replace.

There have been calls from people in Town, all wanting theirs done first. This is not a simple issue to resolve. There are, perhaps 120 in Town. It is a mandate from the State Engineer to remove at least 20% per year (About \$16,000/year). Water tests are following the areas that have this problem. There is the danger of lead poisoning.

2) There are quite a few galvanized water lines in Town. These all need to be changed out. The bidding process in the past has not been acceptable.

Example: There was a project planned that was suppose to take \$8,000 (2 streets with the galvanized lines to be replaced.) One of the streets cost = about \$10,000. There are many problems attached to these projects. Water goes through these lines to other parts of Town. The lines also need to be replaced.

The bidding was off due to the directions given to Kent Haskell to determine the least expensive estimates possible for doing the job. The lines have to be upgraded to a larger size, the laterals need to be replaced, then there are all the lead bends to replace...(which were not planned for). The estimates were for the supplies...When the project gets underway, new and unexpected problems come up.

3) The well casing for the well on Oak Lane needs to be extended. The Town has been written up for this for a few years. Now, it has to be done by November, 2000. There are lines in the area...no one is quite sure where the old lines are. There are lines under Joan Durfey's property which need to be moved...about \$8,000 to move them. (& is there lead in the lines.?)



ELK RIDGE TOWN COUNCIL MEETING - 4-11-00, CONT.

- 4) Surface Water: Currently goes through the sewer dept.  
The Town needs another Enterprise Fund... Storm Drainage .  
(Check with the CPA for directions on how to set it up.)  
Could \$1.00 be taken from the current Sewer Service Fee and put  
to this Storm Drainage System ?
- 5) The Councilmembers are encouraged to inform themselves on  
the issues before the Public Hearing on water rates.

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Set Public Hearing:

**MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY  
KENT ANDERSON TO SET A PUBLIC HEARING TO CONSIDER  
A SEWERING ORDINANCE, FOR THE 25 OF APRIL, 2000, AT  
6:30 PM.**

**VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO.**

The motion was withdrawn due to no document being in a ready  
form. The Public Hearing will be set at the special meeting on  
4-18-00.

PARKS/  
PUBLIC SAFETY

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Cindi Ellis:

1) Lawn Mower: Mrs. Ellis did not have the information ready

2) Animal Control

Kennels is still a problem. The Attorney still needs to give  
an opinion on the newest agreement from the County.

Kennels are not addressed in the Agreement.

The Mayor and Sheriff Tracy Jones reviewed the proposed  
agreement.

OAK HILL  
ESTATES/  
PLAT B

---

Oak Hill Estates: Improvements for the development still have not  
been completed. Extensions have been granted. Mr. Yergensen  
will be considered in default . LEI Engineering should be contacted  
to do a final inspection to see what items have been completed. If  
in default, will 1<sup>st</sup> Security Bank allow the Town to withdraw money  
to complete the improvements? How accessible will the Ban  
Control Account they insisted upon be?

EXPENDITURES:

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**General:**

List of Expenditures for March, 2,000.

**MOTION WAS MADE BY MAYOR INGRAM AND SECONDED  
BY GARY BOWEN TO APPROVE THE LIST OF EXPENDITURES  
FOR MARCH, 2000**

**VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO**

ELK RIDGE TOWN COUNCIL MEETING - 4-11-00, CONT.

MINUTES

Town Council Minutes of 2-22-00:


**MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY  
GARY BOWEN TO APPROVE THE TOWN COUNCIL MINUTES  
OF 2-22-00 AS WRITTEN**

**VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO**

ADJOURNMENT

**MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY  
MAYOR INGRAM TO ADJOURN THE MEETING.**

**VOTE: YES (4) NO (0) ABSENT (1) JERRY MASON**

*Michael Motko* 

  
TOWN CLERK

## NOTICE & AGENDA

Notice is hereby given that the Town Council of Elk Ridge will hold a Special Town Council Meeting on Monday, April 17, 2000, at 5:30 PM. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

5:30 PM - TOWN COUNCIL CLOSED SESSION

Discussion of Personnel  
Strategy Session

6:30 PM - REGULAR TOWN COUNCIL MEETING

6:30 LEI Engineering  
6:40 Lee Haskell's Request for Engineering  
6:50 Dave Merrill/Painting Agreement  
6:55 Set Public Hearing/Sewering Ordinance  
7:00 Adjournment

\*Handicap Access, Upon Request. (48 Hours Notice)

The times which appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting.

Dated this 14<sup>th</sup> Day of April, 2000.

  
\_\_\_\_\_  
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, 145 E Utah Ave, Payson, Utah, and mailed to each member of the Governing Body on April 14, 2000.

  
\_\_\_\_\_  
Town Clerk

**ELK RIDGE  
TOWN COUNCIL MEETING  
April 17 2000**

**TIME & PLACE  
OF MEETING**

A Special Meeting of the Elk Ridge Town Council was held on Tuesday, April 17, 2000, with a Town Council Closed Session at 5:30 PM, followed by a regular Town Council Meeting at 6:30 PM. The meetings were 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, 145 E Utah Ave, Payson, UT, and to each member of the Governing Body by hand delivering a copy to each on April 24, 2000.

5:30 PM

**TOWN COUNCIL CLOSED SESSION**

**ROLL CALL**

*Mayor:* Cregg Ingram; *Town Council:* Gary Bowen (Mayor Pro tem), Cindi Ellis, Kent Anderson, & Michael Motko; *Town Attorney:* John Fueston.

**MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY  
CINDI ELLIS TO OPEN THE TOWN COUNCIL CLOSED SESSION  
VOTE: YES (5) NO (0)**

Discussion of Personnel  
Pending Litigation

**MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY  
GARY BOWEN TO CLOSE THE TOWN COUNCIL CLOSED  
SESSION  
VOTE: YES (5) NO (0)**

**ELK RIDGE  
TOWN COUNCIL MEETING  
April 17, 2000**

**TIME & PLACE  
OF MEETING**

A Special Meeting of the Elk Ridge Town Council was held on Tuesday, April 17, 2000, with a Town Council Closed Session at 5:30 PM, followed by a regular Town Council Meeting at 6:30 PM. The meetings were held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

ELK RIDGE TOWN COUNCIL MEETING - 4-17-00, CONT.

Notice of time, place and Agenda of this meeting was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to each member of the Governing Body by hand delivering a copy to each on April 24, 2000.

INVOCATION &  
PLEDGE OF  
ALLEGIANCE

Mayor Ingram offered the Invocation.

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AGENDA TIME  
FRAME

**MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY  
MICHAEL MOTKO TO ADJUST THE AGENDA TIME FRAME BY  
30 MINUTES AND TO MOVE THE DAVE MERRILL ITEM TO THE  
FRONT OF THE AGENDA**

**VOTE: YES (5)**

**NO (0)**

DAVE MERRILL/  
PAINTING  
AGREEMENT

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Mr. Merrill is an artist and a resident of Elk Ridge. He has proposed to the Town Council to paint a picture of some elk in a setting depicting Elk Ridge, for the Town. It could be a limited edition and the Town could sell the signed prints for a profit and a portion would go back to Mr. Merrill. Mr. Merrill was present to discuss his proposal.

Discussion.

The legal advisor for the Town advised against entering into any private enterprise agreement. There will be a \$3,000 expense. Would there be a possibility of a resident financing the project?

Kent Anderson: Couldn't the Town Council just commission Mr. Merrill to do the painting for \$3,000 and still have the \$60/40 split? According to the Attorney's advise, this would be possible.

Mr. Merrill: If commissioned to do a painting, it would be for about \$5,000. If that were the case, then the Town would own the painting. (Suggestion: There could be a donation or proceeds that could come back to the Town.)

Mayor Ingram: That John Fueston review Mr. Merrill's proposal and make a recommendation on how best to proceed, legally. The issue is private enterprise mixed with a government body. The Mayor will try to have the information back to Mr. Merrill by the next Town Council Meeting.

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ELK RIDGE TOWN COUNCIL MEETING - 4-17-00, CONT.

LEI  
ENGINEERING

Considering what was discussed in Closed Session, it was the Mayor's recommendation to cancel the contract with LEI Engineering, based on the advise of the Town Attorney.

**MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY CINDI ELLIS TO CANCEL THE TOWN'S CONTRACT/AGREEMENT WITH LEI ENGINEERING, BASED ON THE TOWN ATTORNEY'S LEGAL OPINION THAT IT MAY BE A DUE PROCESS VIOLATION (14<sup>TH</sup> AMENDMENT) AND THAT IT WOULD NOT BE DEFENSIBLE IN A COURT OF LAW**

**VOTE: YES (5) NO (0)**

The Mayor is to go and talk to LEI Engineering on the following day (4-18-00) to discuss the Council Meeting with them. They will be asked to continue on, on a per-hour basis, using their hourly rates, to finish the four current development projects...much as they are charging Hamid Mortezaadeh.

Gary Bowen: The Town can refuse to start the durability retainer until all engineering fees are paid.

**MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY CINDI ELLIS TO ISSUE AN R.F.B. (REQUEST FOR BID) FOR AN EXCLUSIVE ENGINEERING CONTRACT, BASED ON A COMMITTED BOND WITH THE TOWN FOR 7%, ALONG WITH SHOWING SERVICES AS PER THE TOWN DEVELOPMENT CODE AND ORDINANCES, WITH A BREAKDOWN OF OVERHEAD, ADMINISTRATIVE COSTS AND PROFIT. THIS EXCLUSIVE R.F.B. WILL BE BASED ON BEST VALUE**

Discussion:

Kent Anderson: Questioned the 7% rather than 6%. (The 7% represents the bonded amount..the unused amount would be refunded. This is the amount bonded for in Santaquin, with the inspections billed for on a monthly basis.)

Cindi Ellis: Does the bond insure that the Town will be protected in case the developer does not pay the engineering bill?

Gary Bowen: Suggested that the contract include a directive that the engineering bill be settled every month.

If the developer goes into default, the Town would then take over the project and use the bonded money for construction to finish the development.

Cindi Ellis: That still would not ensure that the engineer would be paid.



ELK RIDGE TOWN COUNCIL MEETING - 4-17-00, CONT.

Kent Anderson: Referred back to the motion...why 7% bonding rather than 5% bonding for the engineering?

**THE MOTION WAS AMENDED BY MICHAEL MOTKO AND SECONDED BY CINDI ELLIS TO REQUIRE THAT THE BOND POSTED WITH THE TOWN, BY THE DEVELOPER, BE AT 5% OF THE CONSTRUCTION AMOUNT FOR THE DEVELOPMENT, RATHER THAN AT THE STATED 7%.**

**VOTE ON THE AMENDED MOTION: YES (5) NO (0)**

**VOTE ON THE ORIGINAL MOTION: YES (1) NO (4)**

**MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY MICHAEL MOTKO TO CONTACT LEI ENGINEERING TO SEE IF THEY WOULD CONTINUE ENGINEERING SERVICES FOR THE FOUR CURRENT DEVELOPMENTS (K&C SUBDIVISION, LOAFER RIDGE SUBDIVISION, ELK RIDGE HEIGHTS & HASKELL, PLAT G) ON A PER-HOUR BASIS UNTIL THE TOWN CAN WRITE AN R.F.B. AND DETERMINE A REPLACEMENT.**

**VOTE: YES (5) NO (0)**

LEE HASKELL  
REQUEST/  
ENGINEERING

**MOTION WAS MADE BY CINDI ELLIS TO DENY THE REQUEST MADE BY LEE HASKELL TO USE A DIFFERENT ENGINEERING FIRM...**

**THE MOTION WAS WITHDRAWN**


**MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY CINDI ELLIS TO DENY LEE HASKELL'S REQUEST FOR SPECIFIC ENGINEERING INSPECTIONS AND, WITH LEI ENGINEERING'S APPROVAL, THEY WILL REMAIN AS THE INSPECTING ENGINEERS FOR HASKELL SUBDIVISION, PLAT G. IF LEI ENGINEERING DOES NOT ACCEPT THE PROPOSAL, THEN A SUITABLE ENGINEERING FIRM WILL BE SELECTED BY THE TOWN COUNCIL.**

**VOTE: YES (5) NO (0)**

SET PUBLIC  
HEARING/  
SEWERING  
ORD.

**MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY MICHAEL MOTKO TO SET A PUBLIC HEARING TO CONSIDER A SEWERING ORDINANCE ON MAY 9, 2000, AT 6:00 PM.**

**VOTE: YES (5) NO (0)**

  
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, April 25, 2000. at 7:30 PM; it will be preceded by two Public Hearings, the first at 6:00 p.m. is concerning an Ordinance amending the Elk Ridge Town Zoning Ordinance, Section 10-5-2.2, 10-5-2.3, 10-5-4.2, 10-5-4.3, 10-5-6.2, 10-5-6.3, 10-5-8.2, 10-5-8.3, regarding Churches, the second hearing at 6:16 p.m. is concerning an ordinance amending the Elk Ridge Zoning Ordinance, Section 10-7-6.3 (4)C, regulating sewerage in subdivisions, and the third at 6:30 p.m. for the purpose of discussion and comments on the Elk Ridge Water System and User Fees. The meetings will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

6:00 - PM     **PUBLIC HEARING - ORDINANCE AMENDING THE ELK RIDGE TOWN ZONING ORDINANCE, SECTIONS 10-5-2.2, 10-5-2.3, 10-5-4.2, 10-5-4.3, 10-5-6.2, 10-5-6.3, 10-5-8.2, 10-5-8.3, REGARDING CHURCHES**

6:15 - PM     **TOWN COUNCIL WORK SESSION**

Water & Sewer  
Frontages & Set-backs  
Preliminary Plat Approvals

6:30 - PM     **PUBLIC HEARING FOR THE PURPOSE OF DISCUSSION AND COMMENTS ON PROPOSED ELK RIDGE WATER SYSTEM USER FEES**

7:30 P.M. -   **REGULAR COUNCIL MEETING AGENDA ITEMS:**

Invocation and Pledge of Allegiance

7:32    Approval of Agenda Time Frame

7:35    Youth Council Report

7:40    Water and Sewer - Gary Bowen

Water Board Approval

Discussion/Possible Adoption of Proposed Elk Ridge Water System User Fees

Discussion on Septic Tanks

8:00    Planning & Zoning - Mike Motko

Adoption of Ordinance Amending the Elk Ridge Town Zoning Ordinance, Section 10-5-2.2, 10-5-2.3, 10-5-4.2, 10-5-4.3, 10-5-6.2, 10-5-6.3, 10-5-8.2, 10-5-8.3, regarding Churches.

Engineering Contract Status

Engineering Contract RFP content

AD-Hoc Committee Update

Building Inspection Proposals

Set Public Hearing on Sewering Ordinance

Ordinance Enforcement - Gary Bowen

8:30    Roads - Kent Anderson

Projected Projects

Extending Salem Hills Drive

Elk Ridge Town Council Meeting - 4-25-00

- 8:35 Parks and Public Safety - Cindi Ellis  
Recreation Committee  
Lawn Mower
- 8:45 Expenditures  
North Well Repair  
General
- 8:50 Administration - Mayor  
Budget Discussion/Capital Improvement Plan  
Budget Annual Update of Town Maps
- 9:20 Approval of Previous Meeting Minutes
- 9:25 Adjournment

\*Handicap Access, Upon Request. (48 Hours Notice)

The times which appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting.

Dated this 24<sup>th</sup> Day of April, 2000.

  
\_\_\_\_\_  
Mayor

CERTIFICATION

I, the undersigned, Mayor or the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice of Agenda was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and hand delivered to each member of the Governing Body on April 24, 2000.

  
\_\_\_\_\_  
Mayor

**ELK RIDGE  
TOWN COUNCIL MEETING  
April 25, 2000**

**TIME & PLACE  
OF MEETING**

The regular Meeting of the Elk Ridge Town Council was held on Tuesday, April 25, 2000, at 7:30 PM. It was preceded by two Public Hearings: the first, at 6:00 PM, was concerning an Ordinance amending the Elk Ridge Town Zoning Ordinance, Sections 10-5-2.2, 10-5-2.3, 10-5-4.2, 10-5-4.3, 10-5-6.2, 10-5-6.3, 10-5-8.2, 10-5-8.3, regarding Churches. The second public hearing at 6:30 PM was on an Ordinance amending the Elk Ridge Zoning Ordinance, Section 10-7-6.3 (4) C, regulating sewerage in subdivisions; the Town Council Work Session was held at 6:15 PM.

Notice of time, place and Agenda of this meeting was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to each member of the Governing Body by hand delivering a copy to each on April 24, 2000.

6:00 PM

**PUBLIC HEARING/ORDINANCE REGARDING CHURCHES**

ROLL CALL

*Mayor:* Cregg Ingram; *Town Council:* Gary Bowen, Cindi Ellis, Michael Motko, (absent-Kent Anderson); *Administrative Asst.:* Ernestine Folks; *Public:* Kenneth W. Baguley, Paul Eddy, Henry C. & Jeanne Adovnik, Tim Leach, Forrest Darling, Brent Bluth, Chad Christensen, Kent Burton, Robert L. Siemer, Tony Searle, Michael Brockbank, Cullen Brimhall, Joan Durfey, Hal Shuler, David Salcido, Trina Brinkerhoff, Jon Argyle, Lisa Cox, Glen Gabler, Kamile K. Peterson; and *Town Clerk:* Janice H. Davis

**MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY CINDI ELLIS TO OPEN THE PUBLIC HEARING ON AN ORDINANCE AMENDING THE ELK RIDGE TOWN ZONING ORDINANCE, SECTIONS 10-5-2.2, 10-5-2.3, 10-5-4.2, 10-5-4.3, 10-5-6.2, 10-5-6.3, 10-5-8.2, 10-5-8.3, REGARDING CHURCHES, PROVIDING FOR CODIFICATION, INCLUSION IN CODE, AND SCRIVENER'S ERRORS, PROVIDING FOR SEVERABILITY, AND PROVIDING AND EFFECTIVE DATE.**

**VOTE: YES (3)      NO (0)      ABSENT (2) MICHAEL MOTKO  
KENT ANDERSON**

Mayor Ingram: This Ordinance allows Churches as a conditional use, rather than as a permitted use, in residential zones.

ELK RIDGE TOWN PUBLIC HEARING - 4-25-00, CONT.

There was no discussion on the proposed Ordinance.

**MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY CINDI ELLIS TO CLOSE THE PUBLIC HEARING ON THE PROPOSED ORDINANCE REGARDING CHURCHES**

**VOTE: YES (4) NO (0) ABSENT (1) KENT ANDERSON**

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**TOWN COUNCIL WORK SESSION**

ROLL CALL

*Mayor:* Cregg Ingram; *Town Council:* Gary Bowen, Cindi Ellis, Michael Motko, (absent-Kent Anderson); *Administrative Asst.:* Ernestine Folks; *Public:* Kenneth W. Baguley, Paul Eddy, Henry C. & Jeanne Adovnik, Tim Leach, Forrest Darling, Brent Bluth, Chad Christensen, Kent Burton, Robert L. Siemer, Tony Searle, Michael Brockbank, Cullen Brimhall, Joan Durfey, Hal Shuler, David Salcido, Trina Brinkerhoff, Jon Argyle, Lisa Cox, Glen Gabler, Kamile K. Peterson; and *Town Clerk:* Janice H. Davis

NON-AGENDA  
ITEMS

Mayor Ingram:

(Hall Engineering Payment)

Don Mecham paid the last of the carry-over billing from Hall Engineering. He paid it to the Town and the Town will pay Hall Engineering.

(Recreation Program)

Salem City has invited Elk Ridge to participate in their recreation programs. A Coalition Committee has been formed between Salem, Elk Ridge and Woodland Hills that will look into recreation programs. Elk Ridge has a Committee headed up by Rhonda Salcido.

Tennis lessons will be offered in Town. The Mayor said that his wife, Jo Anne Ingram, would be willing to organize the tennis program. Cindi Ellis is to contact her.

FRONTAGES &  
SET-BACKS

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Gary Bowen: Proposes the issue be sent to the Planning Commission: Issue: Exception to frontage requirements. Example: If property owners want to split an acre lot, it might not be possible if both newly-created lots were to meet the frontage and set-back requirements. Currently, the frontage requirement is 100 ft. (1/3 acre) The side set-backs for a home are 10' on one side and 14' on the other side, with 30' for front and back set-backs. If an exception were to be made for the frontage requirements, exceptions to the set-backs should also be considered.

Councilmember Bowen suggested that the Planning Commission look



ELK RIDGE TOWN COUNCIL WORK SESSION - 4-25-00, CONT.

into the matter and give the Town Council a recommendation.

Councilmember Bowen feels that larger lots use more water.

Ernestine Folks: Feels that water conservation should be addressed, Town-wide.

Gary Bowen: In checking with Provo & Orem, there are frontages down to 80', with houses up to 3,000 sq. Ft. on those lots.

Question: If the intent in the Zones is to keep the houses farther apart, wouldn't this increase the density? (Not necessarily)

The Council is in agreement that the Planning Commission should consider the issue. Councilmember Ellis is not in favor of increasing density, however.

PRELIMINARY  
PLAT  
APPROVALS

Michael Motko: Issue: Currently, the Planning Commission grants Preliminary Approval; by so doing, once the Preliminary is granted, Final Approval for a proposed subdivision is pretty much assured. Councilmember Motko went on to say that this gives the Planning Commission power to grant Approvals, where it should rest with the Council. The Planning Commission should be recommending to the Town Council. The wording states that the Planning Commission will approve , which removes the Council's legislative/administrative responsibilities.

Mayor Ingram: One of the issues is vesting . If vesting occurs after Preliminary Approval, then the proposed subdivision comes before the Council; if the Council finds something wrong, there is very little that the Council can do about it at that point.

Councilmember Motko will follow up with Utah League of Cities & Towns.

NOTE:

**(The noticed Town Council Agenda had a Public Hearing scheduled at 6:15 PM on an Ordinance which would regulate sewerage in Elk Ridge; this was canceled and rescheduled.)**

6:30 PM

**PUBLIC HEARING/PROPOSED ELK RIDGE WATER USER FEES**

ROLL CALL

*Mayor*: Cregg Ingram; *Town Council*: Gary Bowen, Cindi Ellis, Michael Motko, (absent-Kent Anderson); *Administrative Asst.*: Ernestine Folks; *Public*: Kenneth W. Baguley, Paul Eddy, Henry C. & Jeanne Adovnik, Tim Leach, Forrest Darling, Brent Bluth, Chad Christensen, Kent Burton, Robert L. Siemer, Tony Searle, Michael Brockbank, Cullen Brimhall, Joan Durfey, Hal Shuler, David Salcido, Trina Brinkerhoff, Jon Argyle, Lisa Cox, Glen Gabler, Kamile K. Peterson; and *Town Clerk*: Janice H. Davis

ELK RIDGE TOWN COUNCIL PUBLIC HEARING - 4-25-00, CONT.

**MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY  
MICHAEL MOTKO TO OPEN THE PUBLIC HEARING FOR THE  
PURPOSE OF DISCUSSION AND COMMENT ON PROPOSED  
ELK RIDGE WATER SYSTEM USER FEES**

**VOTE: YES (4) NO (0) ABSENT (1) KENT ANDERSON**

Mayor Ingram: Brief review of issues and laid the parameters and rules of the Public Hearing. The time would be controlled by the Mayor. A slide presentation of about 20 minutes was to go ahead of any public comments. Each person wanting to make any comment would be allowed 3 minutes to make statements; after which there would be a time for questions/answers. The time was turned over to Councilmember Gary Bowen:

Gary Bowen:

(There was a hand-out available for the public which followed the slide presentation)

**Why consider rate increases?**

1. Revenues do not meet expenses

The Enterprise Funds (Water/Sewer Depts.) Should show a 3% -10% return on the users' investment. The Water Dept. is losing money from year to year, rather than showing a gradual increase. In about 7 years, the Water Dept. would be operating in the red .

2. Out of compliance with law

125% of water money resource (Operating Revenue over Operating Expenditures) must be maintained to cover existing bond payments. The Town falls short annually by about \$3,800 to \$4,200. The Town has been written up on this by the State for about the last 4 or 5 years.

**Why such high rates in Elk Ridge? (Compared to other cities)**

1. All Elk Ridge's water is pumped

Salem only pumps in the summer

Payson has secondary water

It is not good to compare...not a fair comparison.

**Future Development**

Improve existing well capacity

Acquire new well(s) above Town

A) Bond for

B) Developer impact fees

Negotiate:

A) with CUP (secondary water)

B) with Payson (secondary water) springs

Improve Storm Drainage System

ELK RIDGE TOWN COUNCIL PUBLIC HEARING - 4-25-00, CONT.

Tax Revenue cannot cover the maintenance, repair and development of the Water, Sewer and Storm Drainage Systems.

**Expenses (Water):**

Existing

- A) Current repair & maintenance
- B) Replace old water lines (Galvanized & undersized)
- C) Rerouting lines to increase efficiency
- D) Repair North Well (High line)

Needed

- A) Well casing - Oak Lane well (Law)
- B) Replace 2" with 6" lines
- C) 11 fire hydrants replaced to meet Code
- D) 5 fire hydrants installed to meet Code  
(4" lines feeding 6" hydrants)
- E) Increase water capacity now!

Unexpected

- A) Lead bends replacement
- B) Broken water lines
- C) When replacing old lines, new & unexpected costs are revealed (i.e. lead bends, meters, back-flow preventers)

Projected

- A) Increased water line efficiency
  - Replace lines
  - Abandoning lines
  - Changing lines to larger size (6" to 8", 8" to 10", etc.)
- B) Water meter reading and billing
  - Current method to automated system

**Projected Costs:**

Existing Projects.....	\$22,000
(Astor Lane & Highland Cr.)	
Needed.....	\$69,000
(Well casing, hydrants, well improvement)	
Unexpected.....	\$100,000
(Lead bends, broken lines, back-flow preventors)	
Projected.....	\$30,000
(Meter reading, line improvement)	
Total.....	\$221,000

**Added Concerns with Current Water System:**

Approved 565 lots with water (400 of which have homes)  
Each approved lot is allocated 1 acre ft. (325,829 gals.) per year or 1.3 acre ft. (435,000 gals.) = about 35,000 gals. A month per lot  
Present system (wells & storage) fully functional will accommodate 50,000 gals./month per lot

**Current Water Use & Concerns:**

Average per home (400 homes) in 1999 was 58,000 gals.  
12 homes used over 200,000 gals. for some months  
If all 565 approved lots were using 50,000 gals., the Town's system would be at capacity.

**What is Proposed:**

Correct the declining percentage between revenues & expenditures  
Take care of existing, needed, unexpected & projected costs  
\$221,000  
Increase water source & capacity...now!

**Proposed Rate Increases for Water:**

\$20 - \$25 (Base rate for 12,000 gals.)  
A) Would put us into compliance with bond payment requirements  
B) Would be used toward \$221,000 needed for projects  
High use water users rates (To encourage water conservation & help pay for projects)  
A) Over: 12,000 to 50,000 gals. = \$1.35 per 1,000 gals.  
B) Over: 50,000 & up = \$1.75 per 1,000 gals.

**Storm Drainage:**

No system in place to pay for storm drainage  
Our Sewer rates appear adequate  
Use \$1.00 from current Sewer rates & apply to a new Storm Drainage account for development & improvements

**Public Comment:**

Jon Argyle: Is not opposed to the increase. His comment the last time the rates were raised were the same as now: Why weren't the rates raised enough to take care of the problems before? Is the increase enough to cover the current problems?

(Cindi Ellis: Some of the current problems had not surfaced 5 years ago.)

ELK RIDGE TOWN COUNCIL PUBLIC HEARING - 4-25-00, CONT.

Ken Baguley: Encouraged educating the public toward water conservation.

Paul Eddy:

1) If the proposed Mecham Annexation is approved and the land developed, there are springs which could be developed and made use of by Elk Ridge.

(Mayor Ingram: Assured those present that conversations were already under-way with Mr. Mecham. In fact, there is an Ad hoc Committee assigned to gather information and issue a report on the proposed annexation.)

2) CUP Water: The water would have to be pumped up to the Town? (Not only would the water have to be pumped up to the Town; but, an entire secondary system would have to be installed, which would be very costly.)

Kent Burton: Questioned whether all water rates are the same.

(Yes. The Churches in Town have to bring in extra water rights; so, this allows them more water usage.)

Also questioned if there may be leakage from the old galvanized lines. As those lines are replaced, there would be increased capacity in the lines.

Kamile Peterson: If there were help with the needed facilities from developers, that still would not give the Town the necessary revenue to fix and repair the existing system...correct?

(Correct. Operating costs must be covered by Operating Revenue.)

Joan Durfey: Is the Town expecting to acquire added revenue from some of the Trails plans?

(That would be revenue coming into the General Fund...this could not be used by the Water Dept. Funds cannot be mixed.)

Forrest Darling: Could there be a loan from one Dept. to another?

Can money be used from the Sewer Dept. to go into Storm Drainage, legally?

(Yes, it's being done that way now. It can be done through a loan plus interest from one Dept. to another. It would also have to go through a public hearing.)

Wanted to know about the faulty patch in the casing of the lower well.

(Councilmember Bowen addressed the issue: The Town has a bid from a company to come back in and guarantee correction of the patch.)

Another question: Why the drill bit on the upper Loafer Well was left in the well? Why wasn't the driller required to correct the problem?

ELK RIDGE TOWN COUNCIL PUBLIC HEARING - 4-25-00, CONT.

(The driller came before the Council and presented options:

1. Re-drill another hole in a different place. There would have been a risk in not hitting the same fracturing in the rock to get the amount of water that was hit in the first hole.

2. Try to get the bit out and continue on with the hole where it is;

(The driller had already tried to remove the bit) or,

3. Leave the bit where it is and finish the well with the bit in place.

The depth where the bit broke off had a great aquifer and would provide a great well.

The Council wanted the driller to try to remove the bit; but, if that failed, the Engineer's suggestion was to use the well as is at the depth reached, rather than chance not hitting the same aquifer.

Having the bit out would not increase the flow from the well; it would have just made it possible to go deeper...with no guarantee of a greater amount of water.)

Hal Shuler: (Was on the Council at the time.) Commented that , at the time, the Town was much smaller and the Council felt they were making the best decision for the Town

Jeanie Adovnik: 1) What are impact fees used for? 2) Will the raise in the base rate be enough to cover the projected costs?

(Impact fees fund the development of new facilities.)

Brent Bluth:

1. Feels that an automated Meter reading system is premature for Elk Ridge.

2. Has an allocation been done from impact fees to cover the Town's debt. service for the new water tank and the new well?

3. Declining revenue projection:

A) Was the decrease in debt. service taken into consideration?

B) In figuring revenue, decreasing expenditures is always better than increasing revenue.

4. The Sewer Fund can loan the Water Fund money at no interest.

(It must be kept in mind that major Sewer Projects are projected.)

5. Will another public hearing be held prior to the adoption of new water rates? (Yes)

Lisa Cox:

Questioned whether having the drill bit in the well is dangerous to health; what is it made of? (No, it is made of diamond)

Why not CUP water? (A whole secondary system would be required; but, the Town is considering this as an option for the future.



ELK RIDGE TOWN COUNCIL PUBLIC HEARING - 4-25-00, CONT.

Joan Durfey: Is raising water rates the only place increased revenue in the Water Dept. can come from? Would a moratorium against further development help?

(Cindi Ellis: It isn't new development that is the problem, it is fixing current problems.)

Gary Bowen: Along with new development comes improvements to the Town...but, impact fees cannot be used for repairing existing problems.)

Henry Adovnik: Questioned the current policy of purchasing extra water rights at the time of building. If the price of water rights goes up, would that cause water rates to the residents to go up?

(Water rights has nothing to do with the price of water service.)

Ernestine Folks: Concerned with the idea of taking money from the Sewer Dept. to fund the Storm Drainage System. A Storm Drainage Fee is needed. The Sewer has some large projects coming up. She feels that a realistic look of the next five years and what the Town hopes to accomplish is needed.

Mayor: Expressed appreciation for the attendance and participation. A decision would not be made that night. The Council will take time to consider the views expressed and to check with the Utah League of Cities & Towns in assessing water rates. There will be another public hearing prior to making any decision.

**MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY CINDI ELLIS TO CLOSE THE PUBLIC HEARING ON THE PROPOSED WATER RATE INCREASE**

**VOTE: YES (4) NO (0) ABSENT (1) KENT ANDERSON**

**ELK RIDGE  
TOWN COUNCIL MEETING  
April 25, 2000**

TIME & PLACE OF MEETING	<p>The regular Meeting of the Elk Ridge Town Council was held on <u>Tuesday, April 25, 2000, at 7:30 PM.</u> It was preceded by two Public Hearings: the first, at 6:00 PM, was concerning an Ordinance amending the Elk Ridge Town Zoning Ordinance, Sections 10-5-2.2, 10-5-2.3, 10-5-4.2, 10-5-4.3, 10-5-6.2, 10-5-6.3, 10-5-8.2, 10-5-8.3, regarding Churches. The second hearing at 6:30 PM was on an Ordinance amending the Elk Ridge Zoning Ordinance, Section 10-7-6.3 (4) C, regulating sewerage in subdivisions; the Town Council Work Session was held at 6:15 PM.</p> <p>Notice of time, place and Agenda of this meeting was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to each member of the Governing Body by hand delivering a copy to each on April 24, 2000.</p>
ROLL CALL	<p><i>Mayor:</i> Cregg Ingram; <i>Town Council:</i> Gary Bowen, Cindi Ellis, Michael Motko, (absent-Kent Anderson); <i>Administrative Asst.:</i> Ernestine Folks; <i>Public:</i> Kenneth W. Baguley, Paul Eddy, Henry C. &amp; Jeanne Adovnik, Tim Leach, Forrest Darling, Brent Bluth, Chad Christensen, Kent Burton, Robert L. Siemer, Tony Searle, Michael Brockbank, Cullen Brimhall, Joan Durfey, Hal Shuler, David Salcido, Trina Brinkerhoff, Jon Argyle, Lisa Cox, Glen Gabler, Kamile K. Peterson; and <i>Town Clerk:</i> Janice H. Davis</p>
INVOCATION & PLEDGE OF ALLEGIANCE	<p>Gary Bowen offered the Invocation.</p> <p>_____</p>
AGENDA TIME FRAME	<p><b>MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY MICHAEL MOTKO TO APPROVE THE AGENDA TIME FRAME AND TO ADJUST THE TIME FRAME BY 15 MINUTES VOTE: YES (4)      NO (0)      ABSENT (1) KENT ANDERSON</b></p>
YOUTH COUNCIL REPORT	<p>Youth Council did not meet...no report.</p>
WATER/SEWER	<p>_____ <u>Gary Bowen:</u> Introduced the Water Board for approval: Hal Shuler, Henry Adovnik, Robert Siemer, Chad Christensen &amp; Glen Gabler (Chair); with Kent Haskell as Advisor.</p>

ELK RIDGE TOWN COUNCIL MEETING - 4-25-00, CONT.

The Water Board is to take the information from the Public Hearing and create a plan for the Town.

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY MICHAEL MOTKO TO APPROVE THE WATER BOARD AS LISTED**

**VOTE: YES (4) NO (0) ABSENT (1) KENT ANDERSON**

SEPTIC TANKS

Gary Bowen: Due to Well Head Protection, it is a requirement that a Sewering Ordinance be in place, which will disallow septic tanks.

PLANNING &  
ZONING

**1. Ordinance on Churches/Adoption:**

This Proposed Ordinance allows Churches as a Conditional Use rather than as a Permitted Use .

**MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY GARY BOWEN TO ADOPT AN ORDINANCE AMENDING THE ELK RIDGE TOWN ZONING ORDINANCE, SECTIONS 10-5-2.2, 10-5-2.3, 10-5-4.2, 10-5-4.3, 10-5-6.2, 10-5-6.3, 10-5-8.2, 10-5-8.3, REGARDING CHURCHES, PROVIDING FOR CODIFICATION, INCLUSION IN CODE, SCRIVENER'S ERRORS, PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE VOTE (POLL): GARY BOWEN-AYE, MICHAEL MOTKO-AYE, CINDI ELLIS-AYE, MAYOR INGRAM-AYE ABSENT (1) KENT ANDERSON PASSES 4-0**

**2. Engineering Contract Status:**

The Mayor placed in the Councilmembers' packets a draft of the RFP (Request for Proposals) for Engineering firms and proposals from Building Inspectors to be considered. He would like the Councilmembers' opinions and feed-back on both. He suggested a Closed Session at the next Town Council Meeting, to discuss these proposals. Meanwhile, LEI will continue to serve the Town on the four current development projects.

**3. Ad hoc Committee Update:**

Michael Motko: (RE: Proposed Mecham Annexation/Development) The Committee is in the process of compiling the information which has been gathered. The Committee will meet in a working session the next evening (4-26-00) and give the information to Councilmember Motko (as Chairman of the Committee). He will have a report ready to present to the Town Council by 5-23-00, then it will be presented to the Planning Commission.

ELK RIDGE TOWN COUNCIL MEETING - 4-25-00, CONT.

**4. Set Public Hearing on Sewering Ordinance:**

Even though the Public Hearing was already set, (the Town Clerk was not at the Town Council Meeting because of her attendance at the Spring Records' Conference) and the request for publication would not have allowed ample time for the required notice. The Public Hearing has to be re-set:

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO RE-SET THE PUBLIC HEARING FOR AN ORDINANCE REGULATING SEPTIC TANKS AND SEWERING IN ELK RIDGE FOR 5-23-00, AT 6:00 PM**

**VOTE: YES (4) NO (0) ABSENT (1) KENT ANDERSON**

**5. Ordinance Enforcement:**

Gary Bowen:

A) RE: Nuisance Ordinance Violation: A shed (accessory building) is under construction on Alpine Dr. It is being built right on the property line. There is no permit issued on the building because it is under the square footage which requires a permit (120 sq. Ft.). This is a permanent structure, not movable, and the Ordinance states that it should be at least 5' from the property line. The Building Inspector has seen it and wants to know if the Council will back him if the Ordinance is enforced.

Mayor: Suggested speaking to the owner and informing him of the violation to see if compliance will be voluntary. It should be followed up on immediately. Why didn't the Inspector bring the issue up earlier?

B) Unlicensed vehicles are not allowed in Town unless housed. There are more than a few violations in Town which need to be addressed. One of the violators has been notified and the time has lapsed to come into compliance. The next step is to notify the Town's Attorney to file charges.

C) Michael Motko: Reported that he has heard gun shots going off in the middle of the night...he felt that they were much too close to occupied residences. He has noticed it twice in the last seven days. He wants it noted, for the record.

ROADS

Mayor Ingram: The Mayor would like the Council to consider the idea of extending East Salem Hills Drive to West Salem Hills Drive, to accommodate buses. The Mayor will have Councilmember Anderson gather information on this idea and bring it back to the Council.

ELK RIDGE TOWN COUNCIL MEETING - 4-25-00, CONT.

PARKS/PUBLIC  
SAFETY

Mayor: Reports that the Town's Recreation Director (Rhonda Salcido) has submitted names of people heading up programs. Mrs. Salcido requested funding from the Council:  
There are 5 T-Ball teams in Elk Ridge (58 children).  
These children are from grades 1<sup>st</sup> - 6<sup>th</sup> grades. There is also a team being formulated for 7<sup>th</sup>, 8<sup>th</sup> & 9<sup>th</sup> graders.  
Equipment is needed:  
T-Ball teams (5): About \$125 per team (including: 5 hard hats, 2 bats, 2 balls, a chest-protector, a face mask with a throat guard and shin guards for the catcher)  
Older Teams: About \$200 per team  
Currently, there is \$400 in donations  
The teams meet from 4:30 - 5:30 PM (Monday - Thursday)  
**MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY CINDI ELLIS TO ALLOCATE \$900 TOWARD T-BALL AND YOUTH BASEBALL, TO BE DRAWN FROM VOLUNTEER PROJECTS IN THE BUDGET.**  
**VOTE: YES (4) NO (0) ABSENT (1) KENT ANDERSON**  
Mrs. Salcido also asked that a couple of large holes on the field be filled up? (The Mayor will take care of this.)  
There was a question on what kind of food could be sold at the games. (Wrapped foods may be best.)

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**Trails Committee:**

Cindi Ellis: Currently the Committee is made up of:  
Cindi Ellis, Jerry Thune, Lesley Johnson & Darrell Hodges. They are to meet on the 3<sup>rd</sup> Tuesdays of the month, at 8:00 PM.  
Mountainlands Association of Govnts. (MAG) will help get the program going and offer guidance to the Committee.

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**Lawn Mower:** There are no costs to approve, yet.

EXPENDITURES:

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**General:**

1. North Well Repair: (Gary Bowen) The repair will cost from \$13,000 to \$15,000 to repair. It may be possible to have Lee Haskell front the money and be paid back from impact fees from Haskell, Plat G. Councilmember Bowen will work with Mr. Haskell and come back to the Council with a proposal.  
Michael Motko: Concerned that the proposal not become a barter tool.

ELK RIDGE TOWN COUNCIL MEETING - 4-25-00, CONT.

ADMINISTRATION Mayor:

**Budget Discussion:** All updates to the Capital Improvement Plan are needed from the Dept. Heads as soon as they can get them. The Tentative Budget is to be presented at the first Town Council Meeting in May.

The Planning Commission has suggested that money be budgeted for the annual updating of Town maps.

The Mayor will follow up with LEI Engineering for a cost estimate.

MINUTES

Town Council Minutes for 4-17-00:

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY MICHAEL MOTKO TO APPROVE THE TOWN COUNCIL MINUTES OF 4-17-00**

**VOTE: YES (4) NO (0) ABSENT (1) KENT ANDERSON**

ADJOURNMENT

**MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY CINDI ELLIS TO ADJOURN THE MEETING**

**VOTE: YES (4) NO (0) ABSENT (1) KENT ANDERSON**

  
TOWN CLERK