

NOTICE & AGENDA

Notice is hereby given that the City Council of Elk Ridge will hold a regular City Council Meeting on **Tuesday, January 9, 2001, at 7:00 PM**; it will be preceded by **Four Public Hearings** for the purpose of hearing public comment on the following: The **first Public Hearing, at 6:00 PM**, is to consider an Ordinance dealing with the establishment and operation of a Board of Adjustments; the **second Public Hearing, at 6:10 PM**, is on an Ordinance amending certain provisions in the Development Code of Elk Ridge, Utah, relating to the conveyance of water rights; the **third Public Hearing, beginning at 6:15 PM**, is on an Ordinance amending the Elk Ridge Zoning Ordinance, chapter 10-5 and section 10-3-3.5, regulating Accessory Buildings; and the **forth Public Hearing, at 6:20 PM**, is regarding an Ordinance amending the Elk Ridge Subdivision Ordinance, section 10-7-3.9, regulating the Final Plat expiration period by the Planning Commission. The Public Hearings will be followed by the **Council Work Session at 6:30 PM and a City Council Closed Session will follow at 6:45 PM**. The meetings will be held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

6:00 PM PUBLIC HEARING/ORDINANCE-BOARD OF ADJUSTMENTS

An Ordinance revising existing provisions relating to the establishment and operation of the Board of Adjustments of the City of Elk Ridge, Utah; setting forth their duties and powers and repealing ordinances in conflict herewith; and providing an effective date

6:10 PM PUBLIC HEARING/ORDINANCE-CONVEYANCE OF WATER RIGHTS

An Ordinance amending certain provisions in the Development Code of Elk Ridge, Utah, relating to the Conveyance of Water Rights; and providing for the adoption and administration of this Ordinance

6:15 PM PUBLIC HEARING/ORDINANCE-REGULATING ACCESSORY BUILDINGS

An Ordinance amending Elk Ridge City Zoning Ordinance, Chapter 10-5 and Section 10-3-3.5, regulating Accessory Buildings, providing for codification, inclusion in the Code, and Scrivener's errors. Providing for severability and providing an effective date

6:20 PM PUBLIC HEARING/ORDINANCE-FINAL PLAT EXPIRATION PERIOD

An Ordinance amending the Elk Ridge City Subdivision Ordinance, Section 10-7-3.9, regulating the Final Plat Expiration period by the Planning Commission, providing for codification, inclusion in the Code, and Scrivener's errors, providing for severability, and providing an effective date

6:30 PM CITY COUNCIL WORK SESSION

Administration - Mayor Ingram
 Year-end Report/2001 Goals
 Council Assignments
Water/Sewer Depts. - Gary Bowen
 Dead Well, Golf Course Well, Oak Lane Well Pump
 Water Board Recommendation for 2001
Haskell Contract/Columbus Lane

6:45 PM CITY COUNCIL CLOSED SESSION

Acquisition of Land
Strategy

7:00 - PM REGULAR COUNCIL MEETING AGENDA ITEMS:

- Invocation and Pledge of Allegiance
- 7:03 Approval of Agenda Time Frame
- 7:05 Set Public Hearings:
 Ordinance/Regulating Preliminary Plan Approvals
 Ordinance/Development Code Amendment-Setbacks, Unobstructed Yards
- 7:10 Action on Public Hearing Ordinances:
 Ordinance/-Board of Adjustments
 Ordinance/Conveyance of Water Rights
 Ordinance/Regulating Accessory Buildings
 Ordinance/Final Plat Expiration Period
- 7:15 Planning Commission Member Replacement
- 7:20 Action/Acquisition of Land (Storm Drainage)
- 7:25 Action/Haskell Contract/Columbus Lane
- 7:30 Action/Dead Well, Golf Course Well, Oak Lane Well
- 7:35 Action/Goosenest Area Road
- 7:40 Budget Discussion/Amended 2000/2001 Budget
- 7:50 Computer System - Mayor
- 7:55 Approval/Caselle Upgrade to Windows
- 8:00 Set City Council Meeting Schedule for 2001
- 8:05 Dallas Young Water Rights Contract
- 8:10 Re-Appointments/City Recorder & City Treasurer
- 8:15 Expenditures:
 LEI Engineering/Work Release #8
 Approval/Rural Water Conference
- 8:25 Approval of Minutes of Previous Meetings
- 8:30 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 5th Day of January, 2001.



City Recorder

CERTIFICATION

I, the undersigned, duly appointed and acting City Recorder for the municipality of Elk Ridge, hereby certifies that a copy of the 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 5, 2001.



City Recorder

**ELK RIDGE
CITY COUNCIL MEETING
January 9, 2001**

**TIME & PLACE
OF MEETING**

The regular Meeting of the Elk Ridge Town Council was held on **Tuesday, January 9, 2001, at 7:00 PM**; it was preceded by the Council **Work Session at 6:30 PM**, followed by a **Council Closed Session at 6:45 PM**. There were also four Public Hearings: **the first, at 6:00 PM**, was concerned with an Ordinance establishing the Board of Adjustments for Elk Ridge; the **second Public Hearing, held at 6:10 PM**, was on a proposed Ordinance related to the Conveyance of Water Rights; the third **Public Hearing, at 6:15 PM**, was on a proposed Ordinance regulating Accessory Buildings; and the **forth Public Hearing, held at 6:20 PM**, was on a proposed Ordinance regulating the Final Plat Expiration Period. The Meetings were held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of these meetings 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 5, 2001.

6:00 PM

PUBLIC HEARING/ORDINANCE-BOARD OF ADJUSTMENTS

ROLL CALL

Mayor: Cregg Ingram; *Town Council:* Gary Bowen (Mayor Pro tem), Cindi Ellis, (Absent: Kent Anderson Michael Motko); *Administrative Assistant:* Ernestine Folks; and *City Recorder:* Janice H. Davis

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO OPEN THE PUBLIC HEARING ON AN ORDINANCE REVISING EXISTING PROVISIONS RELATING TO THE ESTABLISHMENT AND OPERATION OF THE BOARD OF ADJUSTMENTS OF THE CITY OF ELK RIDGE, UTAH

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

When the Development Code was adopted in July, 1997, the section concerning the establishment of the Board of Adjustments was inadvertently left out. This Ordinance simply re-establishes the Board of Adjustments.

Ernestine Folks: Pointed out to the Council that Part III which contains the ability to repeal, codify, etc. was not included in the proposed Ordinance and must be included in the motion to adopt. The Planning Commission recommends approval. There was no further discussion.

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO CLOSE THE PUBLIC HEARING ON A PROPOSED ORDINANCE ESTABLISHING THE BOARD OF ADJUSTMENTS

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

6:10

PUBLIC HEARING/ORDINANCE-CONVEYANCE OF WATER RIGHTS

ROLL CALL

Mayor: Cregg Ingram; *Town Council:* Gary Bowen (Mayor Pro tem), Cindi Ellis, (Absent: Kent Anderson Michael Motko); *Administrative Assistant:* Ernestine Folks; and *City Recorder:* Janice H. Davis

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO OPEN THE PUBLIC HEARING ON A PROPOSED ORDINANCE AMENDING CERTAIN PROVISIONS IN THE ELK RIDGE DEVELOPMENT CODE, RELATED TO THE CONVEYANCE OF WATER RIGHTS

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

This Ordinance requires lots of one acre or more to convey at least 2.6 acre feet of water right. The current requirement of 1.3 acre ft. per dwelling is not sufficient for lots larger than 1 acre.

Again, Part III was left out of the Ordinance and needs to be added in the motion to adopt. The Planning Commission recommends approval.

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO CLOSE THE PUBLIC HEARING ON AN ORDINANCE AMENDING THE ELK RIDGE DEVELOPMENT CODE, RELATED TO THE CONVEYANCE OF WATER RIGHTS

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

6:15 PM

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PUBLIC HEARING/ORDINANCE-REGULATING ACCESSORY BUILDINGS

ROLL CALL

Mayor: Cregg Ingram; *Town Council:* Gary Bowen (Mayor Pro tem), Cindi Ellis, (Absent: Kent Anderson Michael Motko); *Administrative Assistant:* Ernestine Folks; and *City Recorder:* Janice H. Davis

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO OPEN THE PUBLIC HEARING ON AN ORDINANCE AMENDING THE ELK RIDGE ZONING ORDINANCE, REGULATING ACCESSORY BUILDINGS

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

This proposed Ordinance removes the requirements regulating Accessory Buildings from the various sections covering the different Zones and gathers them into one section (10-3-3.5) entitled "Accessory Building Regulations". This action would make it easier to find information about Accessory Buildings. The Planning Commission recommends approval.

**MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO
CLOSE THE PUBLIC HEARING ON AN ORDINANCE
REGULATING ACCESSORY BUILDINGS**

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

6:20 PM - PUBLIC HEARING/ORDINANCE-FINAL PLAT EXPIRATION PERIOD

ROLL CALL *Mayor: Cregg Ingram; Town Council: Gary Bowen (Mayor Pro tem), Cindi Ellis,
(Absent: Kent Anderson Michael Motko); Administrative Assistant:
Ernestine Folks; and City Recorder: Janice H. Davis*

**MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO
OPEN THE PUBLIC HEARING ON AN ORDINANCE AMENDING THE ELK RIDGE
SUBDIVISION ORDINANCE, REGULATING THE FINAL PLAT EXPIRATION
PERIOD BY THE PLANNING COMMISSION**

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

This proposed Ordinance would set a time limit on how long a developer could take to obtain Final Approval from the Council after the Planning Commission's recommendation for Final. There would be 6 months between Planning Commission recommendation and Final approval from the Council. The Planning Commission recommends approval.

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO
CLOSE THE PUBLIC HEARING ON AN ORDINANCE REGULATING THE FINAL
PLAT EXPIRATION PERIOD BY THE PLANNING COMMISSION**

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

6:30 PM - ELK RIDGE TOWN COUNCIL WORK SESSION

ROLL CALL *Mayor: Cregg Ingram; Town Council: Gary Bowen (Mayor Pro tem), Cindi Ellis, Kent
Anderson (Absent: Michael Motko); Administrative Assistant:
Ernestine Folks; and City Recorder: Janice H. Davis*

WATER/SEWER DEPTS. Gary Bowen:
(Non-Agenda: Storm Drainage Map):
Councilmember Bowen had the Storm Drainage Map from LEI Engineering to show to the Council. It is color-coded and shows current and future areas to be considered for "catch-basins" to collect the flow from storm drainage.

Water Dept.:

1. "Dead Well" & Golf Course Well: Councilmember Bowen would like authorization to camera both wells to see if the wells are worth developing. The "Dead Well" is the well in Loafer Canyon that the Town drilled and is paying for on an annual basis; but, is not using. The amount of water available was not considered worth the cost to actually develop the well any further. It is possible to hear water running under the ground. Councilmember Bowen would like to find out what the problem is.

Golf Course Well: Councilmember Bowen has already obtained permission from Payson City to cross Payson property to camera this well. The well log looks fairly good (approximately 100 gpm, without it dropping).

2. Oak Lane Well Pump: The pump went out. There is a bid coming in from Nickerson to repair the pump and re-install it. They are also checking to determine what the effects would be to go from 7 horsepower to 10 horsepower for the pump. Councilmember Bowen would like to increase the size of the pump, if possible, to get more water out the well.

rather than pumping 35 gpm, it might be possible to get 65 gpm. The questions are: could the pump be run all the time at that rate, or would that be too much for that well? What would the difference in cost be?

3. Water Board Recommendation/2001:

The Board met with Councilmember Bowen and they recommend three projects for consideration in 2001:

A) Extending the 10" water line from Fremont Way north to Park Drive.

Cost estimate = \$24,574.00 (or less)

There have been breaks in this section of the old water line.

B) Replace the water line on Salem Hills Circle. Currently, it is a 4" line with a fire hydrant attached to it (a fire hydrant requires at least a 6" line).

Cost Estimate = \$4,501.00.

C) Install a 10" water line in the area of a proposed road. There is a section of easement to go to the City, located behind (just south of) Chad Brown's property on North Park Drive. This will be for a road leading to a piece of ground being considered for "public facilities". The easement could also be extended for the purpose of installing a future road to serve the Goosenest area. The water line would go between N. Park Dr., west to the proposed public facilities property.

Cost estimate = \$8,000.00

HASKELL
CONTRACT/
COLUMBUS LANE

Gary Bowen: This is a Proposal and Contract between Lee Haskell and the City for deleting Columbus Lane from Olympic Lane to Oak Ridge Dr. within Haskell Subdivision, Plat "G"; and installing a new sewer main at the west end of Olympic Lane, (proposed Haskell Subdivision, Plat "H").

Copies of the Proposal/Contract were submitted to the Council.

1) Savings by not installing Columbus Lane (Plat "G") = \$7,380.00

ELK RIDGE COUNCIL WORK SESSION - 1-9-01, CONT.

2) Extra Improvements Requested by Elk Ridge:

("bd" = done by developer)

- 8" sewer main on Columbus Ln.
 - Core hole into existing manhole
 - Jet out lines and T.V. test @ \$1/ft.
 - Manhole @intersection of Olympic & Columbus **bd
 - 8" sewer from intersection (Olympic & Columbus) south to existing 4' deep manhole **bd
 - Core hole into existing manhole **bd
 - Jet out lines & T.V. test **bd
- Cost = \$7,911.00

3) Other sewer Improvements associated with the Project at Olympic, Park Dr & Oak Ridge Dr., plus removal and replacement of asphalt in the road...Cost = \$13,775.00

4) Storm Drainage Improvements:

By Elk Ridge = \$5,525.00

**bd = \$1,310.00

Sub Total = \$6,835.00

Total Improvements = \$28,521.00

Less Total Savings = 7,380.00

**By Developer (bd) = 6,094.00

Improvement Costs = 15,047.00

10% Contracting & supervision (2,114) = -0- (Donated by Developer)

Less \$4,200 donation to be added to \$3,800 prior donation (\$8,000 as

Agreed by Developer -4,200.00

Total Cost to Elk Ridge = \$10,847.00

6:40 PM

-

TOWN COUNCIL CLOSED SESSION

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO MOVE TO A CLOSED SESSION

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

ROLL CALL

Mayor: Cregg Ingram; Town Council: Cindi Ellis, Gary Bowen, Kent Anderson (Absent: Michael Motko); Administrative Assistant: Ernestine Folks; & City Recorder: Janice H. Davis

Discussion of Acquisition of Land; and Strategy

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO CLOSE THE CLOSED SESSION & MOVE TO THE REGULAR COUNCIL MEETING

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

**ELK RIDGE
CITY COUNCIL MEETING
January 9, 2001**

**TIME & PLACE
OF MEETING**

The regular Meeting of the Elk Ridge Town Council was held on **Tuesday, January 9, 2001, at 7:00 PM**; it was preceded by the Council **Work Session at 6:30 PM**, followed by a **Council Closed Session at 6:45 PM**. There were also four Public Hearings: **the first, at 6:00 PM**, was concerned with an Ordinance establishing the Board of Adjustments for Elk Ridge; the **second Public Hearing, held at 6:10 PM**, was on a proposed Ordinance related to the Conveyance of Water Rights; the **third Public Hearing, at 6:15 PM**, was on a proposed Ordinance regulating Accessory Buildings; and the **forth Public Hearing, held at 6:20 PM**, was on a proposed Ordinance regulating the Final Plat Expiration Period. The Meetings were held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of these meetings 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 5, 2001.

ROLL CALL

Mayor: Cregg Ingram; *Town Council:* Gary Bowen (Mayor Pro tem), Cindi Ellis, Kent Anderson (*Absent:* Michael Motko); *Administrative Asst:* Ernestine Folks; and *City Recorder:* Janice H. Davis

**INVOCATION
& PLEDGE OF
ALLEGIANCE**

Invocation was offered by Mayor Ingram.

**AGENDA TIME
FRAME**

MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY CINDI ELLIS TO APPROVE THE AGENDA TIME FRAME BY ADJUSTING THE TIME BY 30 MINUTES TO INCLUDE THE REST OF THE WORK SESSION DISCUSSION
VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

ADMINISTRATION

Mayor Ingram:

1. The Mayor submitted a copy of the Job Announcement which went out for the position of Assistant Public Works Superintendent, to the Council.
2. Staff: Job Descriptions have been updated and distributed to the members of the Office Staff for review. Each is to sign-off that the up-date has been read and agreed to.

A Rating Document was attached to the Job Descriptions entitled, "Employee Performance Evaluation". This would assist in determining raises and increases.

The Mayor would like the Council to rate those staff members that they feel comfortable rating and to turn those into the Mayor for his consideration, as he is evaluating the Staff.

Kent Anderson: Councilmember Anderson asked if there is in place a type of "step-raise" system, which predicts the annual raises to a point; then there would be no more raises, since the employee would be at the top of the wage range set aside for that position.

Cindi Ellis: There is a wage range in place for each position. She suggested an annual COLA increase, plus a merit "bonus" rather than a "raise" in the hourly wage; also that any rating other than a "3" (1-5) should require a statement as to why...3 being "average" performance.

Kent Anderson: Feels that employees get paid for the "good job" they are doing. The only thing that should be offered is a COLA (Cost of Living Adjustment). He does not know many companies that give bonuses every year.

Cindi Ellis: Worked for the Federal Government and bonuses were given, based on performance.

Gary Bowen: Everyone's job is so different. The wage should be compared to the market. If someone does an exceptional job, perhaps he/she would get a bonus one year.

Jan Davis: The current Administrative Ordinance does establish a wage range, and allows for periodic Council review. It simply states that the range may not be changed without Council approval.

Cindi Ellis: An employee with straight "5's" would get more of a bonus than one with straight "4's". The employee will want to strive for 5's the next time.

Kent Anderson: Employees should strive for 5's for the purpose of personal integrity, not for a raise. The knowledge that one has done a good job is enough.

Mayor: Asked that all Councilmembers fill out an evaluation on whomever they feel comfortable.

Jan Davis: How do the Councilmembers rate employees when there is no first-hand knowledge of the employees or their individual performances?

Mayor: Will gather up all opinions and ratings and make the final recommendation to the Council.

YEAR-END
REPORT/2001
GOALS

Mayor Ingram: 1. During 2000, Elk Ridge was declared a Third Class City, based on population. The Mayor has contacted the Utah League of Cities and Towns (ULCT) and they said they would send information as to procedures for changing over the form of Government. The League advised that Elk Ridge should have a Council which represents what its status is. This would be a Mayor and 5 Councilmembers, with the Mayor voting only in the case of a tie. No change needs to be done now; but, they advise that changing over sooner rather than later would be better. This would necessitate the appointment of an additional Councilmember. It is optional whether the name of the "Town" changes to "City". The Mayor recommends changing the name to Elk Ridge City. The Council should identify the name of Elk Ridge or Elk Ridge City, by vote. It could be on the Agenda for the next Council Meeting to vote on.

ELK RIDGE CITY COUNCIL MEETING - 1-9-01, CONT.

There must also be a resolution authorizing the Mayor to sign off on any change.

2. A document entitled the "State of the City"/Year-end Report-2000.

The Document was divided into two main areas of consideration, from the Mayor's perspective:

A) YEAR 2000 ACCOMPLISHMENTS

B) PERSONAL GOALS AND OBJECTIVES

The Mayor directed that the document, State of the City Report is to go into the Town Council Minutes. It would be "attached" to the Report.

*(See attached Report on Goals & Objectives)

COUNCIL
ASSIGNMENTS

The Mayor is not proposing changes in the Council Assignments at this time.

SET PUBLIC
HEARINGS

1. Public Hearing/Ordinance -Regulating Preliminary Plan Approvals.

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS A TO SET A PUBIC HEARING FOR 2-13-01, AT 6:00 PM, ON AN ORDINANCE REGULATING PRELIMINARY PLAN APPROVALS

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

2. Public Hearing/Ordinance-Development Code Amendment-Setbacks, Unobstructed Yards

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO SET A PUBLIC HEARING FOR 2-13-01, AT 6:15 PM, ON A DEVELOPMENT CODE AMENDMENT REGARDING SETBACKS AND UNOBSTRUCTED YARDS

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

*The Mayor would like to have the Council set a Public Hearing to adjust the boundary line between Payson and Elk Ridge around the Brent Martin property at the next Council Meeting. Property descriptions will be needed for publication.

ACTION ON
PUBLIC
HEARINGS

1. Ordinance/Board of Adjustments:

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO APPROVE AN ORDINANCE REVISING EXISTING PROVISIONS RELATING TO THE ESTABLISHMENT AND OPERATION OF THE BOARD OF ADJUSTMENTS OF THE CITY OF ELK RIDGE, UTAH; SETTING FORTH THEIR DUTIES AND POWERS AND REPEALING ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE; WITH THE INCLUSION OF PART III AND CHANGING THE EXISTING PART III TO PART IV ON THE ORIGINAL DOCUMENT VOTE (POLL): KENT ANDERSON-AYE, CINDI ELLIS-AYE, GARY BOWEN-AYE AND MAYOR INGRAM-AYE

NO (0) ABSENT (1) MICHAEL MOTKO

PASSES 4-0

2. Ordinance/Conveyance of Water Rights:

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO APPROVE AN ORDINANCE AMENDING CERTAIN PROVISIONS IN THE DEVELOPMENT CODE OF ELK RIDGE, UTAH, RELATING TO THE CONVEYANCE OF WATER RIGHTS; AND PROVIDING FOR THE ADOPTION AND ADMINISTRATION OF THIS ORDINANCE; WITH THE INCLUSION OF PART III INTO THE ORIGINAL DOCUMENT

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

NO (0) ABSENT (1) MICHAEL MOTKO

PASSES 4-0

3. Ordinance/Regulating Accessory Buildings:

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO APPROVE AN ORDINANCE AMENDING THE ELK RIDGE CITY ZONING ORDINANCE, CHAPTER 10-5 AND SECTION 10-3-3.5, REGULATING ACCESSORY BUILDINGS, PROVIDING FOR CODIFICATION, INCLUSION IN THE CODE, AND SCRIVENER'S ERRORS, PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE

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

NO (0) ABSENT (1) MICHAEL MOTKO

PASSES 4-0

4. Ordinance/Final Plat Expiration Period:

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO APPROVE AN ORDINANCE AMENDING THE ELK RIDGE CITY SUBDIVISION ORDINANCE, SECTION 10-7-3.9, REGULATING THE FINAL PLAT EXPIRATION PERIOD BY THE PLANNING COMMISSION, PROVIDING FOR CODIFICATION, INCLUSION IN THE CODE, AND SCRIVENER'S ERRORS, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE

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

NO (0) ABSENT (1) MICHAEL MOTKO

PASSES 4-0

PLANNING
COMMISSION
MEMBER

Mayor Ingram: There is going to be a vacancy on the Planning Commission since Marc Rugg's term of office is over the end of January.

MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY GARY BOWEN TO NOMINATE DENNIS DUNN TO BE A MEMBER OF THE PLANNING COMMISSION, TO TAKE THE PLACE OF MARC RUGG

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

Discussion:

Ernestine Folks: Was asked to speak for Stewart Jolley in his absence: Mr. Jolley recommends that the Council re-appoint Marc Rugg to the Planning Commission. He was appointed about a year ago and his experience is needed. He is willing to serve again. Next Year, three members will need to be replaced. There may be another place to fill, as well.

Mr. Dunn also has experience.

Cindi Ellis: Feels if a person has done a good job and is willing to serve again, that he/she should be re-appointed.

VOTE: YES (1) NO (3) ABSENT (1) MICHAEL MOTKO
MOTION DOES NOT PASS

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO RE-APPOINT MARC RUGG TO SERVE ANOTHER TERM OF OFFICE ON THE PLANNING COMMISSION; THE TERM OF OFFICE TO END FEBRUARY, 2006

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

ACQUISITION
OF LAND/
STORM
DRAINAGE

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY KENT ANDERSON TO APPROVE THE LAND ACQUISITION WITH LEE HASKELL, TO BE PAID FROM STORM DRAINAGE FUNDS (\$4,800); AS WELL AS, THE LAND ACQUISITION WITH PETE WILLIAMS. THE MONEY PAID TO MR. WILLIAMS (\$53,000) IS TO BE FUNDED FROM A LOAN FROM FAR WEST BANK, LESS \$20,000 WHICH WILL BE PAID FROM DEVELOPER PARK IMPACT FEES. THE LOAN (\$33,000) PAYBACK WILL BE BY AN ANNUAL PAYMENT, BUDGETED AS A TRANSFER FROM THE GENERAL FUND TO CAPITAL PROJECTS/PARKS, AT 7 1/2% INTEREST RATE OR LOWER

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

Part of the land will be for a park in conjunction with the retention basin.

The Mayor is authorized to sign the loan from the Bank, when prepared.

Hal Shuler owns land which the City could use to re-locate the Public Works equipment.

The land would have to be reclassified as a Public Facilities Zone.

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY KENT ANDERSON TO APPROVE THE LAND ACQUISITION FROM HAL SHULER. THERE ARE TWO PIECES OF LAND:

1. 1.89 ACRES...PURCHASE PRICE = \$50,000 ("FLAT PRICE"). \$10,000 DOWN PAYMENT WOULD BE DUE NOW (AT CLOSING), AND THE NEXT PAYMENT OF \$10,000 WOULD BE PAYABLE ON 7-1-2002, WITH SUBSEQUENT PAYMENTS OF \$10,000 BEING DUE ON JULY 1 OF THE FOLLOWING YEARS FOR FIVE YEARS, TO 2005.

THIS WILL BE PAID BY SPLITTING THE COST: 1/4 FROM SEWER, 1/4 FROM WATER, AND 1/2 FROM ROADS, AT "0" INTEREST RATE

2. .47 ACRES, 56' RIGHT OF WAY, BETWEEN N. PARK DRIVE AND THE SHULER PIECE OF PROPERTY. THIS LAND WILL BE DEEDED TO ELK RIDGE AT NO COST TO THE CITY.

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

ELK RIDGE CITY COUNCIL MEETING - 1-9-01, CONT.

HASKELL
CONTRACT/
COLUMBUS LN.

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO APPROVE THE CONTRACT WITH LEE HASKELL IN THE AMOUNT OF \$10,847, TO BE PAID FROM SEWER & WATER
VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

ACTION/WELLS

Dead Well/Golf Course Well:

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO APPROVE THE CAMERAING OF THE LOAFER "DEAD WELL" AND THE GOLF COURSE WELL, FOR AN AMOUNT NOT TO EXCEED \$1,000
VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

Oak lane Well:

There are no figures on the cost to repair the pump yet.

ACTION/
GOOSENEST
AREA ROAD

This has already been acted upon.

2000/2001
BUDGET

The projects approved in this Meeting will have to be added to the Budget. Loafer Canyon Road has to be a priority. LEI is to prepare a cost estimate AMENDMENT for the improvement of the 1,200 ft. South of the Loafer Ridge Subdivision, as well as the 800 ft. South of that. The Mayor is getting costs on the road repairs in the City.
The Capital Improvement Plan must be amended with the Budget.

COMPUTER
SYSTEM

Mayor Ingram has met with Jim Nicolet regarding the Computer System and who he would recommend as a computer specialist and consultant. The Mayor has also spoken with the experts at BYU and they agree with Jim Nicolet about the City's needs.
There is a company called Scantron Service Group that joined forces with Caselle to provide computer service. They guarantee that hardware and networks are properly installed and serviced so that they work with Caselle's software. They respond to service calls and other computer needs for maintenance and preventative care. The Mayor will contact them to determine what their costs are and what the offer includes. Jim Nicolet evaluated the proposals and feels that the City does not need some of the things listed by Manning.
New Equipment (6 stations) to meet the needs of the City could be obtained for a maximum of \$15,000. Bergoin was recommended as a server and consultant (they have dealt with Caselle). The \$15,000 would include the service from Bergoin. This is about \$8,000 less than the Manning Proposal.
A current staff member could be trained as a trouble-shooter for net-working and maintaining the system.

Cindi Ellis: Reported that her husband, Ty Ellis (works for Novell) agrees that the proposals from Manning was too high for the City's needs.

MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY CINDI ELLIS TO APPROVE NOT MORE THAN \$15,000 TO UPGRADE THE CITY'S COMPUTER SYSTEM BY PROVIDING THE 6 STATIONS WITH ALL NEW EQUIPMENT WHICH MEETS THE CRITERIA OUTLINED BY A COMBINATION OF THE RECOMMENDATIONS FROM COUNCILMEMBER MICHAEL MOTKO AND JIM NICOLET

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

CASELLE
UPGRADE TO
WINDOWS

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO APPROVE THE PROPOSAL FROM CASELLE TO UPGRADE TO WINDOWS IN THE AMOUNT OF \$7,550.00

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

CITY COUNCIL
MEETING
SCHEDULE/
2001

MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY GARY BOWEN TO CONTINUE TO HOLD THE CITY COUNCIL MEETINGS ON THE 2ND AND 4TH TUESDAYS OF THE MONTH FOR 2001

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

DALLAS YOUNG
WATER RIGHTS
CONTRACT

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY KENT ANDERSON TO APPROVE THE CONTRACT TO PURCHASE 80.54 ACRE FEET OF WATER FOR THE PURCHASE PRICE OF \$120,810.00, LESS 5% (\$6,040.50), AS PER THE TERMS OF THE CONTRACT

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

APPOINTMENTS

MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY KENT ANDERSON TO RE-APPOINT JANICE H. DAVIS AS THE CITY RECORDER AND LINDA COOPER AS THE CITY TREASURER

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

EXPENDITURES

General:

The roof on the City Hall is leaking into the Records Room. Does the Council want the whole roof on the older portion of the building bid or just the patch where the leak is? The swamp cooler needs to be taken off the building. The Council would like to see separate bids for the entire roof and just the patch. Eventually, the City may replace the roof with a steel roof.

Work Release #8:

To work out the details of the Storm Drainage System by LEI :

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO APPROVE LEI'S WORK RELEASE #8 FOR \$2,900

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

Rural Water Conference:

This is the annual Rural Water Conference in St. George, Utah. It is necessary for Councilmember Bowen and the Public Works Superintendent to attend to keep current on the required points for their certifications.

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO APPROVE ATTENDANCE AT THE RURAL WATER CONFERENCE FOR GARY BOWEN AND KENT HASKELL FOR AN AMOUNT NOT TO EXCEED \$1,000

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

MINUTES

1) City Council Minutes of 10-24-00:

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO APPROVE THE TOWN COUNCIL MINUTES OF 10-24-00

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

City Council Minutes of 11-28-00:

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO APPROVE THE CITY COUNCIL MINUTES OF 11-28-00

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

3) City Council Minutes of 12-12-00:

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY KENT ANDERSON TO APPROVE THE CITY COUNCIL MINUTES OF 12-12-00, WITH A CHANGE IN THE DATE FROM 2001 TO 2000

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

ADJOURNMENT

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY KENT ANDERSON TO ADJOURN THE MEETING

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


CITY RECORDER

NOTICE & AGENDA

Notice is hereby given that the City Council of Elk Ridge will hold a City Council Meeting on **Tuesday, January 16, 2001, at 7:00 PM:** it will be preceded by **three Public Hearings** for the purpose of hearing public comment on the following: The **first Public Hearing, at 6:00 PM**, is to consider an Ordinance amending the Elk Ridge Town Subdivision Ordinance, Section 10-7-3.7, regulating Preliminary Plan Approvals; the **second Public Hearing, at 6:15 PM**, is on the proposed Loafer Ridge Annexation; the **third Public Hearing, beginning at 6:20 PM**, is on the proposed Vacation and Amendment of Lots #3 & #4 from the Loafer Ridge Subdivision, Plat A. The Public Hearings will be followed by the **Council Work Session at 6:30 PM.** The meetings will be held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

6:00 PM PUBLIC HEARING/ORDINANCE-PRELIMINARY PLAN APPROVALS

An Ordinance amending the Elk Ridge Subdivision Ordinance, Section #10-7-3.7, regulating Preliminary Plan Approvals, Providing for Codification, inclusion in the Code, and scrivener's errors, providing for severability, and providing an effective date

6:15 PM PUBLIC HEARING/LOAFER RIDGE ANNEXATION

Proposed Annexation of a parcel of land belonging to Robert Nelson and Ted Hanks, located northeast of Elk Ridge, east and adjacent to the Boyd Hanks Annexation, directly east of the Loafer Ridge Subdivision in Loafer Canyon.

**6:20 PM PUBLIC HEARING/VACATION & AMENDMENT OF LOAFER RIDGE
SUBDIVISION, PLAT A, LOTS 3 & 4**

6:30 PM CITY COUNCIL WORK SESSION

Administration - Mayor Ingram
Discussion of Personnel
Computer System Update
Dallas Young Water Right Agreement
Budget Discussion
Discussion/Change the Form of Government for Elk Ridge

7:00 - PM REGULAR COUNCIL MEETING AGENDA ITEMS:

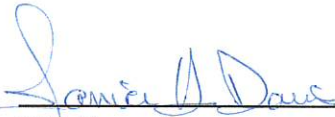
Invocation and Pledge of Allegiance
7:03 Approval of Agenda Time Frame
7:05 Approval/Denial of Loafer Ridge Annexation
7:10 Approval/Vacation & Amendment of Lots 3 & 4 from Loafer Ridge Subdivision,
Plat A
7:15 Adoption Ordinance/Regulating Preliminary Plan Approvals
7:25 Set Public Hearing:
Boundary Line Adjustment/Payson City and Elk Ridge City
7:30 Dallas Young Water Rights Contract
7:35 Change the Form of Government
7:45 Expenditures:
Approve Roofing Bid
Approve Cell Phone Reimbursement
7:55 Approval of Minutes of Previous Meetings
8:00 Adjournment

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

Town Council Meeting
1-16-01

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

Dated this 12th Day of January, 2001.

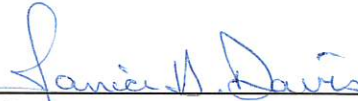
A handwritten signature in blue ink, reading "Janice A. Davis", is written over a horizontal line.

City Recorder

CERTIFICATION

I, the undersigned, duly appointed and acting City Recorder for the municipality of Elk Ridge, hereby certifies that a copy of the 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 12, 2001.

A handwritten signature in blue ink, reading "Janice A. Davis", is written over a horizontal line.

City Recorder

**ELK RIDGE
CITY COUNCIL MEETING
January 16, 2001**

**TIME & PLACE
OF MEETING**

The regular Meeting of the Elk Ridge City Council was held on **Tuesday, January 16, 2001, at 7:00 PM**; it was preceded by the Council **Work Session at 6:30 PM**. There were also three Public Hearings: **the first, at 6:00 PM**, was concerned with an Ordinance regulating Preliminary Plan Approvals; the **second Public Hearing, held at 6:15 PM**, was on the proposed Loafer Ridge Annexation; the third **Public Hearing, at 6:20 PM**, was on the proposed Vacation & Amendment of Loafer Ridge Subdivision, Plat A, Lots 3 & 4. The Meetings were held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of these meetings 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 12, 2001.

6:00 PM

PUBLIC HEARING/ORDINANCE-PRELIMINARY PLAN APPROVALS

ROLL CALL

Mayor: Cregg Ingram; *Town Council:* Gary Bowen (Mayor Pro tem), Cindi Ellis, (Absent: Kent Anderson Michael Motko); *Administrative Assistant:* Ernestine Folks; *Officer:* Tracy Jones; *Public:* Robert Nelson

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO
OPEN THE PUBLIC HEARING ON AN ORDINANCE
REGULATING PRELIMINARY PLAN APPROVALS**

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

KENT ANDERSON

Ernestine Folks: This ordinance came to the Planning Commission by way of the Council's request, because the Council felt that the act of granting Preliminary Approval to a subdivision plat should be done by the Council.

The Planning Commission forwarded the proposed ordinance with a memo attached which recommended denial based on the following findings:

1. Section 10-7-3.7 (5) "Upon approval of the preliminary plan, the Planning Commission shall be committed to grant approval of the final plat, subject to full compliance with any conditions attached, unless, in the opinion of the Planning Commission, preliminary approval was given based on inaccurate or incomplete representations or that changes have occurred in conditions relating to the property which were not known or present at the time approval was given, and which would result in a significant detrimental effect to the public if the project were carried out as initially presented." Pertains only to *Planning Commission* vesting of the preliminary plat and only if a compelling, countervailing public interest is not found to deny the project.

2. In the interest of preserving the integrity of a City Council approval, the Planning Commission recommends that final approval of preliminary plans remain with the Planning Commission. A City Council approval is significant. It is felt that the City Council must thoroughly review all of the details related to every approval the Council gives. The Planning Commission spends two full meetings every month reviewing planning issues. Since the Planning Commission is charged with protecting the health, safety and welfare of the City, and has set aside two meetings each month to thoroughly review plans, final approval of preliminary plans should remain with the Planning Commission. The City Council should retain final approval of final plats.
3. With an administrative appeal process in place, the City Council can hear appeals of Planning Commission decisions prior to an applicant going to District Court. However, if the City Council is an approving body of preliminary plans, the Council is no longer an un-biased jury and would not be able to hear appeals. Maintaining the Council's appeal authority is more important to the City than approval of preliminary plats.

Mrs. Folks added that she is not sure "where the Council is coming from".

Cindi Ellis: Former Councilmember Bluth brought the issue up to the Council prior to the end of his term of office; he said that it is the Council's obligation to grant approvals to subdivisions.

Gary Bowen: Agrees.

Ernestine Folks: The memorandum came from the City Planner. He questioned the request, as well. Is the Council going to go through the whole review process?

Gary Bowen: Yes, he did say that; but, he has spoken to Mr. Jackson since then and that is not really what happened. The Council has to review the project. They have to know what is going on and vote on it.

What difference does it make whether they learn about the project in the middle and at the end or just at the end.

Cindi Ellis: Currently, the Council depends on the Planning Commission to forward their recommendation to the Council. It would be the same thing on preliminaries.

Gary Bowen: The only time he would not ordinarily go with the Planning Commission's recommendation would be with a negative recommendation. Then he would look into it more carefully. He does not understand what the concern of the Planning Commission is. What would the Council be taking over? The Council would still be taking the Planning Commission's recommendation, unless there were a reason to go against the recommendation; then the information would already be available to the Council.

Cindi Ellis: Councilmember Bluth said that because the Council is the elected body, we should be granting approvals.

Gary Bowen: The City Attorney agrees with this. He feels the Council should be aware of what is going on with a development early on in the process. The Planning Commission will still be reviewing the subdivisions and will still be sending the information on to the Council.

**MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO
CLOSE THE PUBLIC HEARING ON PRELIMINARY PLAN APPROVALS**

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

KENT ANDERSON

6:15 PM

PUBLIC HEARING/LOAFER RIDGE ANNEXATION

ROLL CALL

Mayor: Cregg Ingram; *Town Council:* Gary Bowen (Mayor Pro tem), Cindi Ellis,
(*Absent:* Kent Anderson Michael Motko); *Administrative Assistant:*
Ernestine Folks; *Officer:* Tracy Jones; *Public:* Robert Nelson

**MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO
OPEN THE PUBLIC HEARING ON THE LOAFER RIDGE ANNEXATION**

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

KENT ANDERSON

This is the proposed annexation of a parcel of land belonging to Robert Nelson and Ted Hanks, located northeast of Elk Ridge. The land is just east of Loafer Ridge Subdivision, Plat A. It is proposed to annex a piece to add to the depth of lots 3 & 4, and to add another lot.

Ernestine Folks: Questioned the conveyance of water right requirement for Mr. Nelson. Has he conveyed any more water right to the City since the original requirement which went with Loafer Ridge Subdivision, Plat A? There is also a correction on the Annexation Agreement..it reads that the requirement for an acre is 2.66 acre ft. of water, it should be 2.6 acre ft.

Mr. Nelson is vacating one Plat and is bringing in a new Plat. Usually, when this happens, all the new requirements must be met. The Code now reads that he should convey sufficient water rights (now at 2.60 acre ft./acre of un-annexed land). This is calculated by the square footage (.0000595/acre foot). If calculated in this manner, Mr. Nelson is in a deficit on lots #1,2, 6, 7, & 13. Has anyone discussed this with Mr. Nelson, or will this be expected at the time of the issuance of building permits?

Mayor Ingram: He does not see this point. He feels it is the new, annexed piece of property that water rights should be conveyed to the City for.

Gary Bowen: Also reads the Agreement that water should be brought in for the piece of land to be annexed (1.4 acre ft.). This is the understanding that Mr. Nelson has; with the rest of the water right to be required at the time of Building Permit.

**MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO
CLOSE THE PUBLIC HEARING ON THE LOAFER RIDGE ANNEXATION**

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

KENT ANDERSON

**PUBLIC HEARING/VACATION & AMENDMENT OF LOAFER RIDGE
SUBDIVISION, PLAT A, LOTS 3 & 4**

ROLL CALL

Mayor: Cregg Ingram; *Town Council:* Gary Bowen (Mayor Pro tem), Cindi Ellis,
(*Absent:* Kent Anderson Michael Motko); *Administrative Assistant:*
Ernestine Folks; *Officer:* Tracy Jones; *Public:* Robert Nelson

**MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO
OPEN THE PUBLIC HEARING ON THE VACATION AND AMENDMENT OF
LOAFER RIDGE SUBDIVISION, PLAT A, LOTS 3 & 4**

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

KENT ANDERSON

Discussion:

Loafer Ridge Subdivision, Plat A, Lots 3 & 4 were included in the original petition to amend Plat A. After the Annexation takes place, a 13th lot will be added to the Subdivision and, in fact, it is proposed to amend the entire Subdivision Plat with Loafer Ridge, Plat B. Plat B would add the 13th lot and the annexed property would be included. Does the Council feel there would be any material injury to the surrounding area or Zone? There were no protests filed with the County nor with the City. The Plat actually has wording on it which declares "no material injury".

**MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO
CLOSE THE PUBLIC HEARING ON THE VACATION AND AMENDMENT OF
LOAFER RIDGE SUBDIVISION, PLAT A, LOTS 3 & 4**

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

KENT ANDERSON

CITY COUNCIL WORK SESSION

ROLL CALL

Mayor: Cregg Ingram; *Town Council:* Gary Bowen (Mayor Pro tem), Cindi Ellis,
(*Absent:* Kent Anderson Michael Motko); *Administrative Assistant:*
Ernestine Folks; *Officer:* Tracy Jones; *Public:* Robert Nelson; and *City
Recorder:* Janice H. Davis

NON-AGENDA
ITEM

Gary Bowen: Spoke to the Council about his concerns about zoning. He feels the R-1-15,000 Zone, with the PUD, is the "best deal" the developers can go with. If the City does not build up its density, in some of the land north of the City, Elk Ridge will eventually be land-locked and will be unable to pay the bills. The City needs to make the idea of annexing into

Elk Ridge attractive. Salem is aggressive in annexing land. They have a request to annex 480 acres, across the County Road. Payson's plan shows annexing east to 1600 West and all the way south to Goosenest Drive. If our Community is isolated, we may not be able to pay for the services. The Mecham Annexation is off, as well as the possibility of future advantages.

Mayor Ingram: The reason there is a Fund Balance is that projects have been left undone. The City is in the process of trying to upgrade a deteriorating infrastructure. It is expensive. A residential community, by itself, only generates one dollar for a cost of \$1.15. That puts the City in a "deficit spending" situation.

ELK RIDGE CITY COUNCIL WORK SESSION - 1-16-01, CONT.

According to the County Tax Commission, a community only generates, by property taxes, 80% of what it costs to run a City. A question that residents may want to consider is, do we want to be heavily taxed or possibly be consumed by another community. Some options lie in good planning and possibly changing the density and increasing the Commercial Zone. The place to look for growth is north of the City.

Gary Bowen: Would like the Council's permission to present some of these ideas to the Planning Commission and discuss a plan to re-consider zoning within the City.

ADMINISTRATION

Mayor Ingram:

Discussion of Personnel:

The Joint City Council/Planning Commission Meeting is canceled.

The Mayor met with Payson City and was informed that Payson City has purchased Mr. Mecham's land south of the Golf Course, including the area proposed to be annexed into Elk Ridge. The Annexation Petition is invalid and is no longer proposed.

The Mayor would like to have another meeting with the Planning Commission on other issues. The Mayor will contact Stewart Jolley for a date and time.

COMPUTER SYSTEM UPDATE

Mayor Ingram: The Mayor is going to consult with Jim Nicolet, to purchase the equipment. He has asked for information from Scantron and Bergoyne to service the system, once it is installed.

The entire purchase and installment will stay under the approved \$15,000, regardless of who the City contracts with.

DALLAS YOUNG WATER RIGHT AGREEMENT

Gary Bowen: Councilmember Bowen and the Mayor met with Jan Davis to discuss the terms of the Agreement. It was decided that the City cannot afford the terms, as stated. The terms were re-negotiated and the Agreement brought back to the Council.

BUDGET DISCUSSION

Mayor: The Mayor now has figures having to do with the road and the Amended Budget can be discussed with the City Recorder. There was no further information available that night.

FORM OF GOVERNMENT

Mayor: Now that Elk Ridge is considered a "City" rather than a "Town", the Council can vote to change the form of Government from the current form of one Mayor (voting) and 4 Councilmembers, to a six-member Council including a Mayor who would only vote in the case of a tie. The Mayor had the Administrative Assistant research this. In the Articles of Incorporation, the name is simply "Elk Ridge". The document does not refer to either "city" or "town". To change the name to Elk Ridge City, the Articles of Incorporation would have to be amended. David Church (Attorney for the Utah League of Cities & Towns) advises that the form of Government should change as soon as possible. Woodland Hills is going to leave their Government the way it is.

Cindi Ellis: Asked if the Mayor would vote if there were less than a Quorum at a particular Council Meeting. This needs to be determined.

ELK RIDGE CITY COUNCIL MEETING - 1-16-01, CONT.

Mayor: The Council will appoint an additional Councilmember. An advertisement is to go out asking for interested citizens to turn in their names for consideration. The one appointed would serve until the next Municipal election (November, 2001). There will be four positions open at the next election.

NON-AGENDA
ITEM

Gary Bowen: Councilmember Bowen addressed the Council about his recommendation to re-zone certain sections of the Goosenest area. A parcel of land could be dedicated to a Public Works storage area; it would be zoned "Public Facilities". Another parcel, to be used for a Retention Basin and Park for the City, should also be re-zoned as "Public Facilities". He also suggested re-zoning the edge of the boundary between Payson and Elk Ridge (including Payson City's Golf Shed, a well, a shed used for commercial purposes, and Shaw's arena) as "Commercial".

**ELK RIDGE
CITY COUNCIL MEETING
January 16, 2001**

TIME & PLACE
OF MEETING

The regular Meeting of the Elk Ridge City Council was held on **Tuesday, January 16, 2001, at 7:00 PM**; it was preceded by the **Council Work Session at 6:30 PM**. There were also three Public Hearings: **the first, at 6:00 PM**, was concerned with an Ordinance regulating Preliminary Plan Approvals; the **second Public Hearing, held at 6:15 PM**, was on the proposed Loafer Ridge Annexation; the third **Public Hearing, at 6:20 PM**, was on the proposed Vacation & Amendment of Loafer Ridge Subdivision, Plat A, Lots 3 & 4. The Meetings were held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of these meetings 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 12, 2001.

ROLL CALL

Mayor: Cregg Ingram; *Town Council:* Gary Bowen (Mayor Pro tem), Cindi Ellis, Kent Anderson (*Absent:* Michael Motko); *Administrative Assistant:* Ernestine Folks; *Officer:* Tracy Jones; *Public:* Robert Nelson; *City Recorder:* Janice H. Davis

INVOCATION &
PLEDGE OF
ALLEGIANCE

The Invocation was offered by Gary Bowen.

AGENDA TIME
FRAME

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY MAYOR INGRAM TO APPROVE THE AGENDA TIME FRAME
VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

ELK RIDGE CITY COUNCIL MEETING - 1-16-01, CONT.

LOAFER RIDGE
SUBDIVISION,
PLAT B

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI
ELLIS TO APPROVE THE LOAFER RIDGE ANNEXATION
VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO**

VACATION &
AMENDMENT/
LOAFER RIDGE
SUBDIVISION,
PLAT A

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI
ELLIS TO APPROVE THE PROPOSED VACATION & AMENDMENT OF
LOAFER RIDGE SUBDIVISION, PLAT A; TO BE REPLACED BY LOAFER
RIDGE SUBDIVISION, PLAT B. THE CITY COUNCIL RENDERED A
DECISION WHEREBY THEY ARE SATISFIED THAT NEITHER THE PUBLIC NOR
ANY PERSON WILL BE MATERIALLY INJURED BY THE PROPOSED VACATION,
ALTERATION OR AMENDMENT, AND THAT THERE IS GOOD CAUSE FOR THE
VACATION, ALTERATION OR AMENDMENT
VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO**

ORDINANCE/
REGULATING
PRELIMINARY
PLAN APPROVALS

There was no further discussion, after the discussion in the Public Hearing.
**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI
ELLIS TO ADOPT THE ORDINANCE AMENDING THE ELK RIDGE
SUBDIVISION ORDINANCE, SECTION 10-7-3.7, REGULATING PRELIMINARY
PLAN APPROVALS, PROVIDING FOR CODIFICATION, INCLUSION IN THE CODE,
AND SCRIVENER'S ERRORS, PROVIDING FOR SEVERABILITY AND PROVIDING
AN EFFECTIVE DATE**

Mayor: (Explanation of issues discussed in the Public Hearing for Councilmember Kent
Anderson, who was not present):

The Planning Commission will still forward everything to the Council with their
recommendation. Nothing will really change, except that the Council would be taking
responsibility, as well as making the decision.

**VOTE: YES (POLL) KENT ANDERSON-AYE, CINDI ELLIS-AYE,
GARYBOWENAYE, MAYOR INGRAM-AYE NO (0)
ABSENT (1) MICHAEL MOTKO**

SET PUBLIC
HEARING

BOUNDARY LINE ADJUSTMENT/PAYSON CITY & ELK RIDGE CITY
**MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY CINDI ELLIS TO
SET A PUBLIC HEARING FOR A PROPOSED BOUNDARY LINE ADJUSTMENT
BETWEEN PAYSON CITY & ELK RIDGE CITY, FOR FEBRUARY 13, 2001, AT 6:30
PM
VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO**

NON-AGENDA
ITEM

There is a Special City Council Meeting set for Friday, January 19, 2001, at
4:00 PM, for the purpose re-considering the Vacation & Amendment of Loafer Ridge
Subdivision, Plat A, and granting Final Plat Approval to Loafer Ridge Subdivision, Plat
B. Those specific items should be on the Agenda.

DALLAS YOUNG
WATER RIGHT
CONTRACT

The terms of the Agreement have changed to better fit the needs and
finances of Elk Ridge. Mr. Young is agreeable to the terms. The contract is
for less money up-front and for a longer period of time.

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO APPROVE THE REVISED DALLAS YOUNG WATER RIGHT AGREEMENT
VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

CHANGE FORM
OF
GOVERNMENT

MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY CINDI ELLIS TO CHANGE FROM THE CURRENT FORM OF GOVERNMENT (4 COUNCILMEMBERS AND ONE VOTING MAYOR) TO A THIRD-CLASS CITY FORM OF GOVERNMENT WITH 5 COUNCILMEMBERS AND ONE MAYOR, WHO VOTES ONLY IN CASE OF A TIE
VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

EXPENDITURES:

1. Roofing Bid:

Three bids were given for repair of the roof on the City Hall. The roof is leaking. The bids were given on both the patch to stop the roof from leaking and the entire roof being re-shingled. The question to the Council is whether or not to patch the area that is leaking or to re-roof the entire City Hall.

1. Jade Roofing bid \$100.00 per square (includes the labor)
Total bid = \$5,000

2. Windriver Construction bid \$85 per square (did not include a break-down of costs, even after requesting a second time.)
No breakdown...Council did not want to consider the bid.

3. Rex Davis (Jan's son) is in the roofing business. He was asked to talk with Councilmember Bowen about what needed to be done to patch the roof.
The bid included a breakdown of materials + labor.

Total bid = \$3,698.50

Patch = \$2,202.50

Gary Bowen: Advised to just go with the patch. If the City building is going to be expanded, the pitch needs to be changed. In his opinion, the long-term goal should be to re-roof the entire building with a metal roof.

Kent Anderson: Agrees that a metal roof would be preferable and feels that just the patch should be done now.

Cindi Ellis: Removal of the old swamp cooler needs to be in the bid.

(That was included in the bid from Rex Davis.)

MOTION WAS MADE BY MAYOR INGRAM AND SECONDED CINDI ELLIS TO ONLY CONSIDER ROOF REPAIRS TO INCLUDE ONLY THE PATCH ON THE PART OF THE ROOF CAUSING THE LEAKAGE

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

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO CONTRACT WITH REX DAVIS TO DO THE PATCH ON THE ROOF FOR AN AMOUNT NOT TO EXCEED THE BID AMOUNT OF \$2,202.50

Discussion: If the City purchases the materials, there would be no tax charged. It was the Mayor's suggestion that the City should purchase the materials needed for the job. If the price is altered in any way due to the City purchasing the materials, the total would be altered either to increase it or to decrease it.

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

2. Cell Phone Reimbursement:

The Mayor and Councilmember Bowen get numerous calls for City business on their cell phones. This was placed on the Agenda by the City Recorder (with the approval of the Mayor) to approach the Council about reimbursing both for at least part of their cell phone bill. The Building Inspector is allotted \$50/month for phone reimbursement. Councilmember Bowen is currently spending approximately \$260 to \$270 per month.

The Mayor pays over \$100/month on City business.

MOTION WAS MADE BY KENT ANDERSON AND SECONDED BY CINDI ELLIS TO REIMBURSE MAYOR INGRAM AND GARY BOWEN \$100 PER MONTH FOR THEIR CELL PHONE EXPENSES FOR THE CITY

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

MINUTES

No minutes available

ADJOURNMENT

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

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



CITY RECORDER

NOTICE & AGENDA

Notice is hereby given that the City Council of Elk Ridge will hold a Special City Council Meeting on **Friday, January 19, 2001, at 4:00 PM.** The meetings will be held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

4:00 - PM REGULAR COUNCIL MEETING AGENDA ITEMS:

- Invocation and Pledge of Allegiance
- 4:03 Approval of Agenda Time Frame
- 4:05 Approval/Annexation Agreement-Loafer Ridge Annexation
- 4:10 Approval/Vacation & Abandonment - Loafer Ridge Subdivision, Plat A
- 4:15 Loafer Ridge Subdivision, Plat B -Final Plat
- 4:20 Discussion of Personnel
- 4:25 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 19 Day of January, 2001.



City Recorder

CERTIFICATION

I, the undersigned, duly appointed and acting City Recorder for the municipality of Elk Ridge, hereby certifies that a copy of the Notice of Agenda was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and delivered to each member of the Governing Body on January 19, 2001.



City Recorder

TIME & PLACE
OF MEETING

Notice of time, place and Agenda of these meetings was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and provided to each member of the Governing Body on January 18, 2001.

Mayor: Cregg Ingram; Town Council: Gary Bowen (Mayor Pro tem), Cindi Ellis, (Absent: Kent Anderson Michael Motko); and City Recorder: Janice H. Davis

Invocation was waived by Mayor Ingram.

**MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY GARY BOWEN
TO WAIVE THE INVOCATION**

MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY CINDI ELLIS TO APPROVE THE AGENDA TIME FRAME

In the last Council Meeting the Loafer Ridge Annexation was approved; however, the Annexation Agreement was not on the Agenda for approval. The Agreement was reviewed and signed by Robert Nelson, the developer.

MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY CINDI ELLIS TO APPROVE THE ANNEXATION AGREEMENT FOR THE LOAFER RIDGE ANNEXATION, AS SIGNED BY ROBERT NELSON

VACATION/
ABANDONMENT-
LOAFER RIDGE
SUBDIVISION,
PLAT A

This action was on the Agenda for the last Council Meeting; however, it appeared as "Vacation & Amendment", applicable to a different set of circumstances. Originally, the application was to vacate and amend two lots in Loafer Ridge Subdivision, Plat A. With the annexation, and the addition of Lot#13, the lot numbers changed. The Engineers advised vacating the entire Subdivision and replacing it with Plat B, adding the annexed portion and Lot #13. This is known as a "Vacation and Abandonment".

The recommendation of the Planning Commission is to approve the request to vacate and amend Loafer Ridge Subdivision, Plat A.

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO APPROVE THE VACATION AND ABANDONMENT OF LOAFER RIDGE SUBDIVISION, PLAT A; EFFECTIVE UPON RECORDING OF LOAFER RIDGE SUBDIVISION, PLAT B

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

ELK RIDGE CITY COUNCIL MEETING - 1-19-01, CONT.

LOAFER RIDGE
SUBDIVISION,
PLAT B/
FINAL PLAT
APPROVAL

The Planning Commission recommends approval; contingent upon no building permit being allowed on Lot #13. The water situation in the City still disallows any new development being approved; Lot #13 is an additional lot and cannot be granted a right to connect to the system for now. This is stated on the mylar Plat, to be recorded.

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO ACCEPT LOAFER RIDGE SUBDIVISION, PLAT B, AND TO GRANT FINAL PLAT APPROVAL

VOTE: YES (3)

NO (0)

ABSENT (2) MICHAEL MOTKO

KENT ANDERSON

Discussion of the amount of water right to require of developers or those upgrading their water right assigned to their lot:

\$2,000/acre foot was charged to Robert Nelson, in conjunction with his Annexation and development of Plat B. The question arose as to the cost of water rights purchased from the City. Enough should be charged to encourage people to purchase water rights from a source other than the City. \$2,100 was suggested.

Fees need to be set by resolution. This item is to be placed on the Council Agenda for the next Meeting.

DISCUSSION OF
PERSONNEL

The City has had some problems obtaining satisfactory service from the City Attorney. The response time to get requested work back from him has not been good. There are several projects needing legal guidance. The Council discussed the possibility of speaking to other prospects to serve as the City Attorney.

NON-AGENDA
ITEM

Computer update. Jim Nicolet was able to get Gateway Computers for less than expected. The new systems will be ordered on Monday and will be delivered some next week. The bill will come in under \$10,000, including shipping and handling.

ADJOURNMENT

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

VOTE: YES (3)

NO (0) ABSENT (2) MICHAEL MOTKO

KENT ANDERSON


CITY RECORDER

AMENDED NOTICE & AGENDA

Notice is hereby given that the City Council of Elk Ridge will hold a City Council Meeting on **Tuesday, February 13, 2001, at 7:00 PM;** it will be preceded by a **Public Hearing, at 6:15 PM,** to consider an Ordinance amending the Elk Ridge City Subdivision Ordinance, Section 10-7-5.3, Streets and Roads to be Dedicated to the Public; Streets to be Improved and Partial Width Streets Permitted in Certain Instances. The **Council work Session will be at 6:00 PM and at 6:30 PM.** The Meetings will be followed by a **Council Closed Session, at 8:15 PM.** The meetings will be held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

6:00 PM CITY COUNCIL WORK SESSION

Lakeview Drive Improvements/Discussion

6:15 PM PUBLIC HEARING/STREETS & ROADS-DEDICATED TO PUBLIC-IMPROVED & PARTIAL WIDTH STREETS PERMITTED IN CERTAIN INSTANCES

Canceled/No Recommendation from Planning Commission

6:30 PM CITY COUNCIL WORK SESSION

- City Attorney Position - Glen Vernon
- Boundary Adjustment-Elk Ridge/Payson City-Discussion of Process
- Saunders, Plat A - Update/Improvement Costs (Sign Plat)
- Resolution: Discussion

Consideration of a Declaration of Official Intent of the City Council of Elk Ridge, Utah County, Utah, to Reimburse itself for Certain Capital Expenditures, by incurring debt related to the Construction of Roadways, Curb and Gutter, Storm Drainage and/or Water and Sewer Improvements within the City; to Provide for the Maximum Principal Amount of Debt and the Nature of Project Costs; to Authorize Incidental Action; and to Repeal Prior Inconsistent Resolutions

- Resolution: City Fee Schedule/Amendment
- CE-1 Zone Discussion
- Appointment/New Council Member

7:00 - PM REGULAR COUNCIL MEETING AGENDA ITEMS:

Invocation and Pledge of Allegiance

7:03 Approval of Agenda Time Frame

7:05 COMMISSIONER GROVER

Discussion of Utah County Issues

7:30 Authorize Letter/Utah County Road

7:35 Lee Haskell/Building Permit Approval - Haskell Subdivision, Plat G

7:35 Fairway Heights Subdivision, Plat B/Durability Retainer

7:40 Set Public Hearings:

- Fairway Heights Subdivision, Plat B/Default
- Ordinance/Development Code Amendment Regarding Setbacks & Unobstructed Yards
- Amended 2000/2001 Budget (Discussion/Set Public Hearing)

7:50 Expenditures: General

- Well #3/Oak Lane Well

- LEI Engineering Work Release #9 (Sewer Routing Elk Ridge/Payson City)

- LEI Engineering Work Release #10 (Prepare Plat/Shuler Property-Loafer Canyon)

7:55 Approval of Minutes of Previous Meetings

8:00 Fire Dept. Budget

8:10 Resolution/City Reimbursement Authorization

8:15 Adjournment

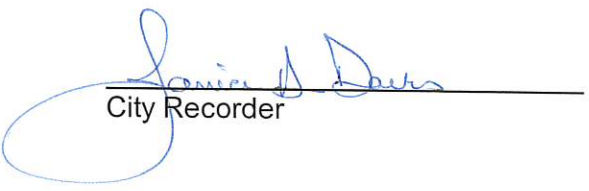
8:15 PM CITY COUNCIL CLOSED SESSION

Discussion of Personnel

*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 the 9th Day of February, 2001; then February 12, 2001 for Amended Agenda.



City Recorder

CERTIFICATION

I, the undersigned, duly appointed and acting City Recorder for the municipality of Elk Ridge, hereby certifies that a copy of the 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 9, 2001. A copy of the Amended Notice of Agenda was faxed to the Payson Chronicle and provided to each member of the City Council on February 12, 2001.



City Recorder

**ELK RIDGE
CITY COUNCIL MEETING
February 13, 2001**

TIME & PLACE
OF MEETING

The regular Meeting of the Elk Ridge City Council was held on **Tuesday, February 13, 2001, at 7:00 PM**; it was preceded by the **Council Work Session at 6:00 PM**. The **Public Hearing scheduled for 6:15 PM was canceled**. The Meetings were followed by a **Council Closed Session, which began at 8:45 PM**. The Meetings were held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of these meetings 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 9, 2001; and an Amended Agenda was faxed to the Chronicle on February 12, 2001, and provided to the members of the Governing Body.

6:00 PM

CITY COUNCIL WORK SESSION

ROLL CALL

Mayor: Gregg Ingram; *Town Council:* Gary Bowen (Mayor Pro tem), Cindi Ellis, Kent Anderson, Michael Motko; *Administrative Assistant:* Ernestine Folks; *Planning Commission:* Stewart Jolley; *Fire Chief:* Seth Waite; *Officer:* Tracy Jones; *Public:* Forrest Darling, Dave McKee, Laura Ashton, Craig Olson; and *City Recorder:* Janice H. Davis

LAKEVIEW
DRIVE
IMPROVEMENTS

Lakeview Drive has problems with storm drainage and the associated flows. The road is old and the alignment is off; it is not centered in the City's right-of-way. LEI Engineering issued a report based on their investigation of the current problems. They have issued recommendations, based on their findings:

Drainage:

1. Roll Curb, Sump and Street Re-alignment. (Costly; but, they feel this option would be most beneficial to the City.)

Estimated Cost = \$69,332.00

2. Cobble-filled Drainage Channel: (Used in Woodland Hills with limited success)

Estimated Cost = \$36,000.00

3. Earthen Ditch: (Least expensive; but would be difficult to maintain and aesthetically, somewhat undesirable)

Estimated Cost = \$15,600.00

Letters were sent to residents of Lakeview Drive notifying them of the meeting.

Gary Bowen: Reviewed LEI's report with those present.

To be able to install curb & gutter, a Special Improvement District (SID) may be necessary. If the roads were done one at a time, then perhaps the Roads Budget could handle it on an annual basis. The Council needs to have input from the residents as to what they would like to see happen.

Forrest Darling (Resident of Lakeview Dr.):

The road was poorly constructed with no crown. There has been little or nothing done to improve the road, itself. There is nothing in place to divert water. Currently, it flows to the north side of the street. If the road were crowned properly, then the water would divert equally to the north and to the south of the street. At the west end of the road, something needs to be done to collect the water, or divert it to the natural drainage (directly west of Hillside Dr.). There is already a culvert across Hillside Dr. from East Salem Hills Dr. He does not feel that sumps will carry all of the run-off; additional sumps, perhaps...if those fill up, then the water could be

directed to the natural drainage and allowed to seep into the water table.

Mr. Darling stated that the people of this community expressed their general opinion against curb & gutter in the older areas of Elk Ridge.

He does not see the necessity of curb & gutter; what he sees, is the necessity to build a road right.

Dave McKee: According to the Engineering study, without the curb & gutter, the problem won't be solved. Mr McKee lives on a corner lot, with a lot of frontage. He is concerned what the cost will be for the curb & gutter, per resident. He is willing to do his part and he wants the road to be put in right; but, he is concerned about the cost. He is also concerned about connection of his driveway to the new alignment of the road.

Gary Bowen: When the cost per linear foot is available, the residents of Lakeview Dr. will be notified well in advance of the due date.

The cost estimates include tying the driveways back into the road.

Jan Davis: Questioned why the necessity of having curb & Gutter at all in the older parts of Elk Ridge. She mentioned an alternative wherein the edges of the road have a concrete wedge rather than curb & Gutter; then the run-off dissipates on either side of the road.

Gary Bowen: The run-off will still under-cut the road unless there were deep ditches, which would be difficult to maintain in a residential area.

Kent Anderson: Feels that money is wasted on the installation of roads without curbing. Erosion will eventually ruin the edges of the roads.

Mayor Ingram: The Council is looking at the over-all plan to get "water off of this hill" without destroying property...not just for Lakeview Drive.

There will be no decisions made without carefully weighing all the options. The Council is collecting information. If there are any suggestions, the Council would welcome them. So far, the Engineers' suggestions are the best options available.

Forrest Darling: Suggested that the option of ditches on the sides of the road would be possible on the north side with "over-curbs" connecting onto driveways. These have been used successfully with irrigation ditches.

Mayor Ingram: In summarizing, said there may be money available through bonding and through this fiscal year's fund balance. He thanked everyone present for their interest in the meeting and announced an

opening on the City Council, encouraging anyone interested to submit his/her name.

6:30 PM

-

PUBLIC HEARING/ORDINANCE - STREETS AND ROADS

Canceled. This Ordinance has no recommendation from the Planning Commission at this time.

ELK RIDGE CITY COUNCIL WORK SESSION (CONT.)

CITY ATTORNEY
POSITION

There is an opening for the position of City Attorney. John Fueston's services were terminated due to slow response time. Glen Vernon is a new resident of Elk Ridge. He is an attorney and former City Manager for Payson City. He is interested in the position. He was not present at the Meeting.

BOUNDARY
ADJUSTMENT-
ELK RIDGE/
PAYSON

Gary Bowen: There has been a request by two individuals to adjust the boundary between Payson and Elk Ridge, in the area surrounding Haley's Lookout. The proposal is to move the property from Payson to Elk Ridge. The issue is that all of the property included in that area should be included in this adjustment, not just two parcels. A meeting has been set up with Payson City on 2-20-01, to discuss this proposed adjustment. Payson needs to consider what it will take for the Golf Course to make money for them...and this includes the future development plans for the area around the Golf Course. Payson would like to see high-density condominiums. Councilmember Bowen reviewed the procedure for the adjustment to go forward. Both Municipalities must act concurrently. Dave Tuckett, Payson City's Attorney, is drawing up all the necessary documents for both Cities. Another associated issue is a well owned by Elk Ridge which is on Payson's Golf Course. Elk Ridge also owns property to the side of that portion of the Golf Course. These issues will be discussed at the meeting on 2-20-01.

SAUNDERS,
PLAT A/UP-DATE

Saunders Subdivision, Plat A...This one-lot Subdivision has already received Final Plat Approval at a previous Council Meeting. The Up-date is simply to inform the Council of a change in the bonding requirement for the subdivision. Rather than constructing the improvements on Loafer Canyon Road, they have paid the City the amount of the cost of the improvements, plus the other associated fees. Their Plat is ready for recording and needs the Council's signatures.

RESOLUTION

This is a resolution which allows the City to finance loans and to reimburse itself for certain capital expenditures. This should have already been in place for authorization to finance anything. Dave Tuckett brought it to the attention of Gary Bowen and suggested that a Law Firm in Salt Lake draft the resolution. The proposed resolution was sent to Elk Ridge for the Council to consider. It is not committing the City to anything in particular. It is general in nature.

Cindi Ellis: Noticed that the draft of the resolution uses "Town", "Town Clerk" and Elk Ridge "Town" rather than "City". This should be changed prior to adoption.

RESOLUTION/
CITY FEE
SCHEDULE

The Fee Schedule needs to be amended, specifically relating to delinquent accounts associated with the sale of water to residents. The resolution will be given to people moving into Elk Ridge so they are aware of the charges. It will also be printed out on the bills to keep residents informed.

CE-1 ZONE

Gary Bowen: There are complaints that the PRD (Planned Residential Development) requirements within the Zone are too restrictive and unreasonable. Councilmember Bowen took the Ordinance to the Engineer for his review. Two attorneys have looked at it, including Dave Tuckett.

ELK RIDGE CITY COUNCIL MEETING – 2-13-01, CONT.

Some suggested changes have been listed. The problem seems to lie within the density requirements. The Planning Commission is going to re-consider the PRD Ordinance. The opinions and advice from the attorney, engineer and City Planner will be noted and recommendations made to the council. Another issue is the concept of no building on 30% slopes. Councilmember Bowen feels that is really not the standard in Utah. Up to 30% slope can be built upon, with restrictions; for instance, to require an engineering stamp on the foundation plan. The Council is to send the Ordinance back to the Planning Commission.

APPOINTMENT/
CITY COUNCIL
MEMBER

To create a Third Class City form of Government, an additional Councilmember will be appointed at the next Council meeting. There will be five Councilmembers and one Mayor. Another announcement asking for names of those interested in serving will go out to the residents of Elk Ridge.

**ELK RIDGE
CITY COUNCIL MEETING
February 13, 2001**

TIME & PLACE
OF MEETING

The regular Meeting of the Elk Ridge City Council was held on **Tuesday, February 13, 2001, at 7:00 PM**; it was preceded by the **Council Work Session at 6:00 PM**. The **Public Hearing scheduled for 6:15 PM was canceled**. The Meetings were followed by a **Council Closed Session, which began at 8:45 PM**. The Meetings were held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of these meetings 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 9, 2001; and an Amended Agenda was faxed to the Chronicle on February 12, 2001, and provided to the members of the Governing Body.

ROLL CALL

Mayor: Cregg Ingram; *Town Council:* Gary Bowen (Mayor Pro tem), Cindi Ellis, Kent Anderson, Michael Motko; *Administrative Assistant:* Ernestine Folks; *Planning Commission:* Stewart Jolley; *Utah County Commissioner:* Jerry Grover; *Fire Chief:* Seth Waite; *Officer:* Tracy Jones; *Public:* Forrest Darling, Laura Ashton, Craig Olson, Lee Haskell; and *City Recorder:* Janice H. Davis

INVOCATION
& PLEDGE OF
ALLEGIANCE

Invocation was offered by Kent Anderson.

AGENDA TIME
FRAME

**MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY
GARY BOWEN TO APPROVE THE AGENDA TIME FRAME AND TO ADJUST THE
TIME BY 10 MINUTES
VOTE: YES (5) NO (0)**

COMMISSIONER
JERRY GROVER

Mayor Ingram welcomed Utah Commissioner Jerry Grover. Commissioner Grover was present to discuss some of the County issues with those present. He tries to get to all the cities and towns at least once a year to give Councils a chance to ask questions.
Issues:

1. Elk Ridge Drive: the County road connecting 1600 West to the old Highway. The road should be done in the summer. The bridge on 1600 West is also going to be widened.
2. The County Road connecting Loafer Canyon Road and 1600 West will be bid out this coming fall. After this Road, running east/west, connects onto 1600 W., a "round about" will be installed where the two roads intersect.
3. Freeway Access: (Commissioner Grover) The intent is to connect this area to the Benjamin Exit...there are "wetlands" issues in having a more direct route to I-15. This will be re-evaluated in three years or so.
4. Animal Control: Councilmember Ellis brought up the problems experienced in trying to get a contract for Animal Control. Elk Ridge contracts with the County; but, the contract was not acceptable to Elk Ridge regarding the issue of "kenneling". The County defines "kennel" as 4 dogs...this is too many for Elk Ridge. This needs to be changed to 3 dogs being defined as a "kennel". Councilmember Ellis wants a meeting with the County Sheriff's Dept. Commissioner Grover can aid in this. He feels that this can be worked out. Call his office to arrange the meeting (370-8135) and ask for Susan Halverson.
5. 1600 West south of the bridge: Are there plans to widen and improve this section of the County Road?
(Commissioner Grover): It is felt that this section of road will eventually be annexed into one municipality or another. The County has no plans.
6. Clyde Naylor requested the Council authorize a letter verifying that the east/west road connecting Loafer Canyon Road to 1600 West will remain a County Road.
(Commissioner Grover) There have been problems with roads the County has designed for traffic, then the road becomes a City road and they want more access to the road. The road becomes just another residential road when it was not designed as such. Before the County puts money into the road, there needs to be assurance the road will remain as it was designed, with limited access.

AUTHORIZE
LETTER TO
COUNTY

**MOTION WAS MADE GARY BOWEN AND SECONDED BY MICHAEL
MOTKO TO AUTHORIZE MAYOR INGRAM TO WRITE A LETTER
VERIFYING THAT ELK RIDGE IS IN AGREEMENT THAT THE ROAD CONNECTING
LOAFER CANYON ROAD AND 1600 WEST, WILL REMAIN A COUNTY ROAD, WITH
LIMITED ACCESS**

VOTE: YES (5)

NO (0)

BUILDING
PERMIT
APPROVAL/
LEE HASKELL

Lee Haskell was present to seek approval for a building permit in Haskell Subdivision, Plat G, prior to the minimum level of improvement of asphalt being installed.

Gary Bowen: Feels the way the Code is written "is necessary if someone is selling the lot". The Engineer says that construction could take place at the same time the road is going in, as long as someone is not moved into the home without the "hard-surfaced" road being finished. Councilmember Bowen agrees. Other cities allow developers to build houses as they go along. There would be no final until the paving is in.

Cindi Ellis: Isn't there a concern with emergency vehicles being able to access the houses?

Issue:

Can the Council grant an exception to this requirement? The requirement is not part of the Subdivision Ordinance. The statement which allows the

Council to grant exceptions, says that option is specific to the same chapter, 10-7. The minimum level of improvement requirement is in a different chapter (there are no exceptions provided for in that chapter...

10-3). If the Council does not agree with the way the Ordinance is written, then the Ordinance can be amended.

Lee Haskell: What can the Board of Adjustments grant exceptions to?

Gary Bowen: Not this. The condition could not be self-imposed to be granted a variance by the Board of Adjustments.

Lee Haskell: There is pavement to the lot. Does that make a difference?

(The pavement is the existing road which used to lead to the lower well.)

The pavement goes to the lot; but, there is a distance between the pavement and the lot that is just road base.

Stewart Jolley: Cautions approval of a building permit when an occupancy permit cannot be issued until improvements are in.

Mayor: As the current Ordinance is written, it appears that the Council has no authority to grant an exception to allow a building permit for Mr. Haskell

Michael Motko: The Council should not be bound to the point of not being able to grant an exception, if the justification is reasonable. Perhaps, the Ordinance should be re-written. There can be no relief for Mr. Haskell this night.

Cindi Ellis: Part of the reason this City has so many problems is due to exceptions being granted.

Mayor Ingram: Feels the Council should go to the request by Mr. Haskell.

MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY KENT ANDERSON TO DENY THE REQUEST FOR A BUILDING PERMIT APPROVAL IN THE HASKELL SUBDIVISION, PLAT "G"

VOTE: YES (4) NO (1) GARY BOWEN

Kent Anderson: Suggested remanding the Ordinance to the Planning Commission for further consideration and recommendation. The policies of other cities/towns will be researched,

Cindi Ellis: Does the current Ordinance need to change? What do other cities do?

FAIRWAY HEIGHTS
SUBDIVISION,
PLAT B

The Engineering letter from LEI Engineering, dated August 22, 2000, stated that the Durability Retainer for Fairway Heights, Plat B, should begin. The suggestion was to back-date the beginning of the two year time period to October, 1999. (October 13, 1999, was when the original list of improvements was completed.) LEI inspected the project after that date. Since then, problems have come up with the turnarounds and the sewer, which backed up. The Council needs to decide when the durability retainer should begin.

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS, AS PER ENGINEERING RECOMMENDATION, TO APPROVE THE BEGINNING OF THE DURABILITY RETAINER TIME, FOR FAIRWAY HEIGHTS SUBDIVISION, PLAT B, AS OF OCTOBER 13, 1999, AND IT BE NOTED THAT THE PREVIOUSLY DESCRIBED CONCERNS SHOULD BE RESOLVED PRIOR TO 10-13-2001

VOTE: YES (5) NO (0)

SET PUBLIC
HEARINGS

1. Fairway Heights Subdivision, Plat B/Default:

Two items needing correction are still needing to be addressed. One is concerning the temporary turnarounds (asphalt is falling apart in places); and there was a sewer back-up which was fixed and there remains the issue of responsibility for the billing (\$470.00).

The Engineers are also recommending that the full line be jetted.

Gary Bowen: The Engineers say there is no road base under the asphalt on the turnarounds. Even though the standards are not specific for turnarounds, the improvements still must maintain durability during the two year period.

Forrest Darling (Developer of the Subdivision): Mr. Darling stated that the turnarounds were compacted, there is road base under both turnarounds and there is 2 1/2 " of asphalt. One turnaround at the top of Fairway Dr. is coming apart as a result of the trash trucks turning around. They are not for that purpose...he understands that they are there for snowplowing.

What is expected to repair these areas? Mr. Darling said he would remove the asphalt that is breaking loose, compact it back, put a sub-base in, compact it back, and replace the asphalt where it has come loose; if that's all they want.

Gary Bowen: As far as he (Councilmember Bowen) is concerned, this is what Mr. Darling needs to do: Get with the Engineer and decide what it will take to get those two items eliminated; so when we get to the end of October, 2001, we can release this Durability Bond.

Forrest Darling: When there was a sewer problem, he should have been notified and he would have taken care of it. He also received an agenda in his mailbox about the current subject.

Gary Bowen: "You knew about this way before this because when this letter was written, you got a copy."

The call came in on the sewer from a resident saying it was backed up.

Forrest Darling: Mr. Darling did not feel it could be backed up that far.

Gary Bowen: All the debris in the manholes was not found until they went up to clean out the line.

Mayor Ingram: Reiterated that Mr. Darling needs to contact LEI Engineering and work out a solution.

Forrest Darling: "I'll talk to them tomorrow. I'll take care of the problem."

Gary Bowen: Talk to Mike or Ernie.

Forrest Darling: "I'll talk to them both."

**2. Ordinance/Development Code Amendment Regarding Setbacks &
Unobstructed Yards:**

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY KENT ANDERSON TO SET A PUBLIC HEARING ON AN ORDINANCE AMENDING THE ELK RIDGE CITY DEVELOPMENT CODE, SECTION 10-3-3.8, YARDS TO BE UNOBSTRUCTED - PROJECTIONS EXCEPTED; AND SECTION 10-11-2, LIST OF DEFINITIONS (54) SETBACKS, PROVIDING FOR CODIFICATION, INCLUSION IN THE CODE, AND SCRIVENER'S ERRORS, PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE; FOR MARCH 13, 2001, AT 6:00 PM

VOTE: YES (5)

NO (0)

3. Amended 2000/2001 Budget:

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY MICHAEL MOTKO TO SET A PUBLIC HEARING ON AMENDING THE 2000/2001 BUDGET FOR FEBRUARY 26, 2001, AT 6:00 PM

VOTE: YES (5) NO (0)

EXPENDITURES

General:

Warrant Registers: December, 2000 & January, 2001

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY KENT ANDERSON TO APPROVE THE WARRANT REGISTER FOR DECEMBER, 2000, FOR THE CITY OF ELK RIDGE, UTAH.

VOTE: YES (5) NO (0)

(No payroll register was included...they will be on the next Council Agenda)

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO APPROVE THE WARRANT REGISTER FOR JANUARY, 2001, FOR THE CITY OF ELK RIDGE, UTAH.

VOTE: YES (5) NO (0)

(No payroll register was included...they will be on the next Council Agenda)

1. Well #3/Oak Lane Well:

The pump burned out. Cost estimate from Nickerson Pump Co. to repair it: \$8,220.00 + \$500 - 1,000 (camera the well + mobilization)

The well will pump directly into the line and into the tank rather than through the 2 ½" main. The 6" line will be abandoned. The well should be able to be pumped 24 hours/day.

MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY GARY BOWEN TO APPROVE THE BID FROM NICKERSON PUMP CO. TO REPAIR WELL #3, NOT TO EXCEED \$9,220.00.

VOTE: YES (5) NO (0)

2. LEI Engineering Work Release #9:

This is for work on routing a sewer system between Elk Ridge and Payson. Cost estimate for engineering: \$11,900.

In the opinion of Councilmember Bowen, Elk Ridge should not pay for any more engineering on this project until there is a firm commitment that Elk Ridge can tie onto Payson's sewer system.

Don Mecham gave Elk Ridge the engineering that LEI did for his project on sewerage to Payson, which amounts to about \$15,000 worth of engineering. LEI sent a letter to Payson City; but, has gotten no action from them. The Mayor and Councilmember Bowen are to meet with Payson on February 20, 2001.

Elk Ridge also needs to figure out how to finance this.

No approval at this time.

3. LEI Engineering Work Release #10:

This is for work to prepare a plat for the Dennis Shuler property in Loafer Canyon and the detail on the City's other property in Loafer Canyon.

Cost estimate = \$800.00

MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY GARY BOWEN TO APPROVE LEI ENGINEERING'S WORK RELEASE #10, IN THE AMOUNT OF \$800.00
VOTE: YES (5) NO (0)

MINUTES

1) City Council Minutes of 1-9-01:
MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY MICHAEL MOTKO TO APPROVE THE CITY COUNCIL MINUTES OF 1-9-01, TO INCLUDE THE STATE OF THE CITY ADDRESS
VOTE: YES (5) NO (0)

2) City Council Minutes of 1-19-01:
MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY MICHAEL MOTKO TO APPROVE THE CITY COUNCIL MINUTES OF 1-19-01
VOTE: YES (5) NO (0)

FIRE DEPT.
BUDGET

Fire Chief Seth Waite (Memo to City Council):

Chief Waite was present to speak to the Council about this year's budget, as well as the budget for 2001/2002.

Several issues needing resolution:

1. Problem: No incentive for EMS personnel to be on the Dept., attend the EMT course, and to be "on-call". No reimbursement for use of personal vehicles for calls. No incentive for fire or EMS personnel to respond to calls. When policies are enforced, personnel do not feel the hassle is worth the effort and they resign from the Dept.

Proposed Change: Adopt the pay scale enclosed for the emergency services of the City.

Advantages: Allow "on-call" personnel to receive compensation for the time when they are required to adhere to the guidelines of the Dept. as primary responder. This plan will pay per call & encourage personnel to respond on calls both for Fire and EMS. It will also reward longevity with the Dept.

Cost: Will raise payroll approximately 125% from the current levels. In 2002, it will go to \$12,500 from \$5,700. Adjustments will be made to the current budget to cover the remainder of the year. (Without personnel, the Dept. will not function.)

2. Problem: Fire response equipment is becoming increasingly outdated and hard to maintain without major overhaul and repair. Do we work to repair or replace? (Chief Waite listed the problems with the individual trucks.)

Solutions:

A. Solutions include both the sale and replacement of certain trucks and reworking the AM General to carry more brush tools and function more as a brush truck.

B. Put in place an automatic aid agreement with the surrounding depts. for back-up on all calls...this would help with the equipment & personnel needs.

3. Problem: The individual working as Asst. Fire Chief is unable to keep up with the duties of EMS and Fire and has asked to be relieved of the Fire responsibility.

Solution: Differentiate the duties of Fire and EMS and assign a individual over each...making the Fire Dept. Asst. Chief and EMS Supervisor 2 separate, paid positions. The annual cost would be \$900.

Discussion:

The question was raised if it is worth it to the City to maintain the EMS Dept. and why EMS personnel from Elk Ridge cannot train with Payson?

Currently, Payson does provide ambulance service to Elk Ridge.

Chief Waite said that there have been negative feelings in the past; but, he is not sure why. This needs to be determined and solved.

Chief Waite commented that when a call comes in, Payson is 15 minutes away. The people in Elk Ridge are on the scene within minutes to cover the gap between the 911 call and the time when the ambulance gets there. After the ambulance arrives, Elk Ridge hands off responsibility to them. Is it worth it? He would say, yes.

Forrest Darling: As a former fire-fighter in California, he has experience and said that 95% of the calls that come in are EMT related. The Dept.'s primary purpose is heart attack, trauma...life-saving. What is the City's liability to provide EMT response. The City could be sued for not providing EMT response. That is why smaller municipalities many times end up

going with larger cities. The problems need to be solved. Both Payson and Elk Ridge need to look at what should be done to make both cities safe.

Requests:

1. MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY GARY BOWEN TO APPROVE THE ADOPTION OF THE PROPOSED

PAY SCALE FOR THE FIRE DEPT., TO BE EFFECTIVE AS OF JANUARY, 2001

VOTE: YES (5)

NO (0)

2. MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY MICHAEL MOTKO TO APPROVE PROCEEDING WITH THE FIRE DEPT. EQUIPMENT UPGRADES, TO START WITH INFORMATION GATHERING AND FIRM PROPOSALS, TO BE PRESENTED WELL BEFORE ANY ACTION AND INCLUDING APPROXIMATE DOLLAR AMOUNTS AND ADVERTISING THE SALE OF THE 1965 GMC, TO RAISE CAPITAL

VOTE: YES (5)

NO (0)

3. MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY MICHAEL MOTKO TO APPROVE SPLITTING THE POSITIONS OF ASSISTANT CHIEF AND EMS SUPERVISOR DUTIES AND FILL THE VACANCY

VOTE : YES (5)

NO (0)

RESOLUTION/
CITY
REIMBURSEMENT
AUTHORIZATION

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY MICHAEL MOTKO TO APPROVE A RESOLUTION WHICH IS A DECLARATION OF OFFICIAL INTENT OF THE CITY COUNCIL OF ELK RIDGE CITY, UTAH COUNTY, UTAH, TO REIMBURSE ITSELF FOR CERTAIN CAPITAL EXPENDITURES BY INCURRING DEBT RELATING TO THE CONSTRUCTION OF ROADWAYS, CURB AND GUTTER, STORM DRAINAGE AND/OR WATER AND SEWER IMPROVEMENTS WITHIN THE CITY; TO PROVIDE FOR THE MAXIMUM PRINCIPAL AMOUNT OF DEBT AND THE NATURE OF PROJECT COSTS; TO AUTHORIZE INCIDENTAL ACTION; AND TO REPEAL PRIOR INCONSISTENT RESOLUTIONS...

CONTINGENT UPON CHANGING "TOWN" TO "CITY" AND "TOWN CLERK" TO "CITY RECORDER" THROUGHOUT THE DOCUMENT

VOTE: YES (5)

NO (0)

ADJOURNMENT

**MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY CINDI ELLIS TO
ADJOURN THE MEETING AND TO MOVE TO A COUNCIL CLOSED SESSION
VOTE: YES (5) NO (0)**

8:45 PM

-

CITY COUNCIL CLOSED SESSION

ROLL CALL

*Mayor: Cregg Ingram; City Council: Michael Motko, Kent Anderson, Cindi Ellis & Gary
Bowen; Fire Chief: Seth Waite; City Recorder: Janice H. Davis*


Discussion of Personnel


CITY RECORDER

NOTICE OF PUBLIC MEETING

Notice is hereby given that the Elk Ridge Planning Commission will hold a **regular scheduled meeting with the Elk Ridge City Council at 7:00 P.M. on Thursday, February 15, 2001**. The meeting will take place in the Elk Ridge City Hall, 80 East Park Dr., Elk Ridge, UT, at which time consideration will be given to the following:

- 7:00 P.M. Invocation & Pledge of Allegiance
- 7:05 Approval of Agenda Time Frame
- 7:10 PLANNING COMMISSION/CITY COUNCIL JOINT MEETING: FUTURE DEVELOPMENT - MUNICIPAL BOUNDARIES, WATER, SEWER, ZONING - Discussion
- 8:40 Approval of Minutes of Previous Meetings, 1-18-01 & 2-1-01
- 8:45 Ratification of Action Due to Lack of Quorum
- 8:50 Development Code Amendments:
 - 1. Amendment to the Elk Ridge Subdivision Ordinance 10-7-5.3, Streets and Roads - To be Dedicated to the Public - Streets to be Improved - Partial Width Streets Permitted in Certain Instances - Action - Recommendation
- 8:55 Appointment of Planning Commission Chair & Vice Chair
- 9:00 Other Business
- 9:05 Adjournment



City Recorder


*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 8th day of February, 2001.

BY ORDER OF THE ELK RIDGE PLANNING COMMISSION.
CERTIFICATION

The undersigned duly appointed and acting City Recorder for the municipality of Elk Ridge, hereby certifies that a copy of the foregoing Notice of Public Meeting was faxed to the Payson Chronicle, Payson, Utah, and mailed to each member of the Planning Commission & City Council on this 8th day of February, 2001.



City Recorder

ELK RIDGE PLANNING COMMISSION
FEBRUARY 15, 2001

**TIME AND
PLACE**

The regular meeting of the Elk Ridge Planning Commission, in conjunction with the Elk Ridge City Council, was held on February 15, 2001, 7:00 p.m., at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah.

ROLL CALL

Commissioners: Stewart Jolley, Bob Goodwin, Terie Righettini, Joyce Prather, Allen Nelson, Bruce Lindow, Marc Rugg,
City Council: Mayor: Gregg Ingram, *Councilmembers:* Mike Motko, Gary Bowen, Cindy Ellis

Town Planner Andrew Jackson(absent), *Administrative Assistant* Ernestine Folks, *Secretary* Annebel Meredith (absent), *City Engineers:* Gregg Magleby, Jesse
Public: No public present.

INVOCATION

The Invocation was given by Ernestine Folks, followed by the Pledge of Allegiance

Planning Commission Chair, Stewart Jolley, turned the time over to Mayor Gregg Ingram. Mayor Ingram explained that the purpose for this meeting, was to look at the future of Elk Ridge. There are a number of issues, especially with regard to the City infrastructure. Everything from its deterioration, to its repair and replacement.

Mayor Ingram presented information outlining infrastructure needs for now, and for the future.

Mayor Ingram stated that the specific objectives that need to be addressed at this meeting are:

1. The need for planning
 - A. What are the issues that need to be looked at and considered.
2. The role of the city Engineers as an integral part of the planning team.

Mayor Ingram addressed the major issues.

1. Water

- A. The main items relating to water are: Source and storage;

Currently, the City has well pumping capacity and storage available to provide 1.3 acre feet of water for 560 approved lots, there is no additional water, except for the homes which have already been approved.

2. Sewer

Currently, the system is adequate, however, at build out of 560 homes, the City does not have enough sewer capacity. More capacity would have to be purchased or acquired in order to service the homes not yet built, but lots that have been approved. There are some options that will be addressed later.

3. Storm Drainage

There is no question that this is a major problem. When it was decided to put curb and gutter into the Town, the Mayor stated that there wasn't much planning or foresight into what would happen to the water, and how residents would be impacted.

Mayor Ingram has asked the City Engineers to look at how to get water off the mountain, into places without destroying other properties as it runs through.

City Engineer - Gregg Magleby, addressed the three elements of the **Water System**:

A. Source

The Engineers along with Council member Gary Bowen are working to see if some of the older wells can be put into production. This year, 2001, is the proof year. Elk Ridge will have to prove up on the majority of water rights. What this means is that Elk Ridge will have to prove (to the State Water Board) that it is able to pump enough water out of the ground to meet the existing water rights. Currently, the wells are not able to pump what the Town has rights to pump.

Mr. Magleby stated that State requirements for source and storage are very different.

It does not mean that there is adequate water to service the City because there is adequate water in the tanks. In order to have adequate source, there must be double the amount of source that there is storage. If the storage is 400 gallons per connection per day, for indoor use, the City must have the ability to pump 800 gallons per connection per day for indoor use.

The requirement of source is much higher than the requirements for storage. For this reason, some of the existing wells are being looked at to see if they can be put into production to be able to prove up on the rights to keep them active and out of jeopardy with the State.

B. Storage

The City is at its maximum on water storage, with the current lots that are approved. Any additional lots, would require additional water storage tanks to be constructed. This is very expensive, and the Town is not in a position to be able to pay for the construction of a new water tank. It is going to take development, and/or developers to come in and pay the expenses, to later be reimbursed through impact fees.

2. Sewer

Mr. Magleby discussed the monitoring of sewer on the north side of Town. It was concluded that the Town is roughly at capacity of the sewer now.

An infiltration problem is causing concern, because generally, there is no water table in most of Elk Ridge. There is still a significant flow in the sewer during the early morning hours. Specifically 50 gpm, which comes out to 250 homes, and this is not possible at that time of night.

Council member Gary Bowen , has been trying to find leaks possibly in the water system. As soon as some of the upgrades are done, there will be an infiltration study to see if the source of infiltration can be pinpointed, and what can be done to resolve the problem.

3. Storm Drainage

LEI has made some significant steps toward a concept plan on storm drainage. A piece of property has been acquired at the end of 1600 west. Infiltration studies to see the holding capacity of the soils to be able to put the majority of storm drainage from the north west side of Town into the combination basin/ park. They are also working on a study to determine how to connect other ponds and sumps to the north west side of Town. A significant basin is being planned south of the Town office, which would have to eventually be tied into the larger basin.

The expenses would have to be born by existing citizens, and any development. With development, the storm drain could extend further. As long as there is a master plan in place enforcement of utilities can be made.

For Plat G of the Haskell development, a master plan was in place to put storm drainage on Goosenest, not only sumps, but interconnecting the sumps with pipe. Mr. Haskell has installed those pipes. As the storm drainage system progresses, the City will have to take the brunt of some of the existing development for installing pipe that was not installed when the developments were put in. The overall master plan, would have to connect that, with future development.

Loafer Canyon Road

The sewer line has been extended from the K & C development, up by the well, over to Loafer Canyon. The Engineers are in the process of designing the sewer extending all the way up Loafer Canyon.

The Engineers are also designing a new roadway for Loafer, narrowing the right of way sections to 36 ft., which are aligned to accommodate existing asphalt, and the portion that is already graded as much as possible. The intersection at Park and Loafer Canyon is be redesigned to be able to accommodate a bus turn around.

Mayor Ingram presented some facts and figures. He stated that revenue must meet expenditures to run the Town.

PLANNING COMMISSION MEETING - 2-15-2001 - CONT

The figures from Payson indicate, that for every dollar collected in revenue, \$1.15 is spent in the maintenance and management of their infrastructure needs.

Mayor Ingram handed out a letter from the Utah League. From their estimates, taking the information provided to them from the Town, income and general makeup of the town in terms of financial structure, the Utah League calculates that we are generating only 50-60% of the income it takes to run the Town. Mayor Ingram stated that unless something happens, it will only be a matter of time before Elk Ridge would become a City in Default. What happens to a City in default?, it generally become consumed by someone else.

What options does the Town have? Increase taxes and rates, the burden falls on the citizens of the Town. Perhaps a change of perception on how to operate, should commercial development be considered? One way to generate income. More development, possibly expanded boundaries.

As the sewer issues were discussed, the Mayor indicated that there is positive discussion about a Central sewer system for South Utah County. Currently, Payson could accommodate all of Elk Ridge, up to 1,500 homes, on their present system.

Gary Bowen presented the cost figures of one regional sewer plant at 348 million dollars. The second alternative, to use Payson and Spanish Fork, the cost would be \$291,600,000, per capita .

Mayor Ingram suggested that the best bet at the present time for sewer, would be to work with Payson,

There was discussion between Planning Commission members and City Council, regarding issues that have been presented and possibilities for solutions. There was considerable discussion with regard to the possibility of commercial development, and higher density development.

There was also discussion with regard to the possibility of annexation with another city.

Mr. Jolley asked if the Council realistically felt that the Town would be able to generate enough tax revenue with commercial development to continue to support the Town.

Comments were made that perhaps a combination of development and commercial development would be necessary.

PLANNING COMMISSION MEETING - 2-15-2001 - CONT

Council member Gary Bowen presented the example of Deer Valley. Deer Valley was not able to be self sufficient, so they annexed all services and connected everything with Park City, and then capitalized on the commercial tax base to make things work. They remain Deer Valley, and all addresses are Deer Valley, however, all utilities are connected to Park City so they are essentially one city. In the future, a possibility for Elk Ridge, may be a merger with another City.

Commission member Cindy Ellis, felt that residents in Elk Ridge might be more receptive to the idea of a merger, if they felt like the governing bodies had looked at every option, and done everything possible. If the citizens feel like the towel is just being thrown in, with the Council and Commission saying that they aren't even going to look at any other options, because they don't think it will work, there could be greater opposition.

Mayor Ingram stated that the purpose for this meeting was to present information. The Mayor also suggested that the Council compile additional information for Planning Commission members regarding actual financial figures.

The general consensus was that there is a need to be more aggressive with the development of longer term plans for services such as sewer and water, and then put them in place.

Mayor Ingram suggested that the Planning Commission and the City Council come to an agreement on what the north end boundaries of Elk Ridge should be. Also, look at what it would take for some commercial development to come in to off set the residential, and how much land would have to be earmarked. Find out what it will cost for a water and sewer development plan and as part of that, the storm drainage plan. The Planning Commission and the City Council are to plan another meeting within one or two months.

**APPROVAL OF
MINUTES OF
PREVIOUS
MEETING**

**MOTION WAS MADE BY STEWART JOLLEY SECONDED BY
TERIE RIGHETTINI, TO APPROVE THE MINUTES OF JANUARY
18, 2001 AS MODIFIED. VOTE: YES-ALL, NO-NONE(0).**

PLANNING COMMISSION MEETING - 2-15-2001 - CONT

**RATIFICATION
OF ACTION DUE
TO LACK OF
QUORUM**

Planning Commission Chair Stewart Jolley explained that at the previous meeting there was no quorum present. A public hearing had been scheduled for that evening and was held. There was not public input during the meeting. The meeting was then adjourned.

MOTION WAS MADE BY STEWART JOLLEY SECONDED BY TERIE RIGHETTINI, TO RATIFY THE ACTIONS OF THE PLANNING COMMISSION MEMBERS OF THE FEBRUARY 1, 2001, PLANNING COMMISSION MEETING, THAT IS, HOLDING THE PUBLIC HEARING ON THE ORDINANCE AMENDING THE PUBLIC STREETS TO BE IMPROVED, PARTIAL WIDTH STREETS PERMITTED IN CERTAIN INSTANCES, AND CANCELING THE REST OF THE AGENDA. VOTE: YES-ALL, NO-NONE(0).

DEVELOPMENT CODE AMENDMENTS:

**AMENDMENT TO
THE ELK RIDGE
SUBDIVISION
ORDINANCE
10-7-5.3, STREETS
AND ROADS - TO
BE DEDICATED
TO THE PUBLIC-
STREETS TO BE
IMPROVED -
PARTIAL WIDTH
STREETS PERMITTED
IN CERTAIN INSTANCES**

Stewart Jolley clarified the content of the ordinance.

MOTION WAS MADE BY JOYCE PRATHER SECONDED BY TERIE RIGHETTINI, RECOMMEND THAT THE TOWN COUNCIL ACCEPT THE ORDINANCE AMENDING THE ELK RIDGE SUBDIVISION ORDINANCE 10-7-5.3, STREETS AND ROADS - TO BE DEDICATED TO THE PUBLIC - STREETS TO BE IMPROVED - PARTIAL WIDTH STREETS PERMITTED IN CERTAIN INSTANCES. VOTE: YES-ALL, NO-NONE(0).

**VOTE FOR
NEW PLANNING
COMMISSION
CHAIR**

Planning Commission Chair Stewart Jolley outlined the responsibilities of the Planning Commission Chair position.

MOTION WAS MADE BY ALLEN NELSON SECONDED BY TERIE RIGHETTINI TO NOMINATE BOB GOODWIN AS PLANNING COMMISSION CHAIR.

MOTION WAS MADE BY STEWART JOLLEY SECONDED BY MARC RUGG TO NOMINATE JOYCE PRATHER AS PLANNING COMMISSION CHAIR.

MOTION WAS MADE BY ALLEN NELSON SECONDED BY BRUCE LINDOW TO CLOSE NOMINATIONS FOR PLANNING COMMISSION CHAIR. VOTE: YES-ALL, NO-NONE(0).

PLANNING COMMISSION MEETING - 2-15-2001 - CONT

Planning Commission members turned their votes to Ernestine Folks.
Majority vote was Joyce Prather as Planning Commission Chair.

Stewart Jolley opened nominations for Vice-Chair.

MOTION WAS MADE BY JOYCE PRATHER SECONDED BY STEWART JOLLEY, TO NOMINATE BOB GOODWIN AS PLANNING COMMISSION VICE-CHAIR.

MOTION WAS MADE BY JOYCE PRATHER SECONDED BY MARC RUGG, THAT NOMINATIONS CEASE. VOTE: YES-ALL, NO-NONE(0).

The vote was unanimous for Bob Goodwin as Planning Commission Vice-Chair.

There was further discussion between Planning Commission members with regard to the issues which had been addressed previously in the meeting

ADJOURNMENT

MOTION WAS MADE BY JOYCE PRATHER TO ADJOURN. VOTE: YES-ALL, NO-NONE(0).



Planning Commission Chairman

AMENDED NOTICE & AGENDA

Notice is hereby given that the City Council of Elk Ridge will hold a City Council Meeting on **Tuesday, February 27, 2001, at 7:00 PM**; it will be preceded by a **Public Hearing, at 6:00 PM**, to consider amending the Elk Ridge City fiscal year budget for 2000/2001. There will be a **Special Council Session** to Appoint a New Councilmember **at 6:30 PM**. The **Council work Session will be at 6:45 PM**. The meetings will be held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

- 6:00 PM PUBLIC HEARING/AMENDED 2000/2001 BUDGET**
Amending the 2000/2001 Fiscal Year Budget for the Operation of the City of Elk Ridge
- 6:30 PM CITY COUNCIL ACTION TO APPOINT CITY COUNCILMEMBER**
APPOINTMENT OF CITY COUNCILMEMBER
- 6:45 PM CITY COUNCIL WORK SESSION**
Assignment of Councilmember Responsibilities
Staff Evaluation/Policies
Dept. Heads/2001-2002 Budget Projections
- 7:00 - PM REGULAR COUNCIL MEETING AGENDA ITEMS:**
Invocation and Pledge of Allegiance
- 7:03 Approval of Agenda Time Frame
- 7:05 Adopt Amended 2000/2001 Budget
- 7:10 Set Public Hearing:
 Ordinance/Amendment to the Elk Ridge Subdivision Ordinance 10-7-5.3,
 Streets & Roads - to be Dedicated to the Public - Streets to be Improved -
 Partial Width Streets Permitted in Certain Instances
- 7:15 Resolution/Authorize Elk Ridge to Provide Cable or Telecommunications
- 7:20 Expenditures: General
 - LEI Engineering Work Release #11
- 7:25 Approval of Minutes of Previous Meetings
- 7:30 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 23rd Day of February, 2001.


City Recorder

CERTIFICATION

I, the undersigned, duly appointed and acting City Recorder for the municipality of Elk Ridge, hereby certifies that a copy of the 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 22, 2001; as well as an Amended Agenda on 2-23-01.


City Recorder

**ELK RIDGE
CITY COUNCIL MEETING
February 27, 2001**

**TIME & PLACE
OF MEETING**

The regular Meeting of the Elk Ridge City Council was held on **Tuesday, February 27, 2001, at 7:00 PM;** it was preceded by a **Public Hearing at 6:00 PM** for the purpose of amending the 2000/2001 Fiscal Year Budget, for the City of Elk Ridge; A **Special Council Session @ 6:30 PM** to appoint an additional Councilmember; and the **Council Work Session at 6:45 PM.** The meeting was held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of these meetings was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the member of the Governing Body by mailing a copy to each on February 22, 2001; and an Amended Agenda on 2-23-01.

6:00 PM

PUBLIC HEARING/AMENDED 2000/2001 BUDGET

Amending the 2000/2001 Fiscal Year Budget for the operation of the City of Elk Ridge:

ROLL CALL

Mayor: Gregg Ingram; *City Council:* Gary Bowen (Mayor Pro tem), Cindi Ellis, Kent Anderson, Michael Motko & Don Mecham; *Administrative Assistant:* Ernestine Folks; *Planning Commission:* Joyce Prather, Stewart Jolley; *Public:* Dennis Shuler, Don Mecham; & *City Recorder:* Janice H. Davis

Mayor Ingram opened the Public Hearing:

The City Recorder reviewed the major Budget changes, as listed in the Budget Message, with the Council.

Councilmember Ellis called attention to some of the Revenue Year-to-date accounts that exceeded the Modified Figures (those figures will be corrected in the final copy...and the motion to adopt should reference any of the changes which are a result of the Public Hearing).

Most of the increases are a result of growth in the City. As a city, the percentage of Fund Balance, which can accrue in the General Fund, is considerably less (75% for towns as compared to 18% for cities). This can be handled through the use of "Capital Project Funds". The General Fund transfers the money into the Capital Project Funds. The Fund Balance left from last year, according to the 1999/2000 Year Audit, is around \$200,000 "usable funds. Curtis Roberts (head of the Audit team) is to come to Elk Ridge to assist in setting up these accounts. Part of the Fund Balance in the General Fund will be used in Road Repair. According to Mr. Roberts, a Capital Projects Fund can be set up for "Roads". Since road maintenance is not capitalized, it is not clear how this will be accomplished, at this time.

Using the same formula that has been used previously, the Administration Fees paid to the General Fund from the Water Fund (increased) and the Sewer Fund (decreased slightly) have been modified. The increase in the Fee from the Water Fund is due to growth and a raise in water rates. The Administration Fees for both of the Enterprise Funds are based on a percentage of the total Operating Revenue + a percentage of the wages for Public Works.

"Contributions & Transfers": as a result of the increased Administration Fees, the use of Fund Balance will decrease.

Administration: "Employee Wages" will increase due to the addition of a full-time position of an Assistant Public Works Superintendent (\$8,000) for the rest of the current fiscal year. There will be an addition of approximately \$22,000 in wages for 2001/2002 + benefits.

Fire Dept.: "Wages" will increase because the Fire fighters and the EMS personnel will be compensated more as well as for call-outs. It has been very difficult to maintain the staff in the Fire Dept. It is felt that more compensation for service rendered will help to build the Dept.

Class C Roads: ("Street Repair") Fremont Way, Powell Circle & Oak Ridge Dr are all scheduled for over-lays this fiscal year. It has yet to be determined which roads will be chipped & sealed.

Parks & Recreation: "Wages"...need to be reviewed by Councilmember Ellis to determine how the Year-to-date figure of over 5,000 is to be re-allocated. The two young men hired to assist in the Public Works Dept. have worked in other Depts.; but, the Parks Dept. has been charged with most of their wages.

Capital Projects Funds:

Loafer Canyon Rd.: Added \$5,634 under "Revenue"...Buy-out from Saunders for improvements associated with their one-lot subdivision.

Storm Drainage Fund: Add "Purchase of Land" account (land is for drainage and park from Hal Shuler).

Water Dept.:

Operating Revenue: \$253,500

Operating Expenses: -178,064

75,436

*There is a projected over-all loss of approximately \$90,811...62,157 of that is covered by the Reserve Accounts, in place for Bond payments...leaving a balance of -\$28,654.

Sewer Dept.:

Operating Revenue: \$100,000

Operating Expenses: - 67,562

35,438

*The over-all, projected balance = -10,591; however, a \$20,253 Bond payment will be covered by the Reserve Fund...leaving a balance of \$9,662. There were no further questions or comments.

6:30 PM

CITY COUNCIL ACTION TO APPOINT CITY COUNCILMEMBER

ROLL CALL

Mayor: Cregg Ingram; *City Council:* Gary Bowen (Mayor Pro tem), Cindi Ellis, Kent Anderson, Michael Motko & Don Mecham; *Administrative Assistant:* Ernestine Folks; *Planning Commission:* Joyce Prather, Stewart Jolley; *Public:* Dennis Shuler, Don Mecham; & *City Recorder:* Janice H. Davis

In becoming a 3rd Class City, the Elk Ridge City Council will appoint a 5th Councilmember, making the Mayor a non-voting member, except in the case of a tie.

Planning Commission Chairperson, Joyce Prather, was asked to tally up the votes from the Council.

Round 1: The Councilmembers were asked to vote for two of the three names submitted for consideration: Glen Gabler, Stewart Jolley & Don Mecham. (The two receiving the most votes were Don Mecham and Stewart Jolley.)

ELK RIDGE CITY COUNCIL MEETING – 2-27-01, CONT.

Round 2: After a second vote, Don Mecham received the most votes from the Council.

MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY MICHAEL MOTKO TO APPOINT DON MECHAM AS A CITY COUNCILMEMBER, WHOSE TERM OF OFFICE SHALL BE THROUGH DECEMBER, 2001. HIS POSITION SHALL BE OPEN FOR ELECTION IN NOVEMBER 2001.

YES (5)

NO (0)

COUNCIL
ASSIGNMENTS

Mayor Ingram made the following Council Assignments:

Gary Bowen: Water & Sewer Depts.

Cindi Ellis: Parks & Recreation

Michael Motko: Planning Commission

Kent Anderson: Public Safety (Fire, EMS, Police Services)

Don Mecham: Roads

MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY MICHAEL MOTKO TO APPROVE THE CITY COUNCIL ASSIGNMENT, AS STATED ABOVE

VOTE: YES (5)

NO (0)

*Don Mecham agreed with the motion to approve the assignments, but could not vote since he had not been sworn in as a Councilmember at the time.

The Capital Improvement Plan must be adopted with the Tentative Budget for 2001/2001, at the 1st Council Meeting in May. The Mayor asked for the various Dept. Heads to have their projections ready. He would like to have a draft of the Improvement Plan for the Councilmembers at the next Council meeting.

MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY MICHAEL MOTKO TO APPROVE GARY BOWEN AS THE MAYOR-PRO-TEMPORE

VOTE: YES (5)

NO (0)

*Agreed to by Don Mecham.

The City Recorder then administered the Oath of Office to Don Mecham, after which he took his place at the Council table.

6:45 PM

CITY COUNCIL WORK SESSION

ROLL CALL

Mayor: Cregg Ingram; *City Council:* Gary Bowen (Mayor Pro tem), Cindi Ellis, Kent Anderson, Michael Motko & Don Mecham; *Administrative Assistant:* Ernestine Folks; *Planning Commission:* Joyce Prather, Stewart Jolley; *Public:* Dennis Shuler, Don Mecham; & *City Recorder:* Janice H. Davis

STAFF
EVALUATIONS

The position of Asst. Public Works Superintendent is still open. Eight people applied. The Mayor would like the Councilmembers to review the applications and make a recommendation of the top three applicants. He would like this done by the next Council Meeting.

NON-AGENDA
ITEMS

1. Gary Bowen: It has been arranged to have a representative from Zion's Bank come into the next Council Meeting (Work Session), having to do with public finance.
2. Mayor: Telecommunications Resolution: A suggestion came from Dave Tuckett (Payson City Attorney and acting Attorney for Elk Ridge) to adopt a resolution authorizing Elk Ridge to offer or provide cable television services or public telecommunication services to its residents.

ELK RIDGE CITY COUNCIL WORK SESSION – 2-27-01, CONT.

Mr. Tuckett advised that, eventually, municipalities would be subject to State laws, which could be very expensive. This resolution would allow the City more flexibility in being able to control cable and telecommunications. Salem, Payson and Spanish Fork have already adopted the resolution. The resolution must be in place by March 1, 2001.

3. Kent Anderson: Councilmember Anderson wanted to know from the Council what level of service for Police protection and animal control the Council has in mind. He needs to know this before he begins to research the options available.

Cindi Ellis: She does not mind the concept of sharing an officer with another city/town, as long as it is not as far away Goshen. Currently, Elk Ridge shares an officer with Goshen and there have been problems. The officer assigned was unable to meet the contracted time demands (20 hours per week). The current officer, Tracy Jones, is frustrated and has requested a transfer.

Mayor Ingram: Officer Jones gave the City good service; however, over time, the obligations to both cities became too much to manage. The contracted amount of 20 hours per week of patrol time seems to be sufficient, but is it possible to accomplish that?

Kent Anderson: If we stayed with the current program, the Sheriff's Dept. has indicated that they are willing to work with Elk Ridge. Councilmembers Ellis and Anderson said they would meet for further discussion after the meeting.

Don Mecham: Questioned if Elk Ridge had ever considered Local Security?

Gary Bowen: The cost would be much higher than it is now.

Mayor: The cost of a full-time officer is about \$60,000 to \$70,000/year (including benefits). That does not include a patrol car, which would add about \$20,000.

**ELK RIDGE
CITY COUNCIL MEETING
February 27, 2001**

TIME & PLACE
OF MEETING

The regular Meeting of the Elk Ridge City Council was held on **Tuesday, February 27, 2001, at 7:00 PM;** it was preceded by a **Public Hearing at 6:00 PM** for the purpose of amending the 2000/2001 Fiscal Year Budget, for the City of Elk Ridge; A **Special Council Session @ 6:30 PM** to appoint an additional Councilmember; and the **Council Work Session at 6:45 PM**. The meeting was held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of these meetings was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the member of the Governing Body by mailing a copy to each on February 22, 2001, and an Amended Agenda on 2-23-01.

ROLL CALL

Mayor: Cregg Ingram; *City Council*: Gary Bowen, Cindi Ellis, Kent Anderson, Michael Motko, Don Mecham; *Planning Commission*: Joyce Prather; *Public*: Dennis Shuler; *City Recorder*: Janice H. Davis

INVOCATION
& PLEDGE OF
ALLEGIANCE

Invocation was offered by Cindi Ellis.

ELK RIDGE CITY COUNCIL MEETING – 2-27-01, CONT.

AGENDA TIME
FRAME

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

2000/2001
BUDGET
AMENDMENT

Adoption:

There were no further comments or questions.

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY KENT ANDERSON TO ADOPT THE 2000/2001 FISCAL YEAR BUDGET AMENDMENT, TO INCLUDE CHANGES, AS PREVIOUSLY DISCUSSED IN THE PUBLIC HEARING

Discussion:

Don Mecham: Asked where the funding comes from for road repair.

(The concept of "usable" Fund Balance was discussed. It is possible that the Budget format will include a new Capital Projects Fund..."Roads". Transfers from the General Fund could include an increased amount of the current General Fund/Fund Balance. This would reduce the percentage of fund balance.

Curtis Roberts (CPA, Head of Audit Team from Jones, Simkins & Wright) will be in to discuss next year's budget in a month or two. Councilmember Mecham could come in at that time to discuss Capital Project Funds being applicable to "Roads".

VOTE: YES (5) NO (0)

SET PUBLIC
HEARING

Ordinance/Dedicated Streets and Roads, Improved Roads, Partial Width Streets:
MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY GARY BOWEN TO SET A PUBLIC HEARING FOR 3-27-01, AT 7:00 PM, TO CONSIDER AN ORDINANCE AMENDING THE ELK RIDGE SUBDIVISION ORDINANCE, SECTION 10-7-5.3, STREETS & ROADS – TO BE DEDICATED TO THE PUBLIC – STREETS TO BE IMPROVED – PARTIAL WIDTH STREETS PERMITTED IN CERTAIN INSTANCES

VOTE: YES (5) NO (0)

RESOLUTION/
TELE-
COMMUNICATIONS
OR CABLE

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO APPROVE A RESOLUTION AUTHORIZING ELK RIDGE CITY TO OFFER OR PROVIDE CABLE TELEVISION SERVICES OF PUBLIC TELECOMMUNICATION SERVICES TO ITS RESIDENTS

VOTE: YES (5) NO (0)

EXPENDITURES

General:

1-A: New Chair for Mayor: With the appointment of the new Councilmember, the Mayor has need of a new chair for his office.

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY DON MECHAM TO APPROVE THE PAYROLL REGISTER FOR DECEMBER, 2000

VOTE: YES (5) NO (0)

2. LEI Engineering Work Release #11: The Work Release, as presented, was incomplete. A revised copy will come back before the Council.

3. Roads: Councilmember Mecham wanted to know if there is money in the budget to patch roads...(Yes).

ELK RIDGE CITY COUNCIL MEETING – 2-27-01, CONT.

MINUTES

1. City Council Meeting of 1-16-01:

**MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY MICHAEL
MOTKO TO APPROVE THE CITY COUNCIL MINUTES OF 1-16-01**

VOTE: YES (5)

NO (0)

2. City Council Meeting of 2-13-01:

**MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN
TO APPROVE THE CITY COUNCIL MINUTES OF 2-13-01**

VOTE: YES (5)

NO (0)

ADJOURNMENT

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

VOTE: YES (5)

NO (0)



City Recorder

NOTICE & AGENDA

Notice is hereby given that the City Council of Elk Ridge will hold a City Council Meeting on **Tuesday, March 13, 2001, at 7:00 PM**; it will be preceded by a **Public Hearing, at 6:00 PM**, to consider a proposed Ordinance amending the Elk Ridge City Development Code, Section 10-3-3.8, Yards to be Unobstructed - Projections Excepted; and Section 10-11-2, List of Definitions (54) "Setback". The **Council Work Session will begin at 6:15 PM**. The meetings will be held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

6:00 PM PUBLIC HEARING/ORDINANCE-UNOBSTRUCTED YARDS & DEFINITION (54)
Ordinance/Amending the Elk Ridge City Development Code, Section 10-3-3.8, Yards to be Unobstructed - Projections Excepted; & Section 10-11-2, List of Definitions (54) "Setback"; Providing for Codification, Inclusion in Code, and Scrivener's Errors, Providing for Severability and Providing an Effective Date


6:15 PM CITY COUNCIL WORK SESSION
Administration Policy/Issues to Amend
Sterling Codifiers/Ordinance Codification
Deed Changes (Jim & Chad Brown) - Gary Bowen
Boundary Line Agreement-Payson/Elk Ridge
Assistant Public Works Position/Discussion
Memo from Mayor/Joint City Council-Planning Commission Meeting
Shuler Lane/Discussion - Gary Bowen

7:00 - PM REGULAR COUNCIL MEETING AGENDA ITEMS:
Invocation and Pledge of Allegiance
7:03 Approval of Agenda Time Frame
7:05 Set Public Hearing:
 Ordinance/Amend certain Provisions of the Elk Ridge, Utah, Development Code, relating to the Conveyance of Water Rights; and Providing for the Adoption and Administration of this Ordinance.
7:15 Administration Policy/Authorize Amendments
7:20 Authorize Deed Changes
7:25 Expenditures: General
 - List of Expenditures for February, 2001 + Payroll Register for Jan., 2001
 - LEI Engineering Work Release #11
 - Time Card Punch Machines
7:30 Approval of Minutes of Previous Meetings
7:35 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 9th Day of March, 2001.



City Recorder

CERTIFICATION

I, the undersigned, duly appointed and acting City Recorder for the municipality of Elk Ridge, hereby certifies that a copy of the 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 9, 2001.


City Recorder

**ELK RIDGE
CITY COUNCIL MEETING
March 13, 2001**

**TIME & PLACE
OF MEETING**

The regular Meeting of the Elk Ridge Town Council was held on **Tuesday, March 13, 2001, at 7:00 PM**; it was preceded by the Council **Work Session at 6:15 PM and a Public Hearing, held at 6:00 PM**, concerned with an Ordinance amending the Elk Ridge City Development Code, Section 10-3-3.8, Yards to be Unobstructed - Projections Excepted; & Section 10-11-2, List of Definitions (54) "Setbacks"; Providing for codification, Inclusion in the Code, Scrivener's Errors & Providing for Severability and Providing an Effective Date.
The Meetings were held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of these meetings 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 9, 2001.

6:00 PM

-

PUBLIC HEARING/ORDINANCE-UNOBSTRUCTED YARDS & SETBACKS

ROLL CALL

Mayor: Cregg Ingram; *Town Council:* Gary Bowen (Mayor Pro tem), Cindi Ellis, Kent Anderson, Don Mecham & Michael Motko; *Administrative Assistant:* Ernestine Folks; *Officer:* Cory Wride

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO OPEN THE PUBLIC HEARING ON AN ORDINANCE AMENDING THE ELK RIDGE CITY DEVELOPMENT CODE, SECTION 10-3-3.8 - YARDS TO BE UNOBSTRUCTED - PROJECTIONS EXCEPTED, AND SECTION 10-11-2, LIST OF DEFINITIONS (54) SETBACK, PROVIDING FOR CODIFICATION, INCLUSION IN THE CODE & SCRIVENER'S ERRORS, PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE

VOTE: YES (5)

NO (0)

Discussion:

Gary Bowen: This clarifies the Ordinance and puts it into one place.

The term for "setback" (54) is redefined.

There were no comments.

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY DON MECHAM TO CLOSE THE PUBLIC HEARING ON AN ORDINANCE AMENDING THE ELK RIDGE CITY DEVELOPMENT CODE, CONCERNING UNOBSTRUCTED YARDS AND DEFINITIONS

VOTE: YES (5)

NO (0)

ELK RIDGE CITY COUNCIL WORK SESSION - 3-13-01, CONT.

6:15

CITY COUNCIL WORK SESSION

ROLL CALL

Mayor: Cregg Ingram; *Town Council:* Gary Bowen (Mayor Pro tem), Cindi Ellis, Kent Anderson, Don Mecham & Michael Motko; *Administrative Assistant:* Ernestine Folks; *Officer:* Cory Wride

ADMINISTRATION
POLICY

Certain parts of the current Administration Policy/Ordinance need to be reconsidered and possibly amended. The Mayor has been reviewing the Policy and has made some suggestions:

1. Sick Leave: Under the current Policy, 12 paid days of "sick leave" per year are allowed for each full-time employee. There is also a section entitled "Emergency Leave" which says that an employee can use up to 3 sick days per incident for a family member. This has been interpreted as the days are over and above the 12 paid "sick days". The Mayor suggests that the current Ordinance be amended so that the 3 days be counted against the 12 "sick days" allowed per year. He also suggested that the employee could use "vacation days" for "emergency leave".

The Mayor discovered that the "Family Leave Act" does not apply to Elk Ridge because of the number of employees (50 or more employees who work within a radius of 75 miles, are required); however, in response to the Family Leave Act, the Mayor also suggested that up to 15 non-compensated days per year could be allowed for the care of immediate family members. Sick days and vacation days may not accrue from year to year.

Cindi Ellis: Feels that, perhaps, this last point (accrual of sick/vacation days) should be reconsidered. Example: If an employee has used little of or no sick days over time, if surgery or some other emergency came up, should they not be able to use an extended time off, with pay?

Mayor: If arrangements are made ahead of time, the administrators will work with the employees.

2. Attendance & Punctuality:

Proposed Policy:

Absenteeism and tardiness will not be allowed. Failure to report to work for 2 or more consecutive regular work shifts without notification by the employee and approval of the Mayor (or designee) shall be considered "abandonment of position" and could result in termination of employment.

3. On-call Policy/Public Works:

Proposed Policy:

A schedule will be made up by the Public Works Superintendent for all individuals who will be "on-call" (full or part time) in the Public Works Dept. The persons on-call will stay within a 20 mile radius of the City and will keep a pager with them when they are on call. These persons will be compensated for their service.

4. Time Card Policy:

All full time employees, as part of their time card, report hours worked weekly...to include overtime pay and/or compensatory time. The Payroll Clerk will maintain a monthly record tracking sick leave, vacation time, "comp" hours accumulated, non-compensated days off and accumulated days off. Public Works employees will also record their hours according to the department for which they performed service.

The Mayor would like to have the Councilmembers and the Attorney review the proposed amendments prior to any change in the Ordinance. The policies can be voted on and adhered to before the Administrative Ordinance is actually amended.

NON-AGENDA
ITEM

Officer Cory Wride: (Newly assigned Sheriff to Elk Ridge)

Officer Wride attended the Council Meeting in order to meet the Council and answer any questions they may have had.

1. He will usually attend the Council meetings.
2. Brief history: He lives in Benjamin/Spanish Fork. He has worked for the Sheriff's Dept. for 7 years; before that, he worked for the Dept. of Corrections for a few years (about 9 years of law enforcement).
3. Has worked contract cities before (Saratoga Springs).
4. Assured the Council that if the contract is for 20 hours per week that is what he will provide. There has been some concern in Elk Ridge, as well as in Goshen, with not being able to fulfill the number of hours contracted for.
5. There are about 25-30 deputies on patrol duty in the County. He said he would make sure that Elk Ridge has the protection necessary to do a good job.

Don Mecham: There are "high risk" times that require extra patrol. Will this fit into his schedule? (Yes, he will try to solve any issue the Council has.)

Cindi Ellis: Requested a monthly report of his activity in Elk Ridge. (Officer Wride agreed.)

Mayor: Councilmember Anderson will be re-negotiating the Police protection contract.

STERLING
CODIFIERS

Sterling Codifiers has been hired to codify the ordinances of Elk Ridge. The first draft is finished and has been sent, for the City to review. An instruction letter was faxed over and indicates that a review committee should be formed to examine the document and make any corrections. There are suggestions/questions from Sterling in red to the side of the sections of the ordinances. These are to be addressed. Sterling has requested that the draft be returned to them within about one month. Any additional ordinances, which have been passed, should be included with the draft when sent back to Sterling.

ELK RIDGE CITY COUNCIL WORK SESSION - 3-13-01, CONT.

DEED CHANGES

Gary Bowen: There are over-laps within the property belonging to Jim and Chad Brown. There is to be a road just south of Chad Brown's property. Councilmember Bowen met with both and suggested that they swap land to straighten out the confusion. Both men were agreeable to the changes. Councilmember Bowen submitted a map designating the proposed changes between Chad and Jim Brown and the City of Elk Ridge.

NON-AGENDA
ITEMS

1. Discussion of water right requirements for the City.
2. Discussion of storm drainage and review of storm drainage map.
(Area east of East Salem Hills Drive will drain toward the west of the City. There will also be another drainage field toward the east side of the City.)

The first phase of the engineering has a cost projection of \$12,900.

The cost of the project:

- A. Phase 1: \$340,131.00 (west side)
- B. Phase 2: \$571,384.00 (east side)

Once the study is in place, a storm drainage fee can be calculated.

Don Mecham: The retention basin planned is a large one; perhaps Payson would be willing to participate.

Gary Bowen: Agrees that this could be an option.

Don Mecham: Feels that the pond is beyond the needs of Elk Ridge. He suggested that the money might better be spent on a secondary water system.

Mayor: The issue for the Council to decide upon is if the \$12,900 for engineering should be approved.

3. Loafer Canyon Project:

Gary Bowen: The road by Don Mecham's driveway needs to be shifted as the construction begins. Robert Nelson will install the first 1200 ft.. It may be possible to have Mr. Nelson install the next 800 ft., since his equipment will already be in place. Councilmember Bowen will have a firm estimate for the 800 ft.

Farther south on Loafer Canyon Rd., Dennis Shuler is willing to pay development costs (approximately \$14,000) up front for the lots being developed. One of the lots will go to the City; Mr. Shuler will retain two of the lots. The Attorney advises that there should be no problem with the deal. Care must be taken to continue to extend the road all the way up the road...crossing the front of Mr. Shuler's development. Mr. Shuler realizes that it will take some time to extend the road 800 ft./year.

4. Shuler Lane:

This road extends south from Goosenest Drive, between Browns and Shulers...up to Hal Shuler's home. Brad Shuler developed a "flag lot" several years ago. This road was somewhat improved in conjunction with the development of this lot. It existed previously as a private road, leading to Hal Shuler's property. The road is suppose to belong to the City, as a

public road. No taxes are being paid on the road; yet, the road still belongs to the property owner. Councilmember Bowen does not feel the City should own this road. (It is narrow in one part, due to pre-existing homes being in the way. The pavement widens out further south on the road.) Councilmember Bowen took the information to Dave Tuckett (City Attorney) to review and to offer a legal opinion.

Mr. Tuckett believes, due to everything that happened related to the development of the one-lot subdivision; legally, the City may have to claim this as a road, rather than a private drive. He also said that, once the City establishes where the road south of the Goosenest area will be placed, then the City can vacate the road and put a cul-de-sac at the end. The owners may decide to take the road back. The City cannot service the road properly; it is too steep and narrow. A packet of information from Mr. Tuckett was submitted to Mayor Ingram for review.

**ELK RIDGE
CITY COUNCIL MEETING
March 13, 2001**

**TIME & PLACE
OF MEETING**

The regular Meeting of the Elk Ridge Town Council was held on **Tuesday, March 13, 2001, at 7:00 PM**; it was preceded by the Council **Work Session at 6:15 PM and a Public Hearing, held at 6:00 PM**, concerned with an Ordinance amending the Elk Ridge City Development Code, Section 10-3-3.8, Yards to be Unobstructed - Projections Excepted; & Section 10-11-2, List of Definitions (54) "Setbacks"; Providing for codification, Inclusion in the Code, Scrivener's Errors & Providing for Severability and Providing an Effective Date. The Meetings were held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of these meetings 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 9, 2001.

ROLL CALL

Mayor: Cregg Ingram; Town Council: Gary Bowen (Mayor Pro tem), Cindi Ellis, Kent Anderson, Don Mecham & Michael Motko; Administrative Assistant: Ernestine Folks; Officer: Cory Wride

**INVOCATION
& PLEDGE OF
ALLEGIANCE**

Invocation was offered by Mayor Ingram.

**AGENDA TIME
FRAME**

**MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY
MICHAEL MOTKO TO APPROVE THE AGENDA TIME FRAME BY
ADJUSTING THE TIME BY 10 MINUTES
VOTE: YES (5) NO (0)**

ELK RIDGE CITY COUNCIL MEETING - 3-13-01, CONT.

SET PUBLIC
HEARING

Ordinance/Conveyance of Water Rights:

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO SET A PUBLIC HEARING FOR 4-10-01, AT 6:00 PM, ON AN ORDINANCE AMENDING CERTAIN PROVISIONS OF THE ELK RIDGE, UTAH, DEVELOPMENT CODE, RELATING TO THE CONVEYANCE OF WATER RIGHTS; AND PROVIDING FOR THE ADOPTION AND ADMINISTRATION OF THIS ORDINANCE
VOTE: YES (5) NO (0)

ADMINISTRATION
POLICY

Mayor Ingram: The Mayor would like the advise and consent of the City Council on the "emergency leave" policy, as presented in the Work Session.

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO APPROVE THE "EMERGENCY LEAVE" POLICY, AS PRESENTED BY MAYOR INGRAM, WITH THE ADDITIONS:
1. ADD TO:"15 WORKING DAYS"... "PER YEAR"
2. INCLUDE "STEP-CHILDREN" AS IMMEDIATE FAMILY
VOTE: YES (5) NO (0)

The Mayor would like the Council's input on the candidates who have applied for the position of Asst. Public Works employee. He hopes to have a recommendation by the next Council meeting.

BOUNDARY
LINE
AGREEMENT

(Proposed boundary line change between Payson and Elk Ridge)
Gary Bowen: Certain property owners would like their land (in Payson) to be in Elk Ridge so that it can be developed. The actions between the two cities need to be done concurrently. The cities can take this action whether the property owners agree or not. Councilmember Bowen contacted all of the property owners within the designated area; all are in favor. Payson City is thinking of abandoning hole #7 of the Golf Course, rather than continuing to cross Elk Meadows Drive.
Along with this boundary change, Payson City would like Elk Ridge to use their PUD (Planned Unit Development) Ordinance for the zoning on that property. Currently, the Golf Course is losing money. Condominiums around the Golf Course would bring in more taxes and golfers.
Cindi Ellis: Requested a copy of Payson's Ordinance to review.
Mayor: The message is that Elk Ridge is working cooperatively with Payson City to come up with a solution which will be beneficial to all.

AUTHORIZE
DEED
CHANGES

MOTION WAS MADE BY DON MECHAM AND SECONDED BY GARY BOWEN TO APPROVE THE DEED CHANGE BETWEEN CHAD BROWN AND THE CITY OF ELK RIDGE
VOTE: YES (5) NO (0)

MOTION WAS MADE BY DON MECHAM AND SECONDED BY CINDI ELLIS TO APPROVE THE DEED CHANGE BETWEEN JIM BROWN AND THE CITY OF ELK RIDGE, ALONG NORTH PARK DRIVE
VOTE: YES (5) NO (0)

EXPENDITURES

General:

Cindi Ellis: a man named James Kent, who is in charge of doing 3,000 posters for Payson High School, contacted Councilmember Ellis. Does the City want to participate with an ad (2" X 2½") at a cost of \$159.50. The school does not benefit from the money. It is simply an ad posting the game schedule. This may have an affect on boosting ticket sales. (It was the feeling of the Council that they support the school in various functions; however not private enterprise, where the school receives no direct benefit.)

1. List of Expenditures for February, 2001 & Payroll Register-January, '01
Not available.

2. LEI Engineering Work Release #11:

Gary Bowen: The City was previously billed \$300; but, this was incomplete. LEI has since corrected the bill to show the entire amount of \$1,500, to survey the Shuler property on Goosenest, moving all the rights of way and aligning 1600 West with the rest of the City; as well as surveying the piece of property the City now owns for Public Works and the road leading to it.

The zoning needs to be changed to "Public Facilities Zone" as soon as the City has legal title to all the land involved.

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY MICHAEL MOTKO TO APPROVE \$1,500 FOR LEI ENGINEERING'S WORK RELEASE #11

VOTE: YES (5)

NO (0)

3. Time Card Punch Cards:

Gary Bowen: Currently there is no way to track "comp" time: when it is used, where employees are during the day and working in which Depts. It is particularly difficult to track in the Public Works Dept. since the employees work out in the field.

Michael Motko: Time cards should reflect hourly schedules & activities, whether on salary or not. A system made up of "work codes" could be implemented.

Time cards could be accompanied by comp time spread sheets, showing the hours of over time worked that month. The spreadsheet tracks vacation time, sick time, etc.

The Mayor would like to review a sample of the spreadsheet.

Mayor Ingram: A time clock may not benefit the City as much as this type of system. The current Ordinance is clear on managing wages.

The Mayor should be approving over-time projects. He would like these policies in place before the new employee in the Public Works Dept. is hired.

ELK RIDGE CITY COUNCIL MEETING - 3-13-01, CONT.

Gary Bowen: Summer hours are more difficult to track. Public Works starts earlier due to the heat...when checking the time cards, he found that times recorded did not match with time worked. That is the reason he brought up the time card machines.

Michael Motko: When dealing with professional people, the organization tries to keep a liberal policy. If the policies are abused, everyone needs to be reminded of the policies or the policies will get stricter.

Mayor: He wants time cards tracked in specific areas:

1. What projects are being done, in which Depts.?
2. Compensation time...tracking the time, then allocating the time according to the budget.

On-Call:

On-call time will be part of the Public Works' job descriptions. There will be no choice. They will carry pagers. The on-call requirement would be for one week at a time. One week of being on-call would generate 2 hours of comp time...one month's time would equal one day of comp time or over-time pay.

ADJOURNMENT

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

VOTE: YES (5)

NO (0)


CITY RECORDER

NOTICE & AGENDA

Notice is hereby given that the City Council of Elk Ridge will hold a City Council Meeting on **Tuesday, March 27, 2001, at 6:00 PM;** it will be followed by a **Public Hearing, at 7:00 PM,** to consider a proposed Ordinance amending the Elk Ridge City Subdivision Ordinance, Section 10-7-5.3, Streets & Roads - to be dedicated to the Public - Streets to be improved & Partial Width Streets permitted in certain instances. The **Council Work Session will begin at 5:00 PM.** The meetings will be held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

5:15 PM - CITY COUNCIL WORK SESSION

Public Financing - Zion's Bank/

6:00 PM - REGULAR COUNCIL MEETING AGENDA ITEMS:

- Invocation and Pledge of Allegiance
- 6:03 Approval of Agenda Time Frame
- 6:05 Dennis Shuler Subdivision -Preliminary & Final Plat Approval
- 6:20 Minimum Level of Improvements to be Installed before Building Permits may be Issued (Section 10-3-3.26)
- 6:25 Ordinance/Amendment for Obtaining an Excavation Permit & Governing Public Right of Way Excavations
- 6:30 Update/Bonding Extension of Durability Period-Oak Bluff Estates, Plats B & C (Don Mecham)
- 6:35 Oak Hill Estates, Plat B/Durability Retainer
- 6:40 Administration Policy/Authorize Amendments
- 6:50 Asst. Public Works Position/Deputy City Recorder

7:00 PM - PUBLIC HEARING/ORDINANCE-STREETS & ROADS

Ordinance/Amending the Elk Ridge City Subdivision Ordinance, Section 10-7-5.3, Streets & Roads - to be dedicated to the Public - Streets to be improved - Partial Width Streets permitted in certain instances, providing for codification, inclusion in Code and Scrivener's Errors, providing for severability and providing an effective date

REGULAR COUNCIL MEETING AGENDA, cont.

- 7:10 Expenditures: General
 - LEI Engineering Work Release #9 (Update)
 - LEI Engineering Work Release #13
 - Time Card Punch Machines
 - Bill for City Web Page
- 7:20 Approval of Minutes of Previous Meetings
- 7:25 Adoption/Ordinance - Streets and Roads
- 7:30 Julie Haskell/Nuisance Issue
- 7:40 Lakeview Estate, Plat A/Durability Retainer
- 7:45 Adjournment

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

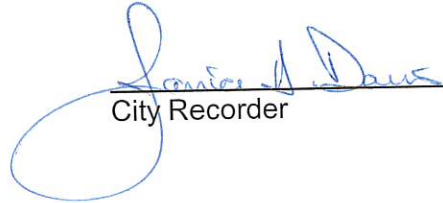
The times which appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting.

Dated this 23rd Day of March, 2001.


City Recorder

CERTIFICATION

I, the undersigned, duly appointed and acting City Recorder for the municipality of Elk Ridge, hereby certifies that a copy of the 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 23, 2001.



City Recorder

**ELK RIDGE
CITY COUNCIL MEETING
March 27, 2001**

**TIME & PLACE
OF MEETING**

The regular Meeting of the Elk Ridge City Council was held on Tuesday, March 27, 2001, at 6:00 PM; it was preceded by a Council Work Session at 5:15 PM. A Public Hearing was scheduled at 7:00 PM for the purpose of hearing Public Comment on a Proposed Ordinance Amending the Elk Ridge City Subdivision Ordinance, Section 10-7-5.3, Streets & Roads – to be Dedicated to the Public – Streets to be Improved – Partial Width Streets permitted in certain instances. The Regular Council Meeting Agenda continued at 7:10 PM. The meeting was held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of these meetings was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the member of the Governing Body by mailing a copy to each on March 23, 2001.

5:150 PM

CITY COUNCIL WORK SESSION

ROLL CALL

Mayor: Cregg Ingram; *City Council:* Gary Bowen (Mayor Pro tem), Cindi Ellis, Kent Anderson, Michael Motko & Don Mecham; *Administrative Assistant:* Ernestine Folks; *Public:* Robert L. Siemer; & *City Recorder:* Janice H. Davis

**PUBLIC
FINANCING**

Representatives from Zion's Bank (Carl Empey & Alan Westenskow) were present to speak to the City Council about Financing public improvements, particularly Special Assessment Bonds and Special Improvement Districts (SID's). Two documents were submitted to the Council: 1) A summary of the laws governing Municipal Improvement Districts from the Code & 2) SID Checklist

These documents were read and reviewed by Mr. Empey. Attention was drawn to various sections: 17A-3-303, Utah Definitions; 17A-3-304, Powers of Municipality;

17A-3-305, Notice of intent to create a special improvement district - Contents; 17A-3-306, Notice of intention to create district – Publication – Mailing;

17A-3-307, Protests by property owners – Hearing – Alteration of proposal by resolution – Conditions for adding property to district – Deletion of protesters from district – Recording requirements – Waiver of objections (Written protests are the only ones that count, but verbal protests should also be weighed by the Council); 17A-3-308, Contracting for improvements - Bids, publication & notice – improvements for which contracts need not be let (Bid should be granted to the lowest responsible bid); 17A-3-310, Interim warrants (Financing the Project: this is similar to construction financing at a lower interest rate); 17A-3-317, Assessment list – Board of equalization & review – Hearings – Appeal – Corrections – Report – Waiver of objections; 17A-3-321, Prepayment of assessment installments; 17A-3-322, Default in payment of assessment installment; 17A-3-323, Lien for assessment – Priority; 17A-3-325, Payments from guaranty fund or reserve fund to avoid default – Recovery from sale proceeds; The review of the preceding sections constituted the entire process of creating an SID. It was strongly recommended that a Bond Attorney be used throughout the entire process, as the bonding process for Special Assessment Bonds can be very complicated.

SID's may be created for many various projects...the options are very broad for a municipality.

Once this assessment is recorded on a piece of property, is a "superior" lien; it has first priority even over a mortgage. This means that the City has a great deal

ELK RIDGE CITY COUNCIL WORK SESSION – 3-27-01, CONT.

of leverage. If a property owner becomes delinquent in a payment of an assessment, foreclosure is an option.

Another factor is that if a property owner within the SID wants to refinance their home, the assessment would have to be paid off. They would have to add the assessment to their new loan.

Caselle has software especially for tracking Special Improvement Districts (billing, collections, etc.)

Questions:

Gary Bowen: Asked about situations created by developers owning large pieces of ground...attempting annexation...how would that land be included in the SID and how would this reduce the amount already assessed to existing property owners?

Mr. Empey: You include it in a development agreement with the developer seeking annexation and subsequent development.

Gary Bowen: Example: A water tank would not be directly associated with the new development, but a new development would benefit from it.

Mayor: This could also be part of the development agreement.

Mr. Empey: Connection fees could be assessed.

Don Mecham: Clarified the question being asked...If development were in one area and the SID in another, the new development would still benefit from the project. How can the developers outside of the SID contribute to the SID so that the liability for those already assessed can be reduced?

Mr. Empey: The excess capacity to expand the system could be determined and revenue obtained through impact fees. Another option would be to create a new SID as a large piece of land is being developed. Creating a Special Improvement District when there are few property owners is less complicated. The assessment would then be placed on each individual lot in the new subdivision. Payments would be collected as the lots are sold.

Bond Attorneys: Blain Carlton (Ballard, Spahr & Ingersol...Salt Lake City)

Phone number: 531-3020

**ELK RIDGE
CITY COUNCIL MEETING
March 27, 2001**

TIME & PLACE
OF MEETING

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ELK RIDGE CITY COUNCIL MEETING – 3-27-01, CONT.

REGULAR CITY COUNCIL MEETING AGENDA ITEMS:

ROLL CALL

Mayor: Cregg Ingram; *City Council:* Gary Bowen (Mayor Pro tem), Cindi Ellis, Kent Anderson, Michael Motko & Don Mecham; *Administrative Assistant:* Ernestine Folks; *Public:* Robert L. Siemer; & *City Recorder:* Janice H. Davis

INVOCATION
& PLEDGE OF
ALLEGIANCE

Invocation was offered by Jan Davis.

AGENDA TIME
FRAME

MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY GARY BOWEN TO APPROVE THE AGENDA TIME FRAME, ADJUSTING THE TIME BY 25 MINUTES

VOTE: YES (5)

NO (0)

DENNIS SHULER
SUBDIVISION/
PRELIMINARY &
FINAL PLAT

Gary Bowen: The land surrounding the lower Loafer Canyon Well will be deeded to the City (both sides of the "dugway") in conjunction with the approval of this Subdivision. The portion deeded to the City will have to go through a zone change to "Public Facilities Zone". Pro Title has supplied the deeds for all of the pieces of property involved. All the titles are clear except the 2001 taxes for January & February.

Mr. Shuler understands that the two lots retained by him cannot be built on until the water situation in the City changes. Liens will be recorded with the Subdivision.

Well Head Protection: (Explanation of map)

The first circle is 100' around the wellhead. The wellhead protection is the responsibility of the Council. Anything placed within the area must have the approval of the Certified Water Operator (Public Works Superintendent) or Councilmember Bowen, who is also certified and the City Council. If there is a discrepancy between the two, the State decides. It is the ground water that is being protected.

Building is legal within the 100' Zone. There is a list of restrictions in the study which must be complied with, for instance, salt cannot be stored, manure cannot be piled nor anything installed that pumps water back into the ground. The City Attorney is preparing the Wellhead Protection Ordinance for adoption.

The 250-day Zone circles up into the Canyon. The Engineer is concerned with the two existing homes south of the dugway on Loafer Canyon Road. They are within the 250-day Zone. The Engineers want their septic tanks removed as soon as possible.

Another of the Zones takes in the Loafer Recreation area.

Councilmember Bowen also met with Nebo School District about bussing school age children living on Loafer Canyon Road. With the projected modifications, they would be willing to drive down Park Drive to pick up children in the Loafer Canyon area. The percentages of the grades on the roads were wrong.

MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY DON MECHAM TO APPROVE THE DENNIS SHULER SUBDIVISION AND GRANT PRELIMINARY AND FINAL PLAT; RECORDING IS SUBJECT TO ALL DEEDS BEING SIGNED

Discussion:

Councilmember Bowen explained the fees owed by Mr. Shuler:

To be paid by Mr. Shuler (up-front): \$15,937.30

City's investment in the project: About \$3,700.00

Tax clearance notice has been submitted. (The land has not been classified as "Green-belt".

VOTE: YES (5)

NO (0)

MINIMUM
LEVEL OF
IMPROVEMENTS
PRIOR TO
BUILDING
PERMITS

Memo: The Council previously requested for the Planning Commission to review the existing Ordinance for possible exceptions to the requirement of having asphalt in place prior to the issuance of a building permit.

Andrew Jackson contacted other cities. He reported that the tendency to require hard surface is the direction other communities are going toward:

Alpine: requires all utilities be in place with fire hydrants operational and road base compacted to provide an all-weather surface.

Lindon: requires curb/gutter in place in order to know where the road is going to be so that a house could be set correctly on a lot.

American Fork: requires everything be in place, including pavement, before building permits are issued.

Lehi: requires all utilities and permanent road base compacted.

Spanish Fork: requires pavement.

Payson: recently changed their code to require at least the first layer of pavement. The reasoning is, in the event of a fire any time during construction, the water lines would be in place and the fire trucks would be able to hook up to fire hydrants. All weather access, whether asphalt or compacted road base, is to be available so that any emergency vehicles would be able to access construction.

Summary:

The current Ordinance does not provide for any exceptions. The Planning Commission concluded that their recommendation to the Council is for the Ordinance to remain as written, requiring "hard surfacing" to mean the installation of road-base, gravel base and asphalt surfacing, all in accordance with City standards.

Discussion:

Michael Motko: Pointed out that the Council had made two requests of the Planning Commission: The first was to determine the standard that other cities follow as far as requiring asphalt; the second was to find out if they allow exceptions to that requirement, under certain circumstances, on a case-by-case basis...only the first was responded to.

Gary Bowen: Spanish Fork does require a "hard surfaced" road, but if the developer is the contractor, they allow them to start building prior to installation. They cannot obtain a final until the asphalt is laid.

Don Mecham: (Comments) Elk Ridge is located on the bench, which is different than Spanish Fork (weather). Spring comes three to four weeks later than the valley and fall is three to four weeks earlier. Precipitation is also higher than in the valley. Asphalt is available in April and May, but asphalt cannot be laid on mud. Soil testing should be done prior to laying asphalt and if there is any mud in the ground at all, oil should not be laid.

So, May through August/September is the best time to lay asphalt in Elk Ridge (the weather changes to rain as early as Sept.).

During the eight months of winter, the interest rates may fall...which is the best time to procure a construction loan. The standard in the Oak Bluffs area was 3" of compacted road-base and curb & gutter (curb/gutter can be poured in the winter). The developer and the City must understand that the 3" of road-base must be stripped out after the winter months and replaced/re-compacted before the oil is laid; because it will be contaminated when trucks run over it. Councilmember Mecham suggests this option as a standard for the City.

Cindi Ellis: Why would the developer want to do this?

Don Mecham: If the developer is the contractor, he/she does due to the fact that when people purchase lots from him/her, they are anxious to start building their homes. The developer realizes the added cost up-front, but it is worth it.

Michael Motko: This is what Councilmember Motko had in mind. He feels the City is "tying people's hands up" due to the shorter paving season. He wants to give contractors and developers some latitude while still protecting the City. The current Ordinance allows no latitude.

Gary Bowen: Explained the original reason for amending the Code as it is: An incident arose wherein one developer allowed this to occur, but his subdivision was tied to an adjoining development that was under construction at about the same time. The time came for one of the homeowners to conclude his building process and move in, however the adjoining roads were not in. It became a problem to access the finished home.

Mayor: Would Payson's criteria have helped in this situation? (Yes.)

So, if Elk Ridge constructed our ordinance under Payson's criteria, the needs of Elk Ridge could be satisfied? "All weather access", whether asphalt or compacted road-base, still allows for emergency vehicles (a concern of the Council).

The Council agreed. According to Councilmember Bowen, the City Attorney agrees with this option.

Cindi Ellis: Can the snowplow plow gravel/road-base?

Don Mecham: This would not even be an issue; the builders would not be using City services until after final. It is the developer's responsibility to clear and maintain the road until after final.

Kent Anderson: Advised adding to Payson's summary of criteria: "...road-base is to be available *and in place* so that emergency vehicles would be able to access construction." (All agreed.)

Don Mecham: The stipulation should be made in the ordinance that if the developer is going to allow building in his/her subdivision before "hard road surface" (asphalt), that it is the developer's or the contractor's responsibility to make sure that the roads in the subdivision are maintained for fire and emergency vehicles to the site.

Cindi Ellis: Suggested that final and occupancy not be granted until after the asphalt is laid. (All agreed and Councilmember Mecham added: asphalt should be "laid and cured".)

(Summary: The Elk Ridge Ordinance should be amended using Payson City's criteria, as presented in the memo from the Planning Commission: Water lines will be in place and the fire trucks would be able to hook up to fire hydrants. All weather access, whether asphalt or compacted road-base (as per City Standards), is to be available and in place so that any emergency vehicles would be able to access construction.

If the developer is going to allow building in the subdivision before hard road surface (asphalt) is in place, it is the developer's responsibility to clear and maintain the roads in the subdivision to allow fire and emergency vehicles to access the site; as well as to strip the road-base after the winter months (weather permitting) and to replace and to re-compact the road-base prior to installation of asphalt.

There will be no finals nor occupancies granted to homes under construction until asphalt is both laid and cured.)

The next step will be to have Andrew Jackson draft an ordinance with the changes, as specified. The ordinance should go back to the Planning Commission for a recommendation to the Council to set a Public Hearing. The Council decided to set the Public Hearing and change it, if necessary. There would be time for the ordinance to go to the Planning Commission and a recommendation to come back to the Council if the Public Hearing were to be held on the second Council Meeting in April 2001.

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY MICHAEL MOTKO TO SET A PUBLIC HEARING ON APRIL 24, 2001, AT 6:00 PM, TO AMEND THE DEVELOPMENT CODE, SECTION 10-3-3.26, RELATED TO THE MINIMUM LEVEL OF IMPROVEMENTS TO BE INSTALLED BEFORE BUILDING PERMITS MAY BE ISSUED

VOTE: YES (5)

NO (0)

ORDINANCE/
EXCAVATION
PERMITS &
PUBLIC RIGHT
OF WAY
EXCAVATION

Ordinance/Amending the Excavation Permit Process Governing Public Right-of-Way Excavations:

This proposed ordinance came from the Planning Commission and is at the request of Councilmember Gary Bowen. As stated in the memo from the Planning Commission, he was concerned with the problems resulting from what the property owners place within the right-of-way between their property line and the curb or the asphalt.

Initially he requested the ordinance prohibit specific items from being placed within the right-of-way. Following lengthy discussions, the Planning Commission determined that requiring City approval of a permit for excavations and landscaping would be a preferable alternative.

The Planning Commission recommends the City Council approve this proposed ordinance. It was also suggested the residents of the City be notified of the new requirement.

Discussion:

(9) Addition of the following sentence: "If a permit for landscaping is approved by the City, it shall be the City's responsibility to replace the approved landscaping if it is later destroyed by the City."

Gary Bowen & Cindi Ellis: Do not agree with this statement. They do not feel the City should be responsible for replacing anything destroyed within the right-of-way because it belongs to the City.

Ernestine Folks: The Planning Commission felt that, previously, the property owners were not required to get a permit to excavate within that right-of-way. The change is that they would have to have plans approved by the City. If their plans are approved by the City, then the City should be responsible for any damage, caused by the City, to any landscaping.

Jan Davis: In the case of utility easements, if anything placed by the property owner within those easements is damaged, it is the responsibility of the property owner.

Don Mecham: The utility companies will give the property owners notice to tear out any trees or shrubs that could be in the way of any planned excavation work.

Ernestine Folks: The City has the option to deny any plans presented to them, but if the plans are approved, then the City should be responsible for anything they have agreed to. This would encourage property owners to take better care of the right-of-way property.

The Council was in agreement that plans should be approved for any excavation within the 9 ft. right-of-way, and a permit issued for excavation, but they did not agree that the City should be responsible for replacing landscaping

MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY CINDI ELLIS TO APPROVE AN ORDINANCE OF ELK RIDGE CITY AMENDING THE EXCAVATION PERMIT PROCESS GOVERNING PUBLIC RIGHT-OF-WAY EXCAVATIONS, PROVIDING FOR CODIFICATION, INCLUSION IN THE CODE AND SCRIVENER'S ERRORS, PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE, WITH CHANGES: UNDER "PERMIT APPLICATION REQUIREMENTS" (9)...STRIKE "CITY'S" RESPONSIBILITY AND REPLACE WITH "PROPERTY OWNER'S" RESPONSIBILITY...

VOTE: YES (5)

NO (0)

OAK BLUFF
ESTATES, B & C
UPDATE/BONDING
EXTENSIONS OF
DURABILITY

The Durability Bond for Oak Bluff Estates, Plats B & C is still being held. It has been agreed that a new bond would be posted to cover the work which has yet to be completed and the original Bond would be released. Glen Roach (Central Bank in Spanish Fork) contacted Jan Davis to verify that the bank agrees with this proposal and that he wanted Ms. Davis to fax him a copy of LEI's letter on the matter and a current cost estimate. (That was done.) Mr. Roach was to fax information back, but he did not. Councilmember Mecham said he would take care of the situation the following morning.

There will be an update on this at the next Council Meeting.

OAK HILLS
ESTATES,
PLAT B

Durability Retainer:

A letter from LEI Engineering, dated August 22, 2000, recommended that the Durability Period start, effective May 23, 2000. "This date corresponds to the final inspection performed by LEI to verify compliance to conditions per LEI's letter dated October 19, 1999." They also request "as-built drawings" to be turned in.

The Council didn't ever act on the recommendation. They were in agreement to back-date the beginning of the Durability Bond to the recommended date of 10-19-99.

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY DON MECHAM TO PLACE OAK HILLS ESTATES, PLAT B, INTO THE TWO-YEAR DURABILITY TIME PERIOD, EFFECTIVE AS OF OCTOBER 19, 1999.

VOTE: YES (5)

NO (0)

Discussion:

It was pointed out that there are suppose to be 10' wide/18" deep drainage easements shown on the preliminary drawings that do not seem to be in existence. Ernie Thornton (Engineer from LEI) will be contacted to inspect the subdivision and determine if the ditches are in and, if so, if they are according to the plans and to the City Standards.

ADMINISTRATION
POLICY

Authorize Amendments:

Mayor Ingram: The Mayor has made some changes and corrections to the summaries of the proposed changes in the Administration Policy. This will be postponed until a later date because he has other changes to make, particularly in the area of the Public Works Dept.

POSITIONS
AVAILABLE/
PUBLIC WORKS
& DEPUTY
RECORDER

Asst. Public Works:

One of the applicants has been interviewed by the Mayor & Councilmember Bowen. Councilmembers Mecham and Anderson reviewed the applications and agree that the position should be offered to Brad Mecham (no relation to Councilmember Don Mecham) with the contingency that he live within a 20-mile radius of Elk Ridge, for "on-call" duties.

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO APPROVE BRAD MECHAM AS THE NEW ASSISTANT PUBLIC WORKS EMPLOYEE, AT THE STARTING WAGE OF \$10.50 PER HOUR

VOTE: YES (5)

NO (0)

Deputy City Recorder:

Lisa Ehlers (current Deputy Recorder) will not be leaving her position until the end of May 2001. This could work out even better than the end of April because Mrs. Ehlers would have more time to train the new person.

The hire date for the new position would still be mid-April (April 16, 2001). The Mayor would like The City Recorder, the other Clerks and the Councilmembers to review the applications and to prioritize them according to qualifications. The interviews will be conducted according to priority.

6:10 PM

PUBLIC HEARING/ORDINANCE – STREETS & ROADS

MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY GARY BOWEN TO OPEN THE PUBLIC HEARING ON AN ORDINANCE AMENDING THE ELK RIDGE CITY SUBDIVISION ORDINANCE, SECTION 10-7-5.3 STREETS AND ROADS – TO BE DEDICATED TO THE PUBLIC – STREETS TO BE IMPROVED – PARTIAL WIDTH STREETS PERMITTED IN CERTAIN INSTANCES, PROVIDING FOR CODIFICATION, INCLUSION IN THE CODE, AND SCRIVENER'S ERRORS, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE

VOTE: YES (5)

NO (0)

Discussion:

Cindi Ellis: Add Councilmember Don Mecham's name to the votes on the last page.

Gary Bowen: The section in the Code needed clarification. There has been a misunderstanding about the partial road width requirement...1/2 + 9' (this is not the requirement, it is the exception and can only be granted by the Council). The requirement is to install the entire road unless the developer obtains an exception.

Don Mecham: There is a problem with this...the developer would be paving another person's property or they could not be granted right-of-way, once they want to build.

Gary Bowen: One of the exceptions is if the property across the street is developable, then an exception could be granted. If the property across the street is not developable, then the City would end up funding the installation of that side of the road.

MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY CINDI ELLIS TO CLOSE THE PUBLIC HEARING ON AN ORDINANCE AMENDING THE ELK RIDGE SUBDIVISION ORDINANCE, SECTION 10-7-5.3 – STREETS & ROADS – TO BE DEDICATED TO THE PUBLIC – STREETS TO BE IMPROVED – PARTIAL WIDTH STREETS

VOTE (POLL): KENT ANDERSON – AYE, DON MECHAM – AYE, CINDI ELLIS – AYE, MICHAEL MOTKO – AYE, GARY BOWEN – AYE

NO (0) PASSES 5-0

EXPENDITURES

General:

1. LEI Work Release #9 (\$11,900 for study on sewer line between Payson & Elk Ridge); this will be on hold until more information is available. Councilmember Bowen has a meeting with Payson to discuss the matter.
2. LEI Engineering Work Release #13: The Mayor and Councilmember Bowen are going to a meeting with Salem City to discuss the Sewer system and facility. LEI is reviewing the existing contract between Salem And Elk Ridge and will attend the meeting. Cost = \$425.00

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY MICHAEL MOTKO TO APPROVE LEI'S WORK RELEASE #13 IN THE AMOUNT OF \$425.00

VOTE: YES (5)

NO (0)

3. Time Card Punch Machines: (Postponed for now.)

4. City Web Page Invoice:

Matt Davis turned in a bill for the City's web page set up and maintenance for the amount of \$395.70.

MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY GARY BOWEN TO APPROVE PAYMENT OF \$395.70 TO MATT DAVIS FOR THE SET-UP AND MAINTENANCE OF THE CITY'S WEB PAGE

VOTE: YES (5)

NO (0)

MINUTES

1. City Council Meeting of 2-27-01:

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY MICHAEL MOTKO TO APPROVE THE CITY COUNCIL MINUTES OF 2-27-01

VOTE: YES (5)

NO (0)

2. City Council Meeting of 3-13-01:

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO APPROVE THE CITY COUNCIL MINUTES OF 3-13-01

VOTE: YES (5)

NO (0)

ORDINANCE/
STREETS &
ROADS

Ordinance/Streets & Roads:

MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY GARY BOWEN TO APPROVE AN ORDINANCE AMENDING THE ELK RIDGE CITY SUBDIVISION ORDINANCE, SECTION 10-7-5.3, STREETS AND ROADS – TO BE DEDICATED TO THE PUBLIC – STREETS TO BE IMPROVED – PARTIAL WIDTH STREETS PERMITTED IN CERTAIN INSTANCES, PROVIDING FOR CODIFICATION, INCLUSION IN THE CODE AND SCRIVENER'S ERRORS, PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE

VOTE (POLL): KENT ANDERSON – AYE, DON MECHAM – AYE, CINDI ELLIS – AYE, GARY BOWEN – AYE, MICHAEL MOTKO – AYE

PASSES 5-0

ELK RIDGE CITY COUNCIL MEETING – 3-27-01, CONT.

JULIE HASKELL/
NUISANCE ISSUE

Julie Haskell was present to speak to the Council about the pending problem of their neighbors' compost pile, which exists next to their common fence. This is the second time Mrs. Haskell has approached the Council about their neighbors.

Issues:

1. Russian Olive Trees: Have thorns and they fall onto the Haskell's yard. They have been raked out of the children's sand box. Mrs. Haskell stepped on one and it lodged in her foot. Part of it had to be removed surgically. Mrs. Haskell has now developed an allergy to the trees. One of their daughters got a thorn in her finger. The trees were cut back once, the neighbors have been asked to maintain them, but the neighbors have an attitude of ..."whatever falls onto the Haskell's yard is the problem of the Haskell's" (according to Mrs. Haskell).

The thorns are not only a nuisance, they are hazardous.

1. Compost Pile: Mrs. Haskell provided photos of the compost pile. It lies next to the common fence and is not maintained and the smell is a nuisance to the Haskell's. The neighbors have been asked to take care of the mess, but nothing has been done and, according to Mrs. Haskell, the situation has only gotten worse.

Mayor Ingram: The City Attorney serving Elk Ridge when the issue came up the first time was not responsible in his responses to violations of ordinances.

Elk Ridge has a new Attorney. He will be acting on several items. The Mayor will include this situation in the action items. He expects to hear back from the Attorney within the week as to the proper procedure to follow.

Mrs. Haskell would like some action on this matter.

Don Mecham: Felt that the Health Dept. should be contacted.

LAKEVIEW
EATATE, PLAT A

Durability Retainer:

The Subdivision did not require much construction work. The developer paid the City the cost of the required road improvements. Laterals had to be installed.

The last bond release was on 9-2-99.

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY MICHAEL MOTKO TO BEGIN THE DURABILITY RETAINER FOR LAKEVIEW ESTATE, PLAT A AS OF SEPTEMBER 2, 1999.

VOTE: YES (5)

NO (0)


Ernie Thornton is to be asked to inspect the one-lot subdivision and issue a letter of the status of the installed improvements.

ADJOURNMENT

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY DON MECHAM TO ADJOURN THE MEETING

VOTE: YES (5)

NO (0)



City Recorder