

## **NOTICE & AGENDA**

Notice is hereby given that the City Council of Elk Ridge will hold a regular City Council Meeting on **Tuesday, January 8, 2002, at 7:00 PM**; it will be preceded by **a City Council Closed Session at 6:10 PM and the Council Work Session at 6:25 PM**. The meetings will be held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

**6:00 PM      Oath of Office/Elected Officials**

**6:10 PM      CITY COUNCIL CLOSED SESSION**  
Discussion of Strategy

**6:25 PM      CITY COUNCIL WORK SESSION**  
Amended Budget  
City Ordinance Enforcement/No Parking on Public Streets  
Water line by-pass/Jay Spencer  
Lower Well Repair - Kent Haskell  
Discussion/Ordinance □ Commercial Zone Requirements/Landscaping

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

- Invocation and Pledge of Allegiance
- 7:05 1. City Council Assignments - Mayor Fritz
  - 7:10 2. City Employee Presentations to Council
  - 8:00 3. Oak Hills Estates, Plat C □ Preliminary Approval
  - 8:05 4. Lower Well Repairs/Action
  - 8:10 5. Adoption/Ordinance-Corner Lot Requirements
  - 8:15 6. Planning Commission Member Replacement
  - 8:20 7. City Council Approval/Schedule of City Meetings for 2002
  - 8:25 8. ULGT/Insurance Renewal
  - 8:30 9. Re-Appointments/City Recorder & City Treasurer
  - 8:35 10. Ordinance/Well-Head Protection
  - 8:45 11. Expenditures:
    - General
    - LEI Work Releases #21, #24 & #25
    - Cell Phones □ Gary Prestwich
  - 9:00 12. Approval of Minutes of Previous Meetings
  - 9:05 13. Adjournment

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

The times that appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting. Dated this 4<sup>th</sup> day of January, 2002.

  
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 4, 2002.

  
City Recorder

**ELK RIDGE  
CITY COUNCIL MEETING  
January 8, 2002**

**TIME & PLACE  
OF MEETING**

The regular Meeting of the Elk Ridge City Council was held on Tuesday, January 8, 2002, at 7:00 PM; it was preceded by a Special Session to administer the Oath of Office at 6:00 PM; a Council Closed Session at 6:10 PM and a Council Work Session at 6:25 PM. The meetings were 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 members of the Governing Body by mailing a copy to each on January 4, 2002.

**6:00 PM**

**CITY COUNCIL SPECIAL SESSION**

The Oath of Office was administered to the newly elected City Council Members: Mayor Vernon Fritz and Councilmembers: Todd Jackson, Lee Freeman, Gary Prestwich & Russell Sly.

**6:10 PM**

**CITY COUNCIL CLOSED SESSION**

**ROLL CALL**

*Mayor:* Vernon Fritz; *City Council:* Todd Jackson, Lee Freeman, Gary Prestwich, Russell Sly, Gary Bowen; and *City Recorder:* Janice H. Davis

Discussion-Strategy

**6:25 PM**

**CITY COUNCIL WORK SESSION**

**ROLL CALL**

*Mayor:* Vernon Fritz; *City Council:* Todd Jackson, Lee Freeman, Gary Prestwich, Russell Sly, Gary Bowen; *Planning Commission:* Stewart Jolley; *Deputy Recorder:* Abby Hicks; *Public Works:* Kent Haskell & Tyler Cruz; *Sheriff:* Deputy Cory Wride; *Public:* Ken & Diane Baguley, Richard White, Jim Bean & Bettylou Bean, Carol Prestwich, Joan Durfey; and *City Recorder:* Janice H. Davis

**AMENDED  
BUDGET**

The City Recorder reviewed the Budget process with the Council. The 2001/2002 fiscal year's Budget needs to be amended in February. The Budget Worksheet was reviewed with the Council to acquaint them with the format and process.

Mayor Fritz requested the final costs for this year on the major road projects: Loafer Canyon Rd., Fremont Wy. & Oak Ridge Drive/Columbus Ln.

Loafer Canyon Road:

Engineering: 39,500 total...21,200 paid

Sewer: 58,140 (current year)...60,000 (prior year)

Road Construction: 154,226 (current year)

(Projected in CIP "Capital Improvement Plan"...137,525)

\*The difference is about equal to the cost of the "drop manhole".

Fremont Way:

Engineering: 4,950

Road Construction: 107,313

(Projected in CIP "Capital Improvement Plan"...72,320)

Oak Ridge Drive/Columbus Lane:

Engineering: 463.00

Road Construction: 13,170

(Projected in CIP...16,000)

These costs for construction do not include any of the reimbursements from property owners for curb/gutter (which will be billed at \$8.35 plf).

(Explanation of cost overage on Fremont Way): When the City started to replace the road on Fremont, it was discovered there was no road base in place to start with. All the old road had to be hauled out and new base to City standards was installed. There was also a problem with the part of the road which intersects with Salem Hills Drive...cross-gutters were necessary, as well as the installation of sumps. These were not in the original estimates.

Mayor Fritz: LEI should have been able to anticipate these added costs.

(Loafer Canyon Rd./Cost overage):

"Drop manhole" was installed due to the elevation of the sewer line not matching up with all of the laterals. Two of the laterals fell below the line of the sewer main. A drop manhole allows these two homes to connect onto the system. (Liability for this error in judgment will be discussed at a later date.)

"Sewer" costs were projected at 30,000...actual costs are at 58,140 (18,000 should be reclassified to "Storm Drainage" in the same Capital Projects Fund for Loafer Canyon).

Gary Bowen (Explanation of Drop Manhole): The water line was broken and the curb was undercut, so the curbing had to be done twice in one section. The 6" sewer line was run to pick up the other two houses...and an additional manhole was required besides the drop manhole.

The miscalculations were due to a combination of things: The engineering on the original plan was correct; but the original contractor did not put the line at the correct elevation and this went undetected until it was installed. After this was detected, one foot below the existing foundations was allowed to make sure the laterals would connect onto the sewer line. One of the houses had the sewer line coming out of the house at 3 ½ ft. below the footing.

Mayor Fritz: Expressed his concern that LEI is responsible for the inspections...could they have caught the error?

Gary Bowen: They could not have known about the elevation of the line coming out of the house until they dug it up and discovered how deep it was. Then they figured out what to do and re-engineered the added line, at no charge to the City.

Part of the bill to Hiatt for the Sewer Main installation is not being released due to the error in elevation (over \$4,900).

Mayor Fritz: Wants to discuss the bonding and the insurance that contractors and developers have. If mistakes are made and the contractor is not willing to reconcile, what kind of a legal claim does the City have?

CITY  
ORDINANCE  
ENFORCEMENT

Ordinance/No Parking on Public Streets

There is a growing problem with vehicles parking on the streets in the City. There was a complaint registered with the City by Jay Spencer on vehicles parking in front of his home on South Loafer Canyon Road. Cars and trucks with trailers park on the road late at night to go snow mobiling...some times the owners don't return until very late at night or very early morning. The parked cars create a bottle-neck and have prevented Mr. Spencer from leaving his driveway. When the Sheriff was called by Mr. Spencer, he was informed that there should be "no parking" signs posted and that the City Ordinance should be enforced uniformly across the City. The Sheriff's Dept. said they need directions from the Council to issue citations to violators. The Council agreed that the Sheriff's Dept. should issue citations to violators. They also agreed to have "No Parking" signs posted on South Loafer Canyon.

ORDINANCE/  
DISCUSSION

1. Commercial Zone Requirements/Landscaping:

Stewart Jolley: Reported that the Planning Commission felt that the Council needs to understand the proposed ordinance before the Planning Commission makes any changes in it.

The regulations only apply to someone who is going to landscape over 2,500 sq. ft. It is a "general provision" which applies to more than just commercial. There are two separate parts to this proposed ordinance. The only landscaping that is uniquely to commercial is in the commercial section. There was some confusion on this when it came before the Council. Page 14 indicates that the intent is to only apply the regulations to large projects, with more that 2,500 sq. ft. of landscaping.

Russell Sly: Said, that was the objection in the meetings he had attended. The Council had felt that having those restrictions on a large development was prohibitively expensive.

Lee Freeman: That was the point that Don Mecham (then, Councilmember Mecham) had brought up. It is prohibitively expensive when a property owner is forced to plant trees of the size required by the proposed ordinance.

Stewart Jolley: Then reduce the requirement to 2" from 3"...not to "willows! That was the Council's recommendation, to reduce the requirement to 1". He encouraged the Council to reconsider this. The developers can afford this if they are putting in a large development. It would apply to "common areas" within the development.

The Council was encouraged to review the proposed ordinance again

2. Proposed Chaminox Annexation:

Stewart Jolley: When does the Council want a report from the Planning Commission? Is the proposed annexation still being considered?

Mayor Fritz: Representatives of Silver Creek Development (developers of proposed Chaminox Annexation) are meeting with Mayor Fritz on 1-9-02.

3. The General Plan brings up a secondary water system for the future of Elk Ridge. If the Council is serious about this plan, then developers should start to install pipes in the ground. This option would be very costly; however, if it is going to happen, the City should start planning now.

*\*Due to a lack of time, the rest of the Work Session items were discussed during the Regular Session.*

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CITY COUNCIL MEETING  
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**ROLL CALL**

*Mayor:* Vernon Fritz; *City Council:* Todd Jackson, Lee Freeman, Gary Prestwich, Russell Sly, Gary Bowen; *Planning Commission:* Stewart Jolley; *Deputy Recorder:* Abby Hicks; *Public Works:* Kent Haskell & Tyler Cruz; *City Treasurer:* Linda Cooper; *Fire Chief:* Seth Waite; *Sheriff:* Deputy Cory Wride; *Public:* Ken & Diane Baguley, Richard White; and *City Recorder:* Janice H. Davis

**INVOCATION  
& PLEDGE OF  
ALLEGIANCE**

Invocation was offered by Gary Prestwich.

**AGENDA TIME  
FRAME**

**MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY  
RUSSELL SLY TO APPROVE THE AGENDA TIME FRAME, ADJUSTING THE  
TIME BY 15 MINUTES, TO INCLUDE THE ADDITION OF "DISCUSSION OF  
PERSONNEL" TO THE CLOSED SESSION AGENDA**  
**VOTE: YES (5) NO (0)**

**CITY COUNCIL  
ASSIGNMENTS**

Mayor Fritz suggested the following City Council Assignments:  
Roads Dept./Gary Prestwich  
Water Dept./Gary Bowen  
Sewer Dept., Animal Control, Nuisance Abatement/Russell Sly  
Planning Commission/Lee Freeman  
Parks, Public Safety (Police & Fire Dept.)/Todd Jackson  
General Administration/Mayor Fritz

**MOTION WAS MADE BY MAYOR FRITZ AND SECONDED BY GARY PRESTICH  
TO APPROVE THE CITY COUNCIL ASSIGNMENTS, AS NOTED**  
**VOTE: YES (5) NO (0)**

**CITY EMPLOYEE  
PRESENTATIONS**

Mayor Fritz asked the various City Employees to address the City Council with a summary of their duties and job descriptions:

1. Stewart Jolley/Planning Commission Chairman:

Mr. Jolley reviewed the duties of his Office as Planning Commission Chairman with the Council and explained the function of the Planning Commission.

He suggested that the Council consider changing the term of office for the Planning Commission from five years to three years. He feels the 5-year term may deter citizens from serving.

He encouraged the Council to use the Planning Commission for what it was intended...as an advisory body. There should be a good working relationship between the Council and the Planning Commission.

Job Descriptions were submitted to the Council:

2. Linda Cooper/Treasurer: Explained her duties with billing for City utilities, water testing and reports that go with the water and sewer depts., as well as Accounts Receivable. Mrs. Cooper is authorized to sign checks. She is a part-time employee.
3. Abby Hicks/Deputy City Recorder: Was hired last spring to replace Lisa Ehlers. She is absorbing the duties of the Accounts Payable and Payroll Clerk (who has turned in her resignation). She deals with the Building Permits and all the responsibilities associated with that. She is over Business Licensing and part of records management (including codification). Mrs. Hicks is in charge of the monthly newsletter. She is a full-time employee.
4. Tyler Cruz/Asst. Public Works: Was hired to replace Brad Mecham in the Public Works Dept. He assists Kent Haskell. He is full-time (probationary).
5. Kent Haskell/Public Works Superintendent: He is a certified Water Master as well as being certified to run the sewer collection system. He is over all Public Works in Elk Ridge, from reading meters to plowing the roads...runs a backhoe, and keeps the water system running.

\*Certification requirements: Water System...Considered "Grade 2":

- Certified up to 5,000 people

- Required to obtain 2 CEU's (Continuing Educational Units) in two years (1/year) Water & Sewer (cross-over):

- Required 2 units for each (4 CEU's in a two year time frame=40 hrs. class time)

As Mr. Haskell said, "Once you step outside the door, (of the City Hall) our job is to maintain everything outside..."

He must maintain his certification to be authorized to run the water system.

Mr. Haskell submitted a report to the Council summarizing well activity, and verifying his advise to drill a new well to replace Well #5 (Lower Well), which is not functioning. Without the Lower Well, the City will be lacking in water when the summer months come.

There are 462 lots built on, with 130 lots left to build on. The City is using the maximum amount of water available and cannot provide fire protection during peak months.

Well #5:

Supplies 17,280,000 gals/month (when functioning)

Is broken down most of the time and is not dependable. Currently, there are two holes in the casing and all the perforations are plugged. It will cost approximately \$20,000 to fix the current problems. The well was rebuilt for about 120,000 6 years ago and an estimate of another \$80,000 has been spent on the well since that time. Most of last summer, this Well was down, resulting in only about 2 to 3 feet of water in the upper water tank.

Mr. Haskell feels replacing Well #5 is a top priority to be able to supply the City with water. At least, the well should be repaired by no later than April 1, 2002.

(The City Recorder recommended that the Council consider Mr. Haskell's advise as valid, in that he has much experience with the utility systems in the City. He has projected some of the current problems.)

Todd Jackson: Asked if the well located in the golf course was worth developing.

Kent Haskell: It would not yield much water if it were developed. Last year Nickerson Pump Company cameraed the well and found that it is filled with rebar and rocks. The next step would be to get a "rotary rig" to go inside the casing and drill out the rebar and debris. There was a pump-test done of the well and it tested out at about 100 gal. per minute. The well is about 550 ft. deep. His advise is to put the money into drilling a new well with a 12" casing. The aquifer where Well #5 is located is a good one.

Stewart Jolley: Asked if Well #5 could be salvaged by installing a smaller casing.

Kent Haskell: No. If a smaller casing is installed, there would only be about 200 gpm (gal per minute). Does the City want to spend the money to “sleeve” the casing? It would still have to be perforated. There would be additional problems with the patching in the current casing creating a smaller opening.

6. Seth Waite/Fire Chief:

The Dept. is building back up after losing several of the firefighters for various reasons. (There are 17 people in the Dept...11 – firefighters, 4 – full time EMT's with three more that started training yesterday.)

Chief Waite has appreciated the support of the Council in the past and looks forward to the same support from the current Council.

The Department has a new fire truck...1995 Becker, purchased from Provo City. His goal is to get more firefighters who are home during the day.

Chief Waite stays within his budget throughout the year.

Suggestion: To place CERT (Certified Emergency Response Team) under the Fire Dept. Chief Waite could not run the program, but he could over-see it and help it to keep it running and possibly assist in getting funding. A leader would still have to be appointed to work with the Fire Dept.

Russell Sly: Expressed concern about tall weeds on vacant lots and fields. (There is a process whereby property owners can be notified to cut down the weeds on their property or the City could do it and bill the property owners. The problem comes in collection of the money owed to the City. The Mayor said that there will be follow-up on this subject.

6. Janice (Jan) Davis/City Recorder:

Reviewed the duties associated with this position:

- Budget Officer (one of the main duties is to track the finances of the City)
- Work with Ernestine Folks on Capital Improvement Plan
- Election Officer
- Assists & supports the City Council, attends Council Meetings and takes minutes (transcribes the minutes)
- Tracks water rights with Engineers
- Is responsible for Accounts Payable & Payroll
- Responsible for assigning codes to expenditures
- Responsible for Bonds, Deeds and Escrow Accts.
- Working with the Auditors
- Insurance Claims
- Swearing in Elected & Appointed Officials
- Noticing Public Hearings
- Assist in the Annexation process
- Projects, as assigned by the Mayor or the Councilmembers

OAK HILLS  
ESTATES, PLAT C/  
PRELIMINARY  
APPROVAL

Memo for James Bolser (City Planner):

Oak Hills Estates, Plat A was before the previous City Council for consideration for Preliminary Approval. It was denied due to the water and sewer capacity issues within the City. Plat C is a two-lot subdivision associated with Plat A. The reason the two were not presented simultaneously is because Plat C is designed using the Subdivision Width Exception Ordinance passed allowing subdivisions, such as this one, to maintain only 80% of certain lot requirements. As a part of that ordinance, a public hearing is required to allow such developments to be approved. The time delay between the Plats was due to the public hearing, which was held by the Planning Commission on January 3, 2002.

Following the hearing, the Commission found the Plat to be in compliance with all requirements of the ordinance and the City Code. The Commission motioned and passed the motion unanimously, to send the Plat to the City Council with the recommendation of denial of Preliminary approval due solely to the water & sewer capacity issues within the City.

The Council agreed with the Planning Commission.

**MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY GARY PRESTWICH TO DENY THE PRELIMINARY APPLICATION OF OAK HILLS ESTATES, PLAT C**

**VOTE: YES (5)**

**NO (0)**

LOWER WELL  
REPAIRS

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY RUSSELL SLY TO APPROVE UP TO \$25,000 FOR THE LOWER WELL #5 REPAIRS**

**VOTE: YES (5)**

**NO (0)**

ORDINANCE/  
CORNER LOT  
REQUIREMENTS

This Ordinance has been back to the Planning Commission for changes:

1. Rather than controlling the orientation of the house on the lot to face the lesser class street, it has been changed to control of the "vehicular access".

2. Addition of the City Council in the approval process.

Gary Prestwich: Is not in agreement with the entire proposed ordinance. He said he would vote against it. He feels it represents "Government Intrusion".

This Ordinance has already gone to Public Hearing.

**MOTION WAS MADE BY GARY PRESTWICH TO NOT ADOPT AN ORDINANCE AMENDING THE ELK RIDGE CITY CODE RELATING TO CORNER LOT REQUIREMENTS WITHIN SUBDIVISIONS, PROVIDING FOR CODIFICATION, INCLUSION IN CODE, AND SCRIVENER'S ERRORS, PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE**

(THERE WAS NO SECOND...THE MOTION DIES)

**MOTION WAS MADE BY LEE FREEMAN AND SECONDED BY GARY BOWEN TO ADOPT AN ORDINANCE AMENDING THE ELK RIDGE CITY CODE RELATING TO CORNER LOT REQUIREMENTS WITHIN SUBDIVISIONS, PROVIDING FOR CODIFICATION, INCLUSION IN CODE, AND SCRIVENER'S ERRORS, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.**

**VOTE (POLL): TODD JACKSON-AYE, LEE FREEMAN-AYE, GARY BOWEN-AYE, RUSSELL SLY-AYE (4 AYES)**

**GARY PRESTWICH-NAY (1 NAY)**

**PASSES 4-1**

PLANNING  
COMMISSION  
MEMBER  
REPLACEMENT

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY LEE FREEMAN APPROVE THE FOLLOWING APPOINTMENTS TO THE ELK RIDGE PLANNING COMMISSION: SHARON DAHLSTROM, TO REPLACE STEWART JOLLEY, TERM ENDING FEBRUARY, 2005; AND LEONHARDT SCHROEDTER, TERM ENDING FEBRUARY, 2007**

**VOTE: YES (5)**

**NO (0)**

CITY COUNCIL/  
PLANNING  
COMMISSION  
SCHEDULES

**MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY TODD JACKSON TO APPROVE THE MEETING SCHEDULES FOR THE CITY COUNCIL & THE PLANNING COMMISSION:**

**CITY COUNCIL: 2<sup>nd</sup> & 4<sup>th</sup> TUESDAYS, EXCEPTION...1 MEETING IN DECEMBER  
PLANNING COMMISSION: 1<sup>st</sup> & 3<sup>rd</sup> THURSDAYS, EXCEPTION...7-4-02**

**VOTE: YES (5)**

**NO (0)**

ULGT/  
INSURANCE  
RENEWAL

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY GARY PRESTWICH TO APPROVE THE ANNUAL RENEWAL OF THE INSURANCE POLICY ELK RIDGE HAS WITH UTAH LOCAL GOVERNMENTS TRUST (ULGT)**  
**VOTE: YES (5) NO (0)**

RE-APPOINTMENT  
OF CITY  
RECORDER &  
TREASURER

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY RUSSELL SLY TO APPROVE THE RE-APPOINTMENT OF JANICE H. DAVIS AS THE CITY RECORDER AND LINDA COOPER AS THE CITY TREASURER**  
**VOTE: YES (5) NO (0)**

ORDINANCE/  
WELL-HEAD  
PROTECTION

This is an Ordinance that should have been adopted along with the study. The Ordinance came from the State and James Bolser (City Planner) adapted it to Elk Ridge City. The Ordinance adopts the Well-Head Protection Plan, which was created to help protect its drinking water sources.

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY GARY PRESTWICH TO APPROVE AN ORDINANCE RELATING TO THE CREATION OF AN ORDINANCE GOVERNING DRINKING WATER SOURCE PROTECTION, PROVIDING FOR CODIFICATION, INCLUSION IN CODE, AND SCRIVENER'S ERRORS, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE**

**VOTE (POLL): TODD JACKSON-AYE, LEE FREEMAN-AYE, GARY PRESTWICH-AYE, GARY BOWEN-AYE, RUSSELL SLY-AYE**  
**PASSES 5-0**

EXPENDITURES:

General:

1. No Parking Signs in Loafer Canyon:

**MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY GARY PRESTWICH TO APPROVE "NO PARKING" SIGNS ON SOUTH LOAFER CANYON ROAD AND AT BOTH ENTRANCES TO ELK RIDGE**  
**VOTE: YES (5) NO (0)**

2. LEI Work Releases:

#21...was approved on 12-18-01

4,800 for phase 1 (it is undecided about phase 2)

#24...there is no money to fund the design for Phase 3 of Loafer Canyon Road  
The sewer line could be run even though the road would have to be patched.  
No action has to be taken at this time.

#25...This is for the design work and construction costs for the repair of Lakeview Drive. There was a drainage study and a topographical map of Lakeview Dr. There is no funding for the project at this time. The Mayor would rather postpone the work for another year to give some time to accrue funding. He understands that the residents will probably be upset, since they were told the street would be repaired this.

CELL PHONES

Gary Prestwich

Councilmember Prestwich checked into costs for obtaining a cell phone for use by the Mayor. He contacted four different companies, Voice Stream seemed to have the best offer. The was concern that Voice Stream does not have quite the coverage that other plans do.

**MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY RUSSELL SLY TO APPROVE THE PURCHASE OF A CELL PHONE AND CORRESPONDING PLAN FOR BUSINESS USE BY MAYOR FRITZ**  
**VOTE: YES (5) NO (0)**

MINUTES

1. 11-27-01:

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY TODD JACKSON  
TO APPROVE THE CITY COUNCIL MINUTES FOR 11-27-01  
VOTE: YES (5) NO (0)**

2. 12-11-01:

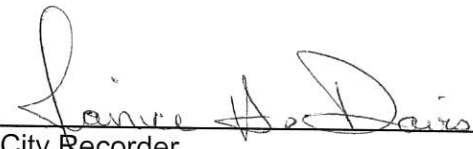
**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY GARY  
PRESTWICH TO APPROVE THE CITY COUNCIL MINUTES FOR 12-11-01  
VOTE: YES (5) NO (0)**

3. 12-18-01:

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY LEE FREEMAN  
TO APPROVE THE CITY COUNCIL MINUTES FOR 12-18-01  
VOTE: YES (5) NO (0)**

ADJOURNMENT

**MOTION WAS MADE BY LEE FREEMAN AND SECONDED BY TODD JACKSON  
TO ADJOURN THE CITY COUNCIL MEETING  
VOTE: YES (5) NO (0)**

  
\_\_\_\_\_  
City Recorder

## NOTICE & AGENDA

Notice is hereby given that the City Council of Elk Ridge will hold a regularly scheduled **City Council Meeting on Tuesday, January 22, 2002, at 7:00 PM;** it will be preceded by a **Closed Session at 6:00 PM followed by a Work Session at 6:30 PM.** The meetings will be held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah.

**6:00 PM      CITY COUNCIL CLOSED SESSION**

1. Discussion of Pending Litigation  
Discussion of Strategy

**6:30 PM      CITY COUNCIL WORK SESSION**

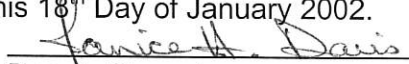
2. Budget Discussion
3. Ernie Folks Introduction to Council & Job Description
4. Discussion of Water Right Availability
5. Discussion of #5 Well/Pump
6. Loafer Canyon Expansion of Catch Basin
7. Maple Leaf Group Update

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

- Invocation and Pledge of Allegiance
- 7:05      Approval of Agenda Time Frame
- 7:10      8. Jay Spencer Bypass
- 7:30      9. Darin Johnson Sewer Connection Cost – Loafer Canyon
- 7:50      10. Brad and Jana Saunders Water Rights
- 8:10      11. Steve Powell Water Damage
- 8:20      12. Kent Haskell Water Certification Class and Credits
- 8:40      13. Planning Commission Extension of Member Appointments
- 8:55      14. Mayor Pro-Tem Request
- 9:15      15. An Ordinance Amending the Elk Ridge City Code Relating to Clarification of the  
Tabulation for  
Minimum Base Density, Amending the Maximum Lot Size, and Clarification of  
the Open Space  
Requirements Within A Planned Residential Development – Schedule Public  
Hearing  
Adjournment


\*Handicapped 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 18<sup>th</sup> Day of January 2002.

  
Deputy Recorder

### **CERTIFICATION**

I, the undersigned, duly appointed and acting Deputy Recorder for the municipality of Elk Ridge, do hereby certify that a copy of the Notice of Agenda was faxed to the Payson Chronicle, 145 East Utah Ave., Payson, Utah, and mailed to each member of the Governing Body on January 18<sup>th</sup>, 2002.

  
Deputy Recorder

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CITY COUNCIL MEETING  
January 22, 2002**

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OF MEETING

The regular Meeting of the Elk Ridge City Council was held on Tuesday, January 22, 2002, at 7:00 PM; it was preceded by a Council Closed Session at 6:00 PM and a Council Work Session at 6:30 PM. The meetings were 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 members of the Governing Body by mailing a copy to each on January 18, 2002.

NON-AGENDA  
ITEM/  
PUBLIC  
HEARING

There was a Public Hearing Scheduled for 6:00 PM on the following:  
An Ordinance amending the Elk Ridge City Code relating to clarification of the Tabulation for Minimum Base Density, amending the Maximum Lot Size and Clarification of the Open Space Requirements within a Planned Residential Development. This proposed ordinance was not placed on the Notice & Agenda of this meeting. According to David Church, City Attorney, the Public Hearing still needs to be opened and anyone coming to the Meeting to be heard, may be allowed to speak.

The Mayor was then to declare that the Public Hearing would be continued until the following City Council Meeting.

There were no public present to be heard.

The Public Hearing was declared continued to the next City Council Meeting, to be held on February 12, 2002.

## ROLL CALL

*Mayor: Vernon L. Fritz; City Council: Gary Bowen, Todd Jackson  
(Absent: Lee Freeman, Russell Sly, Gary Prestwich); City Recorder: Jan Davis*

MOTION WAS MADE BY VERNON FRITZ AND SECONDED BY GARY BOWEN TO CONTINUE THE PUBLIC HEARING ON A PROPOSED ORDINANCE AMENDING THE ELK RIDGE CITY CODE RELATING TO CLARIFICATION OF THE TABULATION FOR MINIMUM BASE DENSITY, AMENDING THE MAXIMUM LOT SIZE AND CLARIFICATION OF THE OPEN SPACE REQUIREMENTS WITHIN A PLANNED REDIDENTIAL DEVELOPMENT (PRD)

**VOTE: YES (2) NO (0) ABSENT (3) LEE FREEMAN, RUSSELL SLY  
& GARY PRESTWICH**

6:05

**CITY COUNCIL CLOSED SESSION**

## ROLL CALL

*Mayor:* Vernon Fritz; *City Council:* Gary Bowen, Gary Prestwich, Todd Jackson  
(*Absent:* Lee Freeman, Russell Sly); & *City Recorder:* Janice H. Davis

Discussion of Pending Litigation  
Discussion of Strategy

6:25 PM

**CITY COUNCIL WORK SESSION**

## ROLL CALL

*Mayor:* Vernon Fritz; *City Council:* Todd Jackson, Lee Freeman, Gary Prestwich  
(*Absent:* Russell Sly, Lee Freeman; *Administrative Asst:* Ernestine Folks; *Public:*  
Scouts: Devin Christensen, Tony Tervort; Alex Leatham, Darrin Johnston, Ernie  
Thornton (LEI), Jay Spencer, Lynn Peterson, Brad & Jana Saunders; & City  
*Recorder:* Janice H. Davis

- AMENDED  
BUDGET                      The Public Hearing to Amend the 2001/2002 Fiscal Year Budget was set for February 26, 2002, at 6:00 PM.  
The City Recorder needs figures from the City Councilmembers.  
"Police Protection" is an area with very little information as to a budgeted amount.
- ADMIN. ASST.              Administrative Assistant: Ernestine Folks/Job Description:  
Mrs. Folks submitted a copy of the job description for her position to the Council and reviewed it with them.
- DISCUSSION/  
WATER RIGHTS              there is a Mr. Palfryman who has 35 to 40 acre-feet of water right available to sell. He contacted the Mayor to see if the City is interested. The major question is if there is any money to purchase these rights (the selling price is \$1,800/acre ft.). Don Mecham has purchased rights from Mr. Palfreyman in the past; they have been very transferable. The money, which comes into the City for the upgrade of water rights, is restricted to the purchase of additional rights; however, currently this money is being used to pay off the rights purchased from Dallas Young. The Mayor will review this matter and bring additional information back to the Council.
- WELL #5/PUMP              Gary Bowen: Well #5: Problems with the perforations in the casing. The well was cameraed and the results were sent in for analysis. We were told that it did not appear to worth it to try to repair the casing...it could do more damage than good because the casing is not strong enough to take the efforts to correct the problems. We may end up with even more holes in the casing than currently exist. They recommend the City drills a new well. Mr. Bowen feels this will take too long and the City needs to get some water out of that Well this year.  
Recommendation to repair existing Well #5: Put a new pump in the Well that is smaller than the one that is there now. Water could be pumped directly into the system, by-passing the Booster pump. That could yield enough water to get the City through the peak months. The smaller pump would yield about 200 to 250 gpm into the system. \$25,000 was previously approved for the repairs on the Well; this will cost much less than that amount.  
A new well needs to be planned and costs evaluated. The Engineering firm should be involved in locating the best place to drill. The two locations being considered are down by the existing Well #5 (Lower Well) and up by the Upper Loafer Well...both are good aquifers. Well #5 has a great aquifer, but high power bills to pump up to the tank and the Booster pump would have to be modified.  
Loafer Well also has good water, but there is a fault line between the Well and the residents (If there were an earthquake, that could isolate the City's tanks from the water source. It would also be necessary to run a three-phase power line to the upper Loafer Well area.
- LOAFER CANYON  
EXPANSION OF  
CATCH BASIN              Gary Prestwich: Problem: With Spring run-off, Loafer Canyon is subject to flooding on the east side from a ravine located about 100 ft. south of Don Mecham's driveway. There is an existing catch basin there, but it fills up and overflows onto Loafer Canyon Rd. Mud and debris go into the storm drain and it becomes necessary to clean this drain regularly.  
Councilmember Prestwich contacted Kent Haskell and recommends installing an additional catch basin to catch the over-flow. Councilmember Prestwich submitted a drawing to the Council of his proposal. The cost was approximately \$500 for materials plus two days work for two men.  
Gary Bowen: The City does not own the ground (Don Mecham owns it). He feels since the engineers have already engineered part of the storm drainage in Loafer, they should advise the

Council in adding another catch basin. The situation needs to be fixed permanently, rather than temporarily.

Mayor Fritz: The permanent fix may be cost prohibitive; meanwhile, the City will be dealing with spring run-off.

Ernie Thornton: Work Release #24 deals, in part, with a solution to this issue.

There are also issues with right-of-way and accessibility. LEI is considering (short-term) cleaning the existing pipe as soon as possible. Two more clean-out boxes will be installed under Work Release #23. That places a clean-out box about every 500'. The flow and debris coming down will have to be monitored daily or multiple times a day during the peak season by the engineers and the Public Works Dept. They also feel the curb/gutter on Loafer Canyon Rd. will be an extra "line of defense" which has not been in place in the past.

We need to be careful that whatever is put in there does not end up washing itself out. The \$500 estimate seems low to him. He and Mike Christiansen can discuss this and get back to whomever would be appropriate (Gary Prestwich).

MAPLE LEAF  
GROUP UPDATE

Mayor Fritz: (This is supposed to be "Silvercreek Development" and the proposed Chaminox Annexation.) The Mayor placed the item on the Agenda and suggested postponing discussion until another time.

ELK RIDGE  
CITY COUNCIL MEETING  
January 22, 2002

TIME & PLACE  
OF MEETING

The regular Meeting of the Elk Ridge City Council was held on Tuesday, January 22, 2002, at 7:00 PM; it was preceded by a Council Closed Session at 6:00 PM and a Council Work Session at 6:30 PM. The meetings were 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 members of the Governing Body by mailing a copy to each on January 18, 2002.

ROLL CALL

*Mayor*: Vernon Fritz; *City Council*: Todd Jackson, Lee Freeman, Gary Prestwich (*Absent*: Russell Sly, Lee Freeman; *Administrative Asst*: Ernestine Folks; *Public*: Scouts: Devin Christensen, Tony Tervort; Alex Leatham, Darrin Johnston, Ernie Thornton (LEI), Jay Spencer, Lynn Peterson, Brad & Jana Saunders; & *City Recorder*: Janice H. Davis

INVOCATION  
& PLEDGE OF  
ALLEGIANCE

Invocation was offered by Todd Jackson and Gary Bowen led those present in the Pledge of Allegiance.

AGENDA TIME  
FRAME

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY TODD JACKSON TO APPROVE THE AGENDA TIME FRAME**  
**VOTE: YES (3) NO (0) ABSENT (2) RUSSELL SLY & LEE FREEMAN**

JAY SPENCER/  
BY-PASS

Mr. Spencer has been before the Council previously to discuss the possibility of the City installing a by-pass for his home and the home of Lynn Peterson to help restore Lost water pressure when the Pressure Reducing Station (PRS) was installed in Loafer Canyon. There was some damage to Mr. Spencer's home when the PRS failed and pressure increased sharply. Mr. Spencer presented the proposal to the Council to either pay his bills periodically (when damage results from water pressure regulations) or install a by-pass to eliminate the problem. Mr. Spencer feels it would cost the City less in the long run to install the by-pass.

Gary Bowen: The cost to the City would be about \$1,430. The City Engineer recommends the line be left the way it is. The pressure is within the range to meet State Code and there is no reason to make a change.

Jay Spencer: Is concerned that he continues to have problems and get air into his lines.

Gary Bowen: Air in the lines has nothing to do with the pressure-reducing valve. As long as the water is running, the line will be fine. When the system is turned off, and filled back up...then the fire hydrant is opened up...there will be air in the lines. The air goes uphill. It needs to be "bled" off to get the air out of it.

Bleeding the line off will not help Mr. Spencer's line because he is above the hydrant. Eventually, the line will be extended and looped, which will take care of the problem. There is not enough money to do all that needs to be done to the system all at once. The old line coming off the hill needs to be replaced.

The process for paying the bill from any damage done, is to turn in the bill (claim) to the City. The City will turn it over to the Insurance Company. They will investigate the claim and determine the extent of the City's liability. If they determine the City is at fault, then the bill will be paid.

Mayor Fritz: It is best to take this process one step at a time. He directed Mr. Spencer to submit the bill (claim) to the City and the City would then turn it over to the Insurance.

Jay Spencer: If the Insurance determines that it is a rightful claim, he would be willing to pay on it if the City would fix the situation by installing a by-pass, so he does not have a continuing problem.

Mayor Fritz: Once the decision on the claim is back from the Insurance Co., Mr. Spencer can come in and talk about the decision. The Council will rely heavily on the recommendation of the Insurance Co.

DARRIN  
JOHNSTON/  
SEWER  
CONNECTION  
COST

Mr. Johnston is concerned about having enough time to accrue the money to pay for the sewer connection in front of his property, when the sewer main is made available. There would be a higher cost involved with his connection due to the distance (about 300 ft.) of his connecting line to the sewer main. The connecting line comes from the back of his home.

The Council discussed the matter earlier in the Work Session and determined that sewer main would not even be available to Mr. Johnston right away. The next phase of the Loafer Canyon Rd. Project may not be constructed this coming year; but if it were, Mr. Johnston would still have one year from the time the line is available to actually hook onto the system.

Gary Bowen: If residents tie into the system within one year from the time the main is extended to their property, then the \$200 connection fee is waived. If Mr. Johnston waits to connect, then he would have to pay that fee.

Darrin Johnston: Is also concerned about getting monthly service charges. (That occurs after the year or at the time of connection, whichever comes first.)

Mr. Johnston works for Geneva Steel and is about to lose his job.

Mayor Fritz: Even though the Mayor has no vote on the Council, the Mayor has no intention of extending the sewer line in Loafer Canyon this year.

Darrin Johnston: If Impact Fees increase, can the residents be “grandfathered” in at the current amount?

Gary Bowen: There will be no “grandfathering” of fees. His suggestion is to pay the Impact Fees now before they increase. It would be impossible to approve this kind of agreement. It would have to be applicable to all those in Loafer Canyon and Goosenest. The Council has the right to grant exceptions, but the Dept. Head over the Sewer Dept. would have to propose to the Council that everyone in an existing house, not on the sewer system, would be subject to the existing fee (\$1,700) when they tie on.

It was suggested to have Councilmember Russell Sly look into the Impact Fee proposal and present it to the Council. The Mayor and Councilmember Bowen will discuss the matter.

BRAD & JANA  
SAUNDERS/  
WATER RIGHTS

Memo (by Administrative Assistant):

Saunders Subd., Plat A, was granted final plat approval on 9-12-00. At that time, Section 10-7-8.11, paragraph 1, required the conveyance of 1.3 acre ft. of water right “for each lot having an area of ½ acre or less as shown on the final plat of the subdivision. Where lots are larger than one-half (1/2) acre, the Town may require the conveyance of additional water right to accommodate the anticipated additional demand for water.” No lot in Loafer has ever been required to convey additional water right. When the Saunders Subdivision was approved, they met the requirement.

On January 9, 2001, the water right requirement was changed to require “As a condition of approval of a building permit for a dwelling or other use which proposes to obtain water service from the Town water system, the applicant shall convey to the Town title to water rights in the amount of two and six-tenths (2.6) acre feet for each acre of development. The exact amount required shall be determined by multiplying 2.6 by the acreage of the lot(s), or if the intended use will require more than 2.6 acre feet per acre per year, the Town may require the conveyance of additional water right to accommodate the anticipated additional demand for water.”

On August 9, 2001, the Saunders made application for a building permit. They were told they would need to convey 1.3 acre ft. additional water right to meet the current requirement of 2.6 acre ft. This is being required on all approved lots when a building permit is issued.

Currently, the lots in Loafer Canyon have either 1 acre ft. or 1.3 acre ft. (the required amount at that time) of water right, which was conveyed when the lots were approved. The vacant lots in Loafer, as in all other areas of the City will be required to meet the current requirement based on 2.6 acre ft. per acre of property when a building permit is issued. Also, the City is intending, in the near future, to require all residents to provide the additional amount to meet the current code requirement. It is understood that the State will require the City to “prove up” on their rights, which will necessitate the additional requirement.

Jana Saunders: The Saunders’ were present to request an exception to the water right requirement. 1.3 acre ft. for a ½ acre lot was the requirement during their development process (April, 2000). Any lot larger than ½ acre was to be considered and the amount of water right determined. Mrs. Saunders said she tried to get a determination of the amount to be required for their lot. According to Mrs. Saunders, it was determined that since part of their lot would remain in its natural state, and would not be landscaped, that 1.3 acre ft. would be sufficient. One half of the lot is recorded as “non-irrigateable”, due to that portion of the property being sloped up the west bank of Loafer Canyon.

There is a letter from Greg Magleby (LEI Engineering) requiring that the Preliminary Plat note 1.3 acre ft. being required.

After Technical Review, they were to indicate on their Plat, that the portion west of the drainage easement would be designated as “non-irrigateable”.

Up until February, 2001, (requirement changed from 1.3 to 2.6/acre) they were not asked to provide any additional water right.

In September, 2001, they were asked to provide the additional water rights as a condition of building (their permit was issued in August, 2001).

The Saunders feel they met all of their requirements for development and part of their lot is recorded as non-irrigateable; therefore, they feel they should not have to supply the additional water right.

Council discussion:

Gary Bowen: The requirement changed prior to issuing a building permit to the Saunders'. They changed due to the City's requirement to have to “prove-up” on the water rights assigned to the various wells. We have to have water rights equal to the amount of water pumped. All the residents in Town will eventually have to increase the water rights attached to their lots to meet the current requirement. It is easier to track if water rights are figured by the amount of square footage in a lot. The lots being built on all have to have the amount of water right up-graded when a building permit is issued. 2.6 acre feet was arrived at by formula, through an engineering study performed on the City's water system. As per State mandate, the City cannot pump more water than there are rights.

Mayor Fritz (Question to the Council): Do the Saunders' have to have the extra water right before they close on their home? Or, is there room for payments to be made over time?

Gary Bowen: They can make payments. In another instance, the property owners were given one year to pay off the extra water right for their lot.

(Mayor Fritz asked the Saunders' if they would be willing to accept those terms?)

Saunders': Yes, but they feel it is unfair to have to pay a higher price than they paid originally for the rights they purchased from Dallas Young. They would be willing to pay the previous amount over one year. If they had known about the extra water right requirement, they would have purchased it all through Mr. Young. To take the notation off of the recorded Plat, will require re-recording the Plat; they feel the City should be responsible to pay for the re-recording (\$31).


(The City Council was in agreement that the City needs to have the water rights in place and that sooner or later all citizens will have to up-grade their assigned rights to connect to the system.)

Gary Bowen: The City does have water rights, purchased from Dallas Young, to sell to individuals; however, there are other rights which could be bought from alternate sources. If the shares have not been transferred, they would have to go through that process. There is also the possibility of finding a developer who has already transferred rights to the City, who would be willing to sell off a portion of them.

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY GARY PRESTWICH TO ADHERE TO THE REQUIREMENT OF 2.6 ACRE FT. OF WATER RIGHT PER 1 ACRE LOT. THE SAUNDERS WILL BE ALLOWED TO PURCHASE THE ADDITIONAL WATER RIGHT OVER A ONE-YEAR PERIOD OF TIME FROM THE CITY OF ELK RIDGE AT THE CURRENT PRICE, WITH NO INTEREST BEING CHARGED, OR FROM ANOTHER SOURCE OF THEIR CHOICE; WITH THE CITY BEING CHARGED THE RE-RECORDING FEE OF \$31.00 FOR THE REPLACEMENT PLAT, IF NECESSARY**

**VOTE: YES (3) NO (0) ABSENT (2) RUSSELL SLY & LEE FREEMAN**

- STEVE POWELL/  
WATER DAMAGE Steve Powell lives on Loafer Canyon Rd. and was affected by the pressure reducing valve (prv) malfunctioning. His claim was submitted to the Insurance Company and they have determined that the City has no liability in this case.
- KENT HASKELL/  
WATER CERT.  
& CREDITS Gary Bowen and Kent Haskell are both certified to run the City's Water System. To maintain this certification, three units of continuing study are needed in a 3-year period of time. There is an annual Conference hosted by Rural Water Assoc. in St. George. This conference will result in 2 of the required units. The total cost for both to attend would be about \$1,300.  
**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY GARY PRESTWICH TO APPROVE THE COST OF THE RURAL WATER CONFERENCE IN ST. GEORGE, FOR BOTH KENT HASKELL AND GARY BOWEN, NOT TO EXCEED \$1,300.00 FOR COMBINED COSTS**  
VOTE: YES (3) NO (0) ABSENT (2) RUSSELL SLY & LEE FREEMAN
- PLANNING  
COMMISSION  
RE-  
APPOINTMENTS Mayor Fritz contacted both Terie Righettini and Alan Nelson to see if they would consider extending their terms of office to assist with the proposed Chaminox Annexation...they both agreed to stay on for three months. They will re-appointed to 5-year terms of office and would then have to resign and be replaced.  
**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY TODD JACKSON TO RE-APPOINT TERIE RIGHETTINI AND ALAN NELSON TO THE ELK RIDGE PLANNING COMMISSION FOR FIVE-YEAR TERMS OF OFFICE**  
VOTE: YES (3) NO (0) ABSENT (2) RUSSELL SLY & LEE FREEMAN
- MAYOR  
PRO-TEMPORE Mayor Fritz recommended Gary Prestwich to fill the position of Mayor Pro-tempore for the current year. This assignment will be rotated each year.  
**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY TODD JACKSON TO APPROVE GARY PRESTWICH AS THE MAYOR PRO-TEMPORE FOR THE ELK RIDGE CITY COUNCIL FOR 2002**  
VOTE: YES (3) NO (0) ABSENT (2) RUSSELL SLY & LEE FREEMAN
- SET PUBLIC  
HEARING/ORD.  
BASE DENSITY **MOTION WAS MADE BY GARY BOWEN AND SECONDED BY GARY PRESTWICH TO SET A PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING THE ELK RIDGE CITY CODE RELATING TO CLARIFICATION OF THE TABULATION FOR MINIMUM BASE DENSITY, AMENDING THE MAXIMUM LOT SIZE, AND CLARIFICATION OF THE OPEN SPACE REQUIREMENTS WITHIN A PLANNED RESIDENTIAL DEVELOPMENT FOR FEBRUARY 12, 2002, AT 6:00 PM**  
VOTE: YES (3) NO (0) ABSENT (2) RUSSELL SLY & LEE FREEMAN
- ADJOURNMENT **MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY TODD JACKSON TO ADJOURN THE CITY COUNCIL MEETING**  
VOTE: YES (3) NO (0) ABSENT (2) RUSSELL SLY & LEE FREEMAN

  
City Recorder

## NOTICE & AGENDA

Notice is hereby given that the City Council of Elk Ridge will hold a **Public Hearing on Tuesday, January 29, 2002, at 6:00 PM**, on a Proposed Ordinance adjusting the common boundary with Payson City, unless, at or before the Public Hearing, written protests to the Adjustment are filed with the City Recorder by the owners of the private real property that is located within the area proposed for adjustment, which covers at least 25% of the total private land area within the area proposed for adjustment and is equal to at least 15% of the value of all private real property within the area proposed for adjustment.

This Public Hearing is an extension of the Public Hearing opened at 6:00 PM on 1-22-02. It will be held in conjunction with a **Special Session of the City Council Meeting on Tuesday, January 29, 2002, 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 - BOUNDARY ADJUSTMENT BETWEEN PAYSON CITY & ELK RIDGE CITY**

Public Hearing/Ordinance Adjusting the Common Boundary Between Elk Ridge City and Payson City

**6:15 PM -      REGULAR COUNCIL MEETING AGENDA ITEMS:**

Invocation and Pledge of Allegiance

6:17      Approval of Agenda Time Frame

6:20      Adoption/Ordinance-Boundary Adjustment Between Elk Ridge City & Payson City

6:25      Expenditures: General

1. Work Release #21 (Formal Approval)

(Decision on funding the bill for Phase #1)

6:30      Adjournment

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

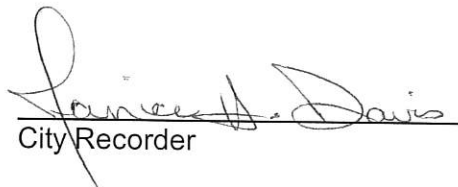
The times, which appear on this amended agenda, may be accelerated if time permits. All interested persons are invited to attend this meeting. Dated this 25<sup>th</sup> Day of January, 2002.



City Recorder

## CERTIFICATION

I, the undersigned, duly appointed and acting City Recorder for the municipality of Elk Ridge, do hereby certify 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 25, 2002.



City Recorder

**ELK RIDGE  
CITY COUNCIL MEETING  
January 29, 2002**

**TIME & PLACE** A Public Hearing was on **Tuesday, January 29 at 6:00 PM,** on a Proposed Ordinance adjusting the common boundary with Payson City. This Public Hearing was an extension of the Public Hearing opened on January 22, 2002. This Public Hearing was held in conjunction with a **Special Session of the City Council was also held on Tuesday, January 29, 2002 at 6:15 PM.** The meetings were 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 members of the Governing Body by mailing a copy to each on January 25, 2002.

**6:00 PM** **PUBLIC HEARING/ORDINANCE – BOUNDARY ADJUSTMENT BETWEEN PAYSON CITY & ELK RIDGE CITY**

**ROLL CALL** *Mayor: Vernon L. Fritz; Mayor-Pro tempore: Gary Prestwich; City Council: Lee Freeman, Todd Jackson, Gary Bowen (Absent: Russel Sly); Administrative Assistant: Ernestine Folks; Planning Commission Chairman: Stewart Jolley; Deputy Recorder: Abby L. Hicks*

**DISCUSSION** Council Member Gary Bowen showed the members of the Council where the property boundary exists today and where the proposed boundary adjustment would be. He explained individuals all privately own the property involved in this adjustment property, which exists within the current boundaries of Elk Ridge. Council Member Bowen told the Council that Elk Ridge has the written permission of each property owner.

Payson City is seeking the property adjustment in order to access the property that they own south of the property of issue. At the current time Elk Ridge cannot service the property of issue and has no development plans for this property. It was explained to the City Council by Council Member Bowen that it is the intention of Dan Shaw (property owner) and Payson City to designate the property as a Conservancy District. By designating the property a Conservancy District it would protect the property from being developed and would allow it to remain an open space.

Council Member Lee Freeman, expressed opinion that as Payson City has requested this adjustment boundary with Elk Ridge, and Elk Ridge has no existing purpose for the property, it was his opinion that Elk Ridge should agree to the Boundary Adjustment in order to keep a peaceful relationship with Payson.

Mayor Vernon Fritz asked Ernie Folks, Administrative Assistant, to rely the information she received from her visit to Payson City on January 29, 2002. She explained that Stewart Jolley, Planning Commission Chair, had asked her to find out where the Conservancy District was in relationship to Elk Ridge and this Boundary Adjustment. She spoke to Sheryl Hobbs at Payson City who told her that there was no Conservancy District. Ms. Hobbs checked with Andy Hall, Payson City Planner, and her told her that Payson City was planning on designating the property at issue a

Conservation Easement not a Conservancy District. Mayor Pro-Tem, Gary Prestwich asked Ernie Folks what the difference was between a Conservation Easement and a Conservancy District. Ernie Folks explained that Jim Bolser, Elk Ridge City Planner, explained to her that the difference between a Conservation District and a Conservation Easement was that a Conservation Easement deals with land and a Conservancy District is for an entity such as a water district.

Mayor Vernon Fritz, told the Council that Payson City must have the property of issue in order for them to access the Shaw property to the south. He further explained that pressure has been placed on Elk Ridge to sign this agreement without enough time to research what the possible effects this agreement may have.

Mayor Fritz told the Council that he spoke with Andy Hall and was told that Dan Shaw had made a deal with Payson City to purchase the land for six million dollars and Payson would pay the interest if the annexation was not complete before one-year and one-day, which would be March 1, 2002.

**MAYOR FRITZ CLOSED THE PUBLIC HEARING FOR THE BOUNDARY ADJUSTMENT BETWEEN PAYSON CITY AND ELK RIDGE CITY.**

**ELK RIDGE  
CITY COUNCIL MEETING  
January 29, 2002**

**TIME & PLACE  
OF MEETING**

A special meeting of the Elk Ridge City Council was held on **Tuesday, January 29, 2002 at 6:15 PM;** it was preceded by a **Public Hearing at 6:00 PM** on the Proposed Annexation/Ordinance – Boundary Adjustment Between Payson City and Elk Ridge City. The meeting also included a **Closed Session for the purpose of planning strategy.** The meetings were 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 members of the Governing Body by mailing a copy to each on January 25, 2002.

**ROLL CALL**

*Mayor:* Vernon L. Fritz; *Mayor-Elect:* Gary Prestwich; *City Council:* Lee Freeman, Todd Jackson, Gary Bowen (Absent: Russel Sly); *Administrative Assistant:* Ernestine Folks; *Planning Commission Chairman:* Stewart Jolley; *Deputy Recorder:* Abby L. Hicks

**INVOCATION  
PLEDGE OF  
ALLEGIANCE**

Invocation and Pledge of Allegiance was skipped at Mayor Fritz's request & as there were no members of the public present.

**APPROVAL OF  
TIME FRAME  
AND AGENDA**

There were no adjustments made to the time frame.

ADOPTION/  
ORDINANCE  
BOUNDARY  
ADJUSTMENT  
BETWEEN ELK  
RIDGE CITY AND  
PAYSON CITY

Mayor Fritz asked for comments from the City Council regarding their opinions of the Proposed Boundary Adjustment. Mayor Fritz expressed his view that he saw the requested Boundary Adjustment as a leverage opportunity for the City of Elk ridge to obtain as new well and tank from either Dan Shaw or Payson City. Several Members of the Council voiced their opinions that Dan Shaw could not be leveraged into providing Elk Ridge with a new tank and well, nor would they recommend placing a wedge between Payson and Elk Ridge City.

Stewart Jolley asked Mayor Fritz if Payson City was willing to put into writing that the property at issue would only be used in a Conservancy District or Conservation Easement. Mayor Fritz didn't think that Payson City knows what they intend to do with the property. Mayor Fritz said that Andy Hall, City Planner for Payson City was willing to meet with the City Council the following week to discuss the details of the property at issue.

Council Member Todd Jackson, said that her felt the greatest amount of leverage could be placed with Payson City as both Payson and Elk Ridge need fire suppression for the Club House and the City.

**MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY LEE FREEMAN TO MOVE INTO A CLOSED SESSION FOR THE PURPOSE OF PLANNING STRATEGY.**

**VOTE: LEE FREEMAN, GARY PRESTWICH, TODD JACKSON – AYE  
GARY BOWEN – NAY (RUSSELL SLY- ABSENT)**

**ELK RIDGE  
CITY COUNCIL MEETING  
CLOSED SESSION  
January 29, 2002**

TIME &  
PLACE OF  
MEETING

The Elk Ridge City Council moved into a **Closed Session on January 29, 2002 AT 6:40 PM for the purpose of Discussion of Strategy.**

ROLL CALL

*Mayor: Vernon L. Fritz; Mayor-Elect: Gary Prestwich; City Council: Lee Freeman, Todd Jackson, Gary Bowen (Absent: Russel Sly); Administrative Assistant: Ernestine Folks; Planning Commission Chairman: Stewart Jolley; Deputy Recorder: Abby L. Hicks*

CLOSED  
SESSION

The City Council met for a Closed Session for the Discussion of Planning of Strategy.

**ELK RIDGE  
REGULAR CITY COUNCIL MEETING  
January 29, 2002**

BOUNDARY  
ADJUSTMENT  
PAYSON CITY/  
ELK RIDGE  
CITY

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY GARY  
PRESTWICH TO APPROVE THE BOUNDARY ADJUSTMENT BETWEEN  
PAYSON CITY AND ELK RIDGE CITY.**

**VOTE: YES (4)      NO (0)      ABSENT: RUSSEL SLY**

EXPENDITURES

None

WORK RELEASE  
#21

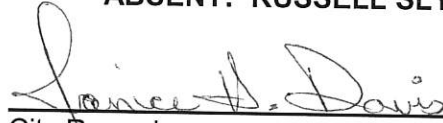
**MOTION TO APPROVE LEI WORK RELEASE #21 WAS MADE BY LEE  
FREEMAN AND SECONDED BY GARY BOWEN**

**VOTE: YES (4)      NO (0)      ABSENT: RUSSELL SLY**

ADJOURNMENT

**MOTION WAS MADE BY TODD JACKSON AND SECONDED BY LEE  
LEE FREEMAN TO ADJOURN THE CITY COUNCIL MEETING OF  
JANUARY 29, 2002.**

**VOTE: YES (4)      NO (0)      ABSENT: RUSSELL SLY**

  
\_\_\_\_\_  
City Recorder

## NOTICE & AGENDA

Notice is hereby given that the City Council of Elk Ridge will hold a regular City Council Meeting on Tuesday, February 12, 2002, at 7:00 PM; it will be preceded by Public Hearing at 6:00 PM, and a City Council Closed Session at 6:15 PM. The Public Hearing will be for the purpose of hearing public comment about a Proposed Ordinance amending the Elk Ridge City Code related to Clarification of the Tabulation for Minimum Base Density, Amending the Maximum Lot Size and Clarification of the Open Space Requirements within a Planned Residential Development. The meetings will be held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

**6:00 PM      1. PUBLIC HEARING/ORDINANCE-PUD REQUIREMENTS (MINIMUM BASE DENSITY, MINIMUM LOT SIZE, OPEN SPACE REQUIREMENTS)**

Public Hearing/Ordinance Amending the Elk Ridge City Code relating to Clarification of the Tabulation for Minimum Base Density, Amending the Maximum Lot Size and Clarification of the Open Space Requirements within a Planned Residential Development

**6:15 PM      2. CITY COUNCIL CLOSED SESSION**

Discussion of Pending Litigation

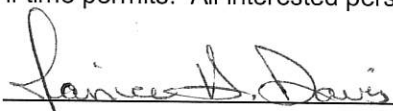
**7:00 - PM      REGULAR COUNCIL MEETING AGENDA ITEMS:**

Invocation and Pledge of Allegiance

- 7:05      1. Adoption/Ordinance-PUD's/Minimum Base Density
- 7:15      2. Discussion-Proposed Ordinance Relating to Commercial Zone Requirements and Creating a General Provision Dealing with Water Efficient Landscaping
- 7:30      3. Cancel Public Hearing/Chaminox Annexation
- 7:35      4. City Employee Replacement-Deputy Recorder
- 7:40      5. Loafer Ridge Subdivision/Acceptance of Improvements & Durability Time Period
- 7:45      6. Elk Ridge Heights Subdivision/Acceptance of Improvements & Durability Time
- 7:50      7. Craig Cleave Construction/Shipp Residence
- 8:00      8. Curb & Gutter Assessments
- 8:10      9. Palfreyman Water Rights
- 8:20      10. Lower Well #5 - Gary Bowen
- 8:30      11. Planning Commission Member Replacement
- 8:35      12. Expenditures:
  - General
  - LEI Work Releases #21, #26
  - Accept Bid/Install Pressure Reducing Station/Cortez
  - Well #2/Water Meter
  - David Tuckett, Legal Counsel Invoice/Approval
- 8:50      13. Adoption/Administration Policy Ordinance
- 8:55      14. Approval of Minutes of Previous Meetings
- 9:00      15. Adjournment

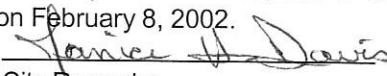
\*Handicap Access, Upon Request. (48 Hours Notice)

The times that appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting. Dated this 8<sup>th</sup> day of February, 2002.

  
\_\_\_\_\_  
City Recorder

## CERTIFICATION

I, the undersigned, duly appointed and acting City Recorder for the municipality of Elk Ridge, hereby certify 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 8, 2002.

  
\_\_\_\_\_  
City Recorder

**0ELK RIDGE  
CITY COUNCIL MEETING  
February 12, 2002**

**TIME & PLACE  
OF MEETING**

The regular Meeting of the Elk Ridge City Council was held on **Tuesday, February 12, 2002, at 7:00 PM;** it was preceded by a **Public Hearing at 6:00 PM,** on a Proposed Ordinance Amending the Elk Ridge City Code relating to Clarification of the Tabulation for Minimum Base Density, Amending the Maximum Lot Size and Clarification of Open Space Requirements within a Planned Residential Development. **A City Council Closed Session was held at 6:15 PM.**

The meetings were 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 members of the Governing Body by mailing a copy to each on February 8, 2002.

**6:00 PM**

**PUBLIC HEARING/ORDINANCE-PUD REQUIREMENTS (MINIMUM BASE DENSITY, MINIMUM LOT SIZE, OPEN SPACE REQUIREMENTS)**

**ROLL CALL**

*Mayor Vernon L. Fritz; City Council: Gary Bowen, Russell Sly, Gary Prestwich, Lee Freeman, Todd Jackson; Administrative Assistant: Ernestine Folks; City Planner: James Bolser; and City Recorder: Janice H. Davis*

At 6:00 PM, Mayor Fritz opened the Public Hearing on a Proposed Ordinance Amending the Elk Ridge City Code relating to Clarification of the Tabulation for Minimum Base Density, Amending the Maximum Lot Size, and Clarification of the Open Space Requirements within a Planned Residential Development.

Jim Bolser (City Planner): Explained the changes to those present:

Section 10-6-3.4: (2-B): Addition of a Tabulation schedule

Section 10-6-3.6 (2): CE-1 Zone...Maximum Lot Size: (Change 30,000 to 1 acre)

Section 10-6-3.7 (Under "Open Space") (3) Strike first part of the paragraph, 1<sup>st</sup> sentence...up to "All 100 year flood plain areas...."

Add to the end of paragraph..."shall be included as a part of the minimum open space requirements set forth under Paragraph 1 of this Section."

The Planning Commission feels the changes will clarify the current Sections.

Gary Bowen: Expressed concern with ownership of the land not being included in the tabulation of the number of lots in a subdivision. The amount of Open Space required by the City is the issue developers have had such a problem with in attempting to develop their property in the CE-1 Zone. Councilmember Bowen feels the City is forcing property owners to change title to the property in order to develop. He does not agree that the City should take ownership of anyone's property.

He feels that the Ordinance creates a financial hardship to be able to develop.

Suggestion: That the developer have the ability to sell the open space to those purchasing the lots.

Jim Bolser: The intent is to discourage development on lands that are extremely sloped. Much of the development depends on the PUD amenities, as well.

Mr. Bolser cautions against creating more lots out of the open space, to be owned by those purchasing the lots in the subdivision. This is what is being discouraged. Further development issues could arise. What if the property owners decided to then develop the extra open space into more lots?

The amendment does not change the Current Ordinance; it simply clarifies it.

Gary Bowen: Feels the current Ordinance should be changed to be fairer to the developer, who should not have to give up any of his property either to an Association or to the City.

There were no further comments.

At 6:15 PM, Mayor Fritz closed the Public Hearing on the Ordinance amending PUD Requirements and moved into the scheduled Closed Session.

NON-AGENDA  
ITEM

Mayor Fritz: Asked that the Councilmembers review the draft copies of the Administrative Policy and return them with any corrections within the next 30 days.

**CITY COUNCIL CLOSED SESSION**

ROLL CALL

*Mayor* Vernon L. Fritz; *City Council*: Gary Bowen, Russell Sly, Gary Prestwich, Lee Freeman, Todd Jackson; *and the City Attorney*: David Church

Discussion of Pending Litigation

**ELK RIDGE  
CITY COUNCIL MEETING  
February 12, 2002**

TIME & PLACE  
OF MEETING

The regular Meeting of the Elk Ridge City Council was held on **Tuesday, February 12, 2002, at 7:00 PM**; it was preceded by a **Public Hearing at 6:00 PM**, on a Proposed Ordinance Amending the Elk Ridge City Code relating to Clarification of the Tabulation for Minimum Base Density, Amending the Maximum Lot Size and Clarification of Open Space Requirements within a Planned Residential Development. **A City Council Closed Session was held at 6:15 PM.**

The meetings were held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah.

ROLL CALL

*Mayor* Vernon L. Fritz; *City Council*: Gary Bowen, Russell Sly, Gary Prestwich, Lee Freeman, Todd Jackson; *Administrative Assistant*: Ernestine Folks; *City Planner*: James Bolser; *Officer*: Cory Wride; *Public*: Hamid Mortezaazadeh; and *City Recorder*: Janice H. Davis

INVOCATION  
& PLEDGE OF  
ALLEGIANCE

Invocation was offered by Lee P. Freeman, followed by the Pledge of Allegiance led by Todd Jackson.

AGENDA TIME  
FRAME

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY RUSSELL SLY  
TO APPROVE THE AMENDED AGENDA TIME FRAME, MOVING THE 8:20 AGENDA  
ITEM TO 7:30 PM**

**VOTE: YES (5)**

**NO (0)**

ORDINANCE/  
PUD-MINIMUM  
BASE DENSITY

Jim Bolser: Mr. Bolser researched Section 10-6-3.7 (#3), referring to open space being turned over to the City or a home-owner's association. This Section was mentioned by Councilmember Bowen in the Work Session discussion. This matter is not being addressed in the proposed ordinance on PUD requirements. If the Council would like him to bring a proposed change in the Development Code to the Planning Commission for consideration, he will do so. The Ordinance amendment being discussed this evening simply clarifies the current Ordinance.

Ernestine Folks: Pointed out that the proposed amendment is actually more lenient with the open space. The requirement was that the developer had to dedicate into "open space" 30% of the project, as well as also having to include all the property in the

100-year plain and that was over 30% (slope). This amendment says only the 30% of the project must be addressed, not the other requirements beyond that.

Mayor Fritz: Polled the Council to determine if they feel the current Ordinance should go to the Planning Commission for revision. It was the consensus of the Council that they do not like the idea of the City becoming the property-owner of the 30%. The Planning Commission is to propose an amendment to this current requirement.

Gary Bowen: Suggested postponing a vote on the proposed Ordinance and having all of it consolidated into another amendment, to include property ownership and open space.

Jim Bolser: By adopting the proposed ordinance as it is, there would be no loss because the change in property ownership would not necessarily be applicable to the proposed Ordinance being considered. One Ordinance could include all of the changes; but then time would be lost in being able to apply the tabulations properly or with more clarity.

**MOTION WAS MADE BY LEE FREEMAN AND SECONDED BY GARY PRESTWICH TO APPROVE THE ORDINANCE AMENDING THE ELK RIDGE CITY CODE RELATING TO CLARIFICATION OF THE TABULATIN FOR MINIMUM BASE DENSITY, AMENDING THE MAXIMUM LOT SIZE, AND CLARIFICATION OF THE OPEN SPACE REQUIRMENTS WITHIN A PLANNED RESIDENTIAL DEVELOPMENT, PROVIDING FOR CODIFICATION, INCLUSION IN CODE, AND SCRIVENER'S ERORS, PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE**

**VOTE (POLL): TODD JACKSON-AYE, LEE FREEMAN-AYE, RUSSELL SLY-AYE, GARY PRESTWICH-AYE GARY BOWEN-NAY**

Passes: 4-1

\*The Planning Commission is to address Section 10-6-3.7 (4) on Open Space requirements. Councilmember Bowen is to present specifics to the Council at the next Council Meeting before it goes to the Planning Commission.

DISCUSSION/  
COMMERCIAL  
LANDSCAPING  
ORDINANCE

Gary Bowen: There are feelings on both sides of the issues with this proposed ordinance. He is concerned with some of the restrictions. Why not just require a landscape plan to be approved by the City Council or an expert in the field? Rather than being so specific, why not stay with general standards? He feels the ordinance, as written, would discourage a potential commercial developer. Would the Council deny a plan due to the lack of three-inch trees?

Russell Sly: The City wants to encourage commercial development. If the ordinance is too restrictive, it could be a deterrent. He feels general standards are preferable.

Mayor Fritz: Concern was expressed by Stewart Jolley (former Chairman of the Planning Commission) that the Council might not have a clear understanding of the intent of the Planning Commission in presenting this ordinance.

Ernestine Folks: The Planning Commission's intent is to provide a commercial development that Elk Ridge would want to be part of the community. If a developer is serious about bringing a commercial business into the City, she doubts landscaping restrictions would change their minds. Every city develops their standards in line with how they envision their community. The Planning Commission does not feel any of the regulations are too restrictive. They feel requiring a landscaping plan as opposed to having it come before the Council is preferable. In most instances, the Councilmembers are not educated in landscaping. It would be difficult to make decisions as to appropriate landscaping.

Gary Bowen: Why require different landscaping standards for residential and commercial?

Gary Prestwich: Feels too much time is being spent on these issues. How often do commercial developers approach the City for development? He agrees that standards should be general.

Russell Sly: When proper access and services are available, he feels there will be more commercial interest. The City should be prepared. He feels the main focus should still be on residential. He agrees that the guidelines should be general.

Mayor Fritz: Read from the minutes of the November 27, 2001 Council Meeting:

"All Councilmembers (current & elect) were in agreement that the proposed ordinance should be sent back to the Planning Commission for revision. The directions for revision should be specific:

- 1) City Council approval/Planning Commission recommendation
- 2) Don't specify exactly what the applicant should plant. Applicant could present landscaping plan to the Planning Commission on an individual basis. The Planning Commission could then recommend to the City Council.
  - A. No irrigation standards (It is not there for anyone else)
  - B. Landscaping design requirements taken out. A landscape architect or other qualified specialist could draw a landscaping plan.
  - C. If any of the landscaping is in the right of way, then the City should have absolute say over what goes in.
  - D. There should exist proper grade and infrastructure as far as concrete, asphalt & handi-capped parking; which follow Code.
  - E. If landscaping and irrigation cannot be installed at the time of occupancy, then the applicant would have an option of an 18-month extension with a bond to secure the plans with a landscape architect. (A business person will want his/her business to be attractive and appealing.)"

The Mayor asked the Council if these are still the concerns of the Council.

The stated concerns still reflect the feelings of the Councilmembers.

When asked what instigated the proposed ordinance, Mrs. Folks answered that the Planning Commission perceived a need to have defined requirements for commercial developments in place.

Jim Bolser: The General Plan is like a "road into the future"; the Zoning Ordinance is like the vehicle that gets us down the road. The idea is to have ordinances in place to guide us in the desired direction.

It is wise to look at other communities that have regulations in place for commercial, and learn from them. Model ordinances can be adapted to the needs of another community.

Ernestine Folks: Urged the Council to read the General Plan. The way that commercial develops will be determined by the ordinances in place. How do we want the community to grow? What will we be not just 5, but 20 years from now?

Mayor Fritz: Suggested:

The Planning Commission has created a document they feel is needed. The Council seems to be of the opinion that the restrictions should be looser.

1. Table the ordinance
2. Remand back to the Planning Commission, with instructions

**MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY LEE FREEMAN TO REMAND THE ORDINANCE RELATED TO COMMERCIAL ZONE REQUIREMENTS AND DEALING WITH WATER EFFICIENT LANDSCAPING BACK TO THE PLANNING COMMISSION WITH INSTRUCTIONS TO MAKE THE REQUIREMENTS MORE GENERAL**

**VOTE: YES (4)**

**NO (1) TODD JACKSON**

\*Councilmember Freeman will be at the next Planning Commission Meeting to be involved in the discussion and give the Planning Commission direction.

CANCEL  
PUBLIC HEARING/  
CHAMINOX  
ANNEXATION

Mayor Fritz: Silver Creek Development has changed the term and conditions of their proposed Annexation. The terms are not satisfactory to Mayor Fritz and he recommends no further consideration on the project until the developers are further along in what they wish to promote to the City. The Public Hearing scheduled for the end of March, 2002, to consider the proposed Chaminox Annexation will need to be cancelled.

**MOTION WAS MADE BY TODD JACKSON AND SECONDED BY LEE FREEMAN TO CANCEL THE PUBLIC HEARING SCHEDULED FOR MARCH, 2002, TO CONSIDER THE PROPOSED CHAMINOX ANNEXATION**

**VOTE: YES (5)**

**NO (0)**

LOWER  
WELL #5  
REPAIR

Gary Bowen: The Lower Well #5 (north of the City) is not running and in need of repair. \$25,000 has been approved to repair it. The Well has been cameraed and the information to California for analysis. The company recommended against repairing this well. They said there is too much damage to the casing and they feel there would be more damage than what we have now. Their recommendation is to plan for a new well and to place a pump in the current Well #5 that is smaller to pump the water needed for summer. The smaller pump could possibly produce about 280 gal. per minute (gpm) if the booster station is left off. The booster station cannot be adjusted to a smaller pump, so it is either on or off. The Public Works Superintendent feels the City could get by with this amount of water on a temporary basis. The cost estimate would be about \$10,000.

This could mean some type of water rationing. The high end users would be asked to cut their consumption down. There is a concern with dropping below fire flow part of the time.

Councilmember Bowen got a bid on drilling a new well (16" casing) at around \$136,000. This is a good price; but, there are other things to be considered along with drilling the well: A new pump, the well drilled, a "vault", modifications to the power going to the well, adjustments to the booster station so the speed can be varied (\$13,500).

The City is required to file with the State in order to do all of this. This process will take two months to get this approved and the engineering done.

LEI will present a proposal for the engineering on a new well. The total cost would be approximately \$200,000, if the well were drilled down by the current Well #5. It would be on the same property, so there would be no added cost of purchasing the land.

There are some negative/positive aspects:

- Lower Well site...the site is not very big and pumping to the tank is expensive, but there is good power.
- Upper Loafer Well-site...there is a major problem with power and that would locate the City's major sources of water above the fault line. If there were an earthquake, that could cut off water to the City.

Eventually, the City will need another well in both places.

Financing:

Councilmember Bowen contacted Zion's Bank/Public Finance Dept. to ask them the possibilities of financing this project when the City is not in a great position financially.

The City does not have \$250,000, added to the need of another tank.

The City needs to have the Engineering Firm (LEI) research both locations and give their opinion as to which one they think is best. They would do the paper work required by the State and take care of the details to arrive at a place where we would be approved to drill a well. They should also propose where the water line should go to connect the new well, if located north of the City, would pump into the new tank.

Zion's Bank said if the City uses 400 connections (actually closer to 500), and the loan is for \$250,000, the payments could be covered by charging a fee of \$7/month to the utility bills. The interest rate would be around 3.72% or 3.27%. The rate can be changed.

The problem with bonding with the State is the length of time it would take to get through all the paperwork and the added expense of a bond attorney. The Public Financing can be done through the City Attorney, with little cost.

Suggestion, to consider:

- Assessing a \$7 fee per connection for the life of the loan.
- Add an additional \$100 to the fee for every new water meter connection
- Any newly developed lot: There would be at least \$500 added, to be applied to this loan for the new well (much like a "developer re-imburement"...as the booster pump on the Lower Well, with the City as the "developer").

The loan would have to be paid off with funds, which come from individuals connected to the water system. The loan would be over a 20-year period. It could be paid off sooner than the 20 years. There would be an administrative fee.

The various sources of income would generate more money than needed for the loan payment. The City needs to consider other needs, such as the purchase of water rights.

There is about \$87,000 in the Capital Facilities Replacement Fund at the State Treasury; but Councilmember Bowen feels this should be reserved for the future 1,000,000 gal. tank (Estimated cost: \$410,000..., which is a good price. That is about what the City paid for the ½ million gal. tank.)

The new well could be on line by fall or sooner...the sooner the better, so that money would not have to be spent to repair the old Lower Well. The City could proceed with drilling the new well and if the process takes too long, then consider repairing the old well.

Mike Christiansen (LEI Engineering):

Work Release #27: Evaluate the existing Well #5 plus the pump system & explore other possible well sites in Elk Ridge: \$4,150

Work Release #28: New well near #5 + preliminary plans for an additional well in Loafer Canyon; as well as, preliminary plans for a new water storage tank and required piping in the central part of the City...Minimum of \$18,620 not to exceed \$24,000 (9.3% for the engineering).

Work Release #29: Design a water storage tank and required supply line connections  
Minimum Price: \$32,000, not to exceed \$38,000

1. LEI has yet to determine if the Lower Well site is the best place to drill a new well. Perhaps it would be more feasible to locate a new well towards the south end of the Golf Course. The hydrology reports will have to be examined. A study was done. It needs to be located.

2. The next work release covers filing papers with the State to get approval to drill a new well.

Mayor Fritz: The City will expand more than likely to the north. Eventually, a well located at the Lower Well site may not have to pump up to the higher elevation (location of tanks). It could be used to cover the lower portions of Elk Ridge.

Mike Christiansen: A new tank would have to be located somewhere near the middle of the City to service the lower pressure zone.

Mayor Fritz: The City cannot afford to fund all of its needs at once. A new tank would have to wait. He feels that locating both of the City's larger wells in upper Loafer Canyon would not be wise considering the possibility of an earthquake.

Mike Christiansen: Other possible locations of a tank and priv's were discussed.

Gary Bowen: Feels all the proposals (work releases) are inter-connected. There needs to be an over-all plan to follow. He also questioned the separate work releases and the high percentage rate on the various projects, which is charged for the engineering. Even if the City cannot afford to construct the tank or another well now, it is wise to have the plan in place for future consideration.

With the cost of upgrading the power to the upper Loafer site, the lower well site would be more affordable to develop, even though it would be costlier to maintain. The older well would not be repaired unless absolutely necessary.

Gary Prestwich: 1) How much more power will it cost to run a new well located beside the current Well #5? 2) Compare the two well sites, how sure is the City of the types of aquifers and the ability to draw water? (Hydrology reports would show this information. Determining where the fault line lies is a key factor.)

Gary Bowen: Questioned if the figure for fixing the booster station to adjust to variable speeds is correct (\$13,000 TO \$15,000). (Mr. Christiansen was not sure where that figure came from.) The estimate was given by Gregg Magleby (LEI).

Mr. Christiansen is not sure that this is the solution to the problem. This would be addressed in Work Release #27.

Mayor Fritz: Asked if the consensus of the Council is that they would want to expend any more of the City's funds on improving Well #5, or to focus on drilling a new well? A great deal of money has gone into Well #5 already, would the Council want to risk putting any more into it? The Mayor suggests concentrating on drilling a new well and abandoning Well #5.

Gary Bowen: Feels they should get going with the plans for financing the new well. If necessary, they could repair the old Well #5 for about \$10,000, but not unless the new well takes longer to install than anticipated and the City needs the extra water to make it through the summer.

Gary Prestwich: Questioned again what the difference in power requirements would be to run a new well on the lower well site. (That would also be addressed in Work Release #27.) Councilmember Bowen pointed out that the lower well site has 3-phase power available already.

Russell Sly: The current power costs could increase. St. George residents were informed they are facing a 40% increase in their power bills. This could be terrible for Elk Ridge. There are no alternatives. The City needs water.

Mike Christiansen: The City has water rights that need to be assigned to a source. There are only two active wells at this time. There are only a few more months until the City has to prove up on these rights.

(Mayor Fritz said that the time has been modified until January, 2004.)

The State allows "pooling" the rights, but they still need to be assigned to particular wells. The City needs to be able to pump the amount of water equal to the rights. "Proving up" shows they are being used to the benefit of the City. Example: The City cannot have 2,000 gpm of water right and only be able to pump 500 gpm. The State will take the extra 1,500 rights away.

Polling the Council/Opinions on repairing old Lower Well vs. drilling new well:

Gary Bowen: Feels the Council should agree on the \$7 raise in water charges to the residents, proceed with the paper work on the \$250,000 loan and authorize LEI to begin the physical construction plans for a new well (Work Release #28 = \$18,620 not to exceed \$24,000). He feels the old Lower Well should be shut down; then the State would expedite the loan process due to an emergency situation.

Todd Jackson: He feels there is no alternative than to drill a new well. He is also of the opinion that it should be drilled at the Lower Well site. Installing power to the upper site is cost prohibitive for the City at this time.

Lee Freeman: Agrees and feels the City should put as little money into the existing Lower Well as possible and "go with the new well".

Gary Prestwich: Agrees.

Russell Sly: Regrets being placed in a position to have to make a decision of this magnitude on such short notice; however, he agrees that there seems to be little choice.

Mayor Fritz: The loss of about 200 gpm from Well #5 and 40 or 50 gpm from #3 has created the crisis. The capacity has decreased from last year by about 250 gpm. Questioned if anything could be done to pull the present casing from the existing Lower Well and enlarging the existing hole?

Gary Bowen: Was told by Nickerson Pump that it would be more costly to try to do something with the existing Well with the building on the property than to simply move to the side of the old well with the well -house on it than if the City moved to the side and drilled a new well. The physical "OD" diameter cannot be increased in size...the old casing could not be removed.

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY GARY PRESTWICH TO APPROVE THE WORK TO BE DONE AS INDICATED ON WORK RELEASE #28, TO BEGIN IMMEDIATELY AND THAT THE COUNCIL AUTHORIZE THE MAYOR TO APPROACH ZION'S BANK TO OBTAIN A PROPOSAL OF THE NECESSARY TERMS FOR A \$250,000 LOAN, BY THE NEXT CITY COUNCIL MEETING**  
**VOTE: YES (5) NO (0)**

\*The public will be informed as soon as the terms are decided upon. A Public Hearing would be required to raise the water rates, but all of the supporting information needs to be available.

CITY EMPLOYEE  
REPLACEMENT/  
DEPUTY  
RECORDER

The current Deputy Recorder, Abby Hicks' has given the City notice of her resignation, effective as of March 31, 2002. She has agreed to train her replacement. Ads are to go out to the newspaper, Workforce Services, neighboring cities and the residents of Elk Ridge in the Newsletter. The ads should note that this is a replacement, not an addition of another position.

LOAFER RIDGE  
SUBDIVISION/  
DURABILITY  
RETAINER

LEI Engineering letter, dated June 6, 2001, listed 8 items yet to be completed by the developer, Robert Nelson. No formal recommendation for placing the Subdivision into the 2-year Durability time period was mentioned in the letter. On February 11, 2002, LEI submitted another letter to the Council stating that the "intent was for this project to be accepted, and be placed into durability status as of the first meeting following the June 6, 2001 date. Item nos. 1,2 & 3 have all been taken care of, or will be monitored carefully during the durability period. Item nos. 4 & 5 still require attention, and we expect to have these two items resolved within the next 60 days or so. Item no. 6 still requires a small amount of material removal and grading, but a substantial amount of work relating to this item has taken place since June 2001. Item nos. 7 & 8 have been taken care of."

Their recommendation was to place the Subdivision into Durability as of June, 2001. The Catch Basin for the Subdivision needs to be tested out for size, during the Durability time.

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY RUSSELL SLY TO ACCEPT THE IMPROVEMENTS AS COMPLETE FOR THE LOAFER RIDGE SUBDIVISION, PLAT B, EXCEPT FOR ITEMS 4-6, AS NOTED ON LETTER FROM LEI ENGINEERING, DATED FEBRUARY 11, 2002, AND TO PLACE THE SUBDIVISION INTO THE TWO-YEAR DURABILITY TIME, EFFECTIVE AS OF JUNE 30, 2001**

**VOTE: YES (5)**

**NO (0)**

ELK RIDGE  
HEIGHTS  
SUBDIVISION/  
DURABILITY  
RETAINER

LEI Engineering Letter, dated November 1, 2001, states that LEI recommends that the improvements associated with Elk Ridge Heights, Plat A, be accepted and durability status be granted effective as of November 1, 2001.

The letter went on to say: "It should be noted that the developer has agreed to install ladders, or steps in each of the sewer manholes during the durability period. The design of these will be reviewed and accepted by the City Engineer prior to installation, and the completed work inspected for compliance. Should these ladders/steps not be in place at the conclusion of the durability period, retained bond monies will be used to complete them."

The ladders have been an issue with Mr. Mortezaazadeh in the past. He felt that they were too costly to install and that they were not required of him at the beginning of his subdivision process. He felt he should not be required to install them at this point.

They are part of the Standards for the City and the previous Council agreed with the recommendation of the Engineer that they must be installed. Councilmember Bowen asked Mr. Mortezaazadeh if he intended on installing steps or ladders? Mr.

Mortezaazadeh responded that he will install ladders. LEI had changed the distance the ladders will be installed from the top and bottom of the manholes from 16" to 12"...Mr. Mortezaazadeh told Councilmember Bowen and the other Councilmembers that he is fine with the change.

Hamid Mortezaazadeh: Issue...the road & curbing has been in place for two years (as of April, 2002). They were held up from placing the Subdivision into Durability for things like street signs, water meters needing 4" collars, yet these are the same types of things discussed tonight in conjunction with the other Subdivision that were listed as exceptions. It seems like a double standard to him.

Gary Bowen: Anything having to do with sewer, water or the roads has to be done or the durability time cannot begin. If water meter cans are not the right height, that counts as a water issue...that has to be finished prior to requesting durability. The conditions on the other subdivision had to have time to test them (catch basin) and do not compare with this Subdivision. The other issue with Elk Ridge Heights, is that there have been many time before the Council with requests and commitments to complete the improvements (even to the point of being declared "in default") and the things had not been completed as promised.

Mr. Mortezaazadeh: He agrees that all things should be done, but also feels that it should be the same standard for everyone...not exceptions granted.

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY LEE FREEMAN TO ACCEPT THE IMPROVEMENTS FOR ELK RIDGE HEIGHTS SUBDIVISION, PLAT A, AS COMPLETE, EXCEPT AS NOTED ON THE ENGINEERING LETTER DATED NOVEMBER 1, 2001, AND TO PLACE THE SUBDIVISION INTO THE TWO-YEAR DURABILITY TIME PERIOD, EFFECTIVE AS OF NOVEMBER 1, 2001**

**VOTE: YES (5)**

**NO (0)**

CRAIG CLEAVE  
CONSTRUCTION/  
SHIPP RESIDENCE

Mr. Shipp is building a home on West Salem Hills Drive. Craig Gleave is the contractor. As they were connecting the house to the sewer main, they did not check the sewer depth to begin with. They could not locate the main and dug out in the middle of the Road. At the same time Don Mecham was finishing the road as part of the improvements, which were not completed, including curb & gutter on the other side of the street, road base and asphalt for part of the road. Mr. Mecham had the curbing in and the road base down and ready for asphalt when a huge trench (about 22' deep) was cut by Mr. Gleave.

Gary Bowen: Ordinarily, an Excavation Permit would be taken out; but, this happened on a Saturday and no permit was issued. The road base installed by Mr. Mecham was cut into and Mr. Mecham will not guarantee that portion of the road against sinking or other problems. A bond will be required of Mr. Shipp to guarantee that portion of road for two years, prior to Mr. Shipp be granted occupancy. A cost estimate of the work is needed from LEI.

Also included in the matter before the Council is a bill from LEI to Craig Gleave Construction for services rendered in inspecting for the problems with the sewer lateral, in the amount of \$665. LEI suggested taking it out of the bond posted in conjunction with the building permit. There is a \$500 Performance Bond included with the building permit fees, as well as \$500 designated as a "clean-up" bond (cannot use)...not enough to cover the \$665 in the Performance Bond.

A LEI letter, dated February 11, 2002, states that the site was visited to measure curb/gutter, asphalt and other improvements that have been installed in the City right-of-way by Gleave. Unfortunately, snow, ice and a large dumpster have kept me from completing the assignment. Mr. Thornton was able to get partial dimensions for the asphalt, but the curb and areas directly behind the right-of-way could not be inspected due to conditions.

Councilmember Bowen recommends:

1. The Mayor contact LEI to get estimate of what should be required as a bond from Mr. Shipp (Ernie Thornton)
2. Mayor contact Mr. Shipp and tell him there are no funds to cover the \$665 and he has to pay the bill and come up with the durability bond

\*This should be done prior to the next Council Meeting. Mr. Shipp was to have been in the Council Meeting that night (2-12-02).

#### CURB/GUTTER ASSESSMENTS

Curb and gutter assessments on Loafer Canyon Rd. and Fremont Way: The Mayor asked the Council for suggestions in handling payment options for collecting these assessments: Could payments be made, or property lienied?

Gary Bowen: Most of the confusion is from those assessed on Loafer Canyon Rd. The sewer was such a big deal that some have a concern about paying the assessment for curb and gutter. They were thinking they should be "grandfathered" and not be responsible for payment. The City may need to "work something out with these people. On Fremont, there were meetings with the residents and they knew what the cost would be up front.

Mayor Fritz: Two of those residents worked for Geneva Steel and have lost their jobs.

Gary Bowen: Has no problem working with the ones that really need it. The Mayor should just be able to make the decisions on what needs to be done.

Mayor Fritz: Prefers to handle the residents who have lost their jobs and cannot meet their expenses, by liening their property. Some residents on Oak Ridge Lane have said they will not pay until the work is all completed (He has no problem with this).

The Mayor will pursue ways to work out payments and come back to the Council with suggestions. Care must be taken to make the same offer available to everyone.

#### PALFREYMAN WATER RIGHTS

Mr. Palfreyman is offering water rights (25 acre ft. at \$1,800/acre ft.). The question is where will we get the money to pay for them? (Current - \$2,333.34/acre ft. from the City)

Lee Freeman: The plan is to have all residents "true-up" on the water rights across the City. If we do that, then the expenditure of purchasing the rights would eventually be reimbursed to the City.

Gary Prestwich: 75 people purchasing 1/3-acre ft, would cover the cost of the 25-acre ft.

Mayor Fritz: In light of current water problems, he is uncomfortable with taxing the Water Fund.

Gary Bowen: Another option would be the LDS Church...they are in need of quite a bit of water right to bring them to the required level (possible 10 rights) and they are really high-end users. Councilmember Bowen went to a meeting with the Stake President and talked about this. This should be pushed to a conclusion and that could assist the City in purchasing these rights. They also own water rights, which could be transferred.

Gary Prestwich: It needs to be determined what the time frame is with Mr. Palfreyman in purchasing these rights. Could enough citizens get together to purchase these rights? Perhaps he would give the City 6 months.

\*Mayor Fritz was given the authority to negotiate with Mr. Palfreyman.

PLANNING  
COMMISSION  
MEMBER  
REPLACEMENT

Kelly Adams' name was turned in as willing to serve on the Planning Commission.  
**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY GARY PRESTWICH TO APPOINT KELLY ADAMS TO REPLACE TERIE RIGHETTINI AS A MEMBER OF THE ELK RIDGE PLANNING COMMISSION, WHO'S TERM OF OFFICE EXPIRES FEBRUARY, 2007**

**VOTE: YES (5)**

**NO (0)**

EXPENDITURES

1. Check Registers:

There was a problem in closing out October in Caselle. The problem has been worked out and there are four months' of Check Registers to approve.

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY LEE FREEMAN TO APPROVE THE CHECK REGISTERS FOR THE MONTHS OF OCTOBER, NOVEMBER AND DECEMBER, 2001 AND JANUARY, 2002**

**VOTE: YES (5)**

**NO (0)**

2. David Tuckett/Attorney:

\$1,287.50 for reviewing the codification draft:

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY GARY PRESTWICH TO APPROVE THE BILL FROM DAVID TUCKETT IN THE AMOUNT OF \$1,287.50 FOR THE REVIEW OF THE CODIFICATION DRAFT**

**VOTE: YES (5)**

**NO (0)**

3. Well #2/Repair:

A meter is needed on the well. It is budgeted for. Kent Haskell needs to be directed to purchase it and install it.

4. Bid/Pressure Reducing Station:

There is a pressure reducing station, which needs to be installed on Cortez Drive.

The Mayor suggested waiting until the water line goes under the road when the gas line goes in and see what happens to the pressure at that point.

Gary Bowen: That won't affect the pressure. The reason this is going in is not due to a pressure problem. There are 6" lines tying onto the whole northern section of the City. There are 8" mains down there, but not enough water. The people on Park Drive were complaining about pressure, so they were by-passed and the valve shut off. Now the line is dead-ended until the Reducing Station is put on line, then there will be two 6" lines feeding the system. The line will be looped and there wouldn't be a dead-end main in this area. There were three bids. The Mayor did not want any action on the bid at that time. Action will be postponed two weeks.

5. LEI Work Release #21 (Phase I: Survey Route for Questar Gas line):

Approval from the Council was done by polling the Council by Gary Bowen (then Mayor Pro tempore), but the decision was never ratified by the Council in an open meeting. (Cindi Ellis, Don Mecham and Gary Bowen approved the Work Release, Phase I)

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY RUSSELL SLY TO RATIFY THE DECISION, MADE BY POLLING THE COUNCIL, TO APPROVE LEI ENGINEERING WORK RELEASE #21 (PHASE I) IN THE AMOUNT OF \$4,800**

**VOTE: YES (5)**

**NO (0)**

6. LEI Work Release #26:

This project would prepare design drawings for a stilling basin located at approximately 230 N. Loafer Canyon Rd. The City believes the current catch basin is undersized and is inadequate for preventing rocks and debris from entering the existing 24" drainage pipe. Cost: \$650.00

A letter is needed from Don Mecham allowing the City to use his land for an easement. This has not been accomplished yet. Action on this item is deferred until the letter from Don Mecham is in the possession of the Council.

ADMINISTRATION  
POLICY  
ORDINANCE

More time was needed to review the draft of the proposed Policy Handbook.

MINUTES

1. City Council Minutes of 1-8-02:

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY LEE FREEMAN TO APPROVE THE CITY COUNCIL MINUTES OF 1-8-02**

**VOTE: YES (5)**

**NO (0)**

2. City Council Minutes of 1-29-02:

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY RUSSELL SLY TO APPROVE THE CITY COUNCIL MINUTES OF 1-29-02**

**VOTE: YES (5)**

**NO (0)**

NON-AGENDA  
ITEM

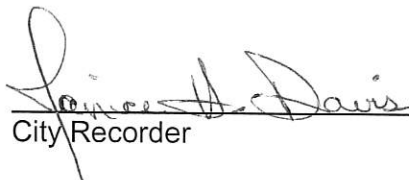
Gary Prestwich: Met with Wasatch Wireless (Internet provider: provide Broadband Wireless Service). They want to install an antenna on an existing pole currently used for the alarm system for the Fire Dept. This would be for high-speed service for an area of two miles around that antenna. In order to use this service a person would have to buy from them equipment + installation of a dish that would go on the roof. It would cost around \$300 – 400 for first-time installation and about \$40 of 50 per month. Power to run the equipment: the amount of power needed is not much. The transmitter puts out 100 miliwatts, which is very little. They would pay the City for the power used and they would pay the City monthly, based on the number of users they have. Example: 50 users would bring the City \$400/month. Councilmember Prestwich suggests not getting involved with the billing (the Council agreed). They would have to have 35 users committed before they would install their equipment. That would be up to them to promote. The Council could approve it and they would go ahead and begin to get their users. So, it is fairly risk-free to the City. More information will be collected and presented at a future Meeting for action.

AJOURNMENT

**MOTION WAS MADE BY LEE FREEMAN AND SECONDED BY RUSSELL SLY 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 regular City Council Meeting on **Tuesday, February 26, 2002, at 7:00 PM**; it will be preceded by **the City Council Work Session at 6:00 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**

Amended Budget Discussion

Storm Drainage – Mayor Fritz

John & Phyllis Thomas/City Historians – Mayor's Presentation

High Speed Inter-net – Mayor Fritz

New Well Funding – Mayor Fritz

Police Services/Update – Todd Jackson

Ordinance/Landscaping – Directions to Planning Commission – Lee Freeman

**7:00 - PM**

### **REGULAR COUNCIL MEETING AGENDA ITEMS:**

Invocation and Pledge of Allegiance

7:03 Agenda Time Frame

7:05 1. Cub Scouts

7:10 2. Grand View North Subdivision, Preliminary Plat Approval – Lynn Thomsen

7:25 3. Set Public Hearings:

A. Amendment to the Elk Ridge Development Code Dealing with Side Setbacks

B. Amendment to the Elk Ridge Development Code Pertaining to the Creation of a General Provision Dealing with Property Access Orientation for Existing Lots When Fronting a Major Street

7:30 4. Re-Schedule Public Hearing–Amended Budget for 2001/2002 (3-12-02 @6:00 PM)

7:35 5. Adoption/General Plan Ordinance

7:40 6. Planning Commission Member Replacement

7:45 7. Expenditures:


General

7:50 8. Approval of Minutes of Previous Meetings

8:00 9. Adjournment

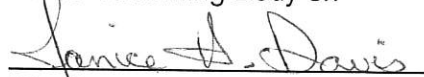
\*Handicap Access, Upon Request. (48 Hours Notice)

The times that appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting. Dated this 22<sup>nd</sup> day of February, 2002.

  
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, 2002.

  
City Recorder

**ELK RIDGE  
CITY COUNCIL MEETING  
February 26, 2002**

**TIME & PLACE  
OF MEETING**

The regular Meeting of the Elk Ridge City Council was held on Tuesday, February 22, 2002, at 7:00 PM; it was preceded by the City Council Work Session at 6:00 PM. The meetings were 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 members of the Governing Body by mailing a copy to each on February 22, 2002.

**6:00 PM**

**CITY COUNCIL WORK SESSION**

**ROLL CALL**

*Mayor:* Vernon Fritz; *City Council:* Todd Jackson, Lee Freeman, Gary Prestwich, Russell Sly; *Sheriff:* Deputy Cory Wride; *Public:* Paul Eddy, Lynn E. Thompson, Beatrix Killpack, Sean Flygare, Carlos Killpack, Kevin Johnson, Derrick Peatross, Zach Morrell, Chuck Bowles; *City Recorder:* Jan Davis

**MAYOR'S  
PRESENTATION  
JOHN/PHYLLIS  
THOMAS**

The Mayor presented John and Phyllis Thomas with a letter of appreciation and a gift certificate to their favorite restaurant for their lengthy service to the City of Elk Ridge as Town Historians.

**AMENDED  
BUDGET  
DISCUSSION**

City Recorder, Jan Davis led the discussion with the City Council informing that she had the Budget completed for their review as far as the General Fund. She instructed the Council on how to assess the information in the Budget Worksheet and discussed the source of funds in each revenue fund. She explained that the City receives more Property Tax monies in January and February and then again in April, however there is no way of assessing how much that will be. Jan Davis continued to review each revenue account in the General Fund. The true figure for the revenue for this year is \$684,418.00, as opposed to \$768,957.00 that was budgeted.

Jan Davis then went on to explain each expenditure account and the projected expense amounts for the remainder of the current fiscal year. She explained to the Council what Impact Fees were and how they are received. She told the Council that revenue received from Impact Fees could only be spent on new projects or equipment or acquisition of land.

The Council discussed whether or not to leave the Storm Drainage fund in place or to have it absolved into the General Fund. Jan Davis explained to the Council that even though Mayor Fritz ran his campaign on the platform of no storm drainage, there are expenses that are incurred that must be coded to storm drainage, such as culverts, retention basins, and other run off problems. Mayor Fritz preferred that the Storm Drainage fund be absolved into the General Fund, however he mentioned that he does not have a vote in this decision. The Council discussed the two options and the consensus was that the Storm Drainage fund should stay in place.

Councilman Freeman stated that because the City has permitted the development of land the issue of storm drainage must be cared for. Councilman Jackson added that it is better for the City to have the funds prepared to fix any potential storm drainage issues before the City becomes the defendant in law suits and then spend funds in

court, only to then be financial responsible to fix the problem that should have been fixed first. A citizen who was present, Paul Eddy, informed the City that the residents on High Sierra had opted to not put in curb and gutter when Don Mecham completed the development. He stated that every time it rains the water from High Sierra runs down the street and into Mr. and Mrs. Jensen's home. The Council was informed that the Jensen's have had to put a sump pump in their basement to control the water, and that the City was on the verge of a lawsuit because of that situation.

Mayor Fritz felt that the General Fund shortage was a one-year problem, and that the storm drainage expenses could be covered through the General Fund. The Council members did not agree that the shortage is a one-year problem, but that it will be a continuing issue. Mayor Fritz expressed his desire to not add a fee to the citizens for storm drainage. The Council members stated that they are not seeking to impose a fee or a Citywide Storm Drainage System, however they felt that it was important to have some source of revenue to cover the existing storm drainage issues, as well as protecting the City from future litigation.

Mayor Fritz took a poll of the Council and the consensus was unanimous to leave the Storm Drainage fund in place.

#### HIGH SPEED INTERNET

Mayor Fritz told the Council that the City has the opportunity to profit approximately \$4.00 per subscriber. Council member Gary Prestwich told the Council that the high-speed Internet Company is seeking to use the City's siren pole to run their high-speed line. They would also require a source of power to be at the base of the pole, which they would pay the City for the use of. The antenna on the top of the pole will cover a two-mile radius and will provide service. Those citizens who want the service will have to pay approximately \$400.00 for the equipment to be installed to receive the signal and to transmit it back. The consensus of the Council was to move forward with the proposal, as they did not see any potential liability to the City. Mayor Fritz said that he would get the contract put together and have it ready for the next Council meeting.

#### NEW WELL FUNDING

Mayor Fritz directed the Council to their packets, which contained some estimates from Zions National Bank. The Mayor told the Council that he and Council member Gary Bowen had been discussing financing options with Zions Bank. The Mayor told the Council that there are two ways in which the City could finance the new well. One option is through revenue bonds through Zions National Bank, the beginning rate would be 4.55 %. Mayor Fritz explained that over a fifteen-year amortization the monthly cost to the citizen would be \$4.37 per month per household. Mayor Fritz did not feel this would be the option the City used.

He explained that Jan Davis, City Recorder had completed some research and found that the State of Utah funds were less expensive than using funds from a bank. Jan Davis directed the Council to a memo that had been sent from Jones-Simpkins the auditing firm that the City is contracted with concerning their opinions for options that the City could exercise. Their caution was that whether the City would be required to have a Bond Attorney and a resolution to issue the bonds. She explained that there are debt service funds that are required and service fees that amount of \$17,000.00. She explained that usually the debt service funds cover the expenses of a bond attorney and other requirements. Jan Davis explained that the City had wanted to stay way from using a bond attorney to avoid the delays involved, however, there is no way to avoid the time delays.

Jan Davis explained that the City could avoid the delays mentioned previously if the City used the State as a source of the Funding with a lower interest rate of 2-3%. It was the suggestion of the Auditor's that the City contact the State to explain the situation of the City's water and ask if the process could be expedited.

The Mayor wanted to further review the options presented and have a plan in place before the next Council Meeting.

POLICE  
SERVICES  
UPDATE

Council member Todd Jackson informed the Council that he has a copy of the contract that was signed in February of 1998. Jan Davis directed him to additional contracts that were in his packet. Council member Jackson stated that he needed to further review the contracts. Mayor Fritz explained that brought this item to the attention of the Council as a reminder that budget numbers are needed.

ORDINANCE/  
LANDSCAPING

Mayor Fritz conferred with Council member Lee Freeman and drafted a set of instructions for the Planning Commission.

ELK RIDGE  
CITY COUNCIL MEETING  
February 26, 2002

TIME & PLACE  
OF MEETING

The regular Meeting of the Elk Ridge City Council was held on Tuesday, February 26 2002, at 7:00 PM; it was preceded by a Council Work Session at 6:00 PM. The meetings were 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 members of the Governing Body by mailing a copy to each on February 22, 2002.

ROLL CALL

*Mayor:* Vernon Fritz; *City Council:* Todd Jackson, Lee Freeman, Gary Prestwich, Russell Sly; *Sheriff:* Deputy Cory Wride; *Public:* Paul Eddy, Lynn E. Thompson, Beatrix Killpack, Sean Flygare, Carlos Killpack, Kevin Johnson, Derrick Peatross, Zach Morrell, Chuck Bowles; *City Recorder:* Jan Davis

INVOCATION  
& PLEDGE OF  
ALLEGIANCE

Invocation was offered by Gary Prestwich and the Pledge of Allegiance was led by Russell Sly.

AGENDA TIME  
FRAME

**MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY TODD JACKSON TO APPROVE THE AGENDA TIME FRAME, ADJUSTING THE TIME BY 23 MINUTES.**

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

CUB SCOUTS

Mayor Fritz welcomed the Cub Scout #1545 that was attending the meeting for the purpose of learning what City Government does. Each Council member introduced himself and told what their department is responsible for. Mayor Fritz talked to the scouts about what a Mayor does and how elections are run.

GRAND VIEW  
NORTH  
SUBDIVISION

Lynn Thompson presented to the Council a plan for the Preliminary Plat Approval of the Grand View North Subdivision. Mr. Thompson addressed the council's concerns, such as storm drainage, property boundaries, etc. Ernie Folks explained

PRELIMINARY  
PLAT APPROVAL

to the Council that Mr. Thompson wanted the Council's approval to improve Gladstan Drive ½ +9 feet instead of having to improve the entire road. Mayor Fritz read the Engineer's letter stating that the property in questions is developable and the crossroad improvements were acceptable. Mayor Fritz stated that the approval of this rests with the City Council.

**MOTION WAS MADE BY LEE FREEMAN AND SECONDED BY GARY PRESTWICH TO APPROVE THE PRELIMINARY PLAT FOR THE GRANDVIEW NORTH SUBDIVISION WITH THE CONTINGENCY TO COMPLETE THE FULL ROAD WIDTH OF GLADSTAN DRIVE.**

**VOTE: YES (4) NO (0) ABSENT: GARY BOWEN**

**MOTION WAS MADE BY TODD JACKSON AND SECONDED BY RUSSELL SLY TO APPROVE THE NAME OF THE STREET AS GRANDVIEW CIRCLE.**

**VOTE: YES (4) NO (0) ABSENT: GARY BOWEN**

PUBLIC  
HEARINGS

Ernie Folks, Administrative assistant, explained the details of the two amendments that were to be considered for Public Hearings. The first ordinance dealt with the Development Code dealing with the side setbacks. She told the council that it was the recommendation of the Planning Commission to approve the amendment. She told the Council that the Planning Commission recommends that the side setbacks be changed to read a minimum of twelve feet on both sides in order to prevent a misinterpretation of the setback requirements. The purpose of this amendment is to create uniformity.

**MOTION WAS MADE BY TODD JACKSON AND SECONDED BY RUSSELL SLY TO SET THE PUBLIC HEARING FOR THE AMENDMENT OF THE ELK RIDGE CITY DEVELOPMENT CODE DEALING WITH SIDE SETBACKS FOR MARCH 26, 2002 AT 6:00 PM**

**VOTE: YES (4) NO (0) ABSENT: GARY BOWEN**

Ernie Folks stated that it is the Planning Commissions recommendation that the amendment to the Elk Ridge Development Code pertaining to the creation of a general provision dealing with property access orientation for existing lots when fronting a major street be approved. This is a new section in the General Provisions. Mayor Fritz pointed out that there are benefits with these amendments, specifically for properties on major collector streets.

**MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY LEE FREEMAN TO SET A PUBLIC HEARING FOR THE AMENDMENT TO THE ELK RIDGE DEVELOPMENT CODE PERTAINING TO THE CREATION OF A GENERAL PROVISION DEALING WITH PROPERTY ACCESS ORIENTATION FOR EXISTING LOTS WHEN FRONTING A MAJOR STREET FOR MARCH 26, 2002 AT 6:15 PM**

**VOTE: YES (4) NO (0) ABSENT: GARY BOWEN**

RESCHEDULE  
PUBLIC  
HEARING  
AMENDED  
BUDGET FOR  
2001/2002

**MOTION WAS MADE BY TODD JACKSON AND SECONDED BY GARY PRESTWICH TO RESCHEDULE THE PUBLIC HEARING FOR THE AMENDED BUDGET FOR 2002/2002 FOR MARCH 26, 2002 AT 6:30 PM.**

**VOTE: YES (4) NO (0) ABSENT: GARY BOWEN**

ADOPTION  
GENERAL PLAN  
ORDINANCE

Jan Davis, City Recorder, explained to the Council that the General Plan was adopted on the 18<sup>th</sup> of December 2001. An ordinance was not completed to adopt the General Plan. The number was given to this ordinance is 01-12-18-24.

**A MOTION WAS MADE BY LEE FREEMAN AND SECONDED BY TODD JACKSON AND SECONDED BY TODD JACKSON TO APPROVE AN ORDINANCE ADOPTING THE ELK RIDGE CITY GENERAL PLAN 2002-2007 PROVIDING FOR CODIFICATION, INCLUSION IN CODE, AND SCRIVNER'S ERRORS, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.**

**VOTE: YES (4) NO (0) ABSENT: GARY BOWEN**

PLANNING  
COMMISSION  
MEMBER  
REPLACEMENT

Mayor Fritz told the Council that Daniel Steele has applied to become a member of the Planning Commission. Mayor Fritz told the Council that he knows Mr. Steele and would recommend him for the position.

**MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY RUSSELL SLY TO APPROVE DANIEL STEELE AS A REPLACEMENT FOR ALAN NELSON FOR THE PLANNING COMMISSION.**

**VOTE: YES (4) NO (0) ABSENT: GARY BOWEN**

EXPENDITURES

The pump for the lower Loafer Well burned out and needs to be replaced. Mayor Fritz asked the Council to approve the amount of \$8,000.00 for the replacement of that pump.

**MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY RUSSELL SHIP TO AUTHORIZE THE AMOUNT OF \$8,000.00 FOR THE PURCHASE OF A PUMP TO REPLACE THE PUMP IN THE LOWER LOAFER WELL.**

**VOTE: YES (4) NO (0) ABSENT: GARY BOWEN**

Council member Russell Sly read a letter addressed from Kent Haskell requesting that the City purchase a camera for the purpose of photographing the sewer lines in the City. Council member Sly passed out to the other Council members, pamphlets and estimates from several companies for the purchase of such a camera. The estimated cost is \$3,000.00 to \$4,000.00. He also found a demo camera for the price of \$2,300.00. With the lines that are broken and damaged in the City, Council member Sly recommends that the City purchase a camera in order to avoid digging up unnecessary lines.

APPROVAL OF  
MINUTES OF  
PREVIOUS  
MEETINGS


**MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY TODD JACKSON TO APPROVE THE MINUTES FROM JANUARY 22, 2002.**

**VOTE: YES (4) NO (0) ABSENT: GARY BOWEN**

ADJOURNMENT

**MOTION WAS MADE BY LEE FREEMAN AND SECONDED BY RUSSELL SLY ADJOURN THE CITY COUNCIL MEETING OF FEBRUARY 26, 2002**

**VOTE: YES (4) NO (0) ABSENT: GARY BOWEN**

  
\_\_\_\_\_  
City Recorder

## **NOTICE & AGENDA**

Notice is hereby given that the City Council of Elk Ridge will hold a regular City Council Meeting on **Tuesday, March 12, 2002, at 7:00 PM:** it will be preceded by **a City Council Closed Session at 6:10 PM and the Council Work Session at 6:25 PM.** The meetings will be held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

**6:00 PM      CITY COUNCIL CLOSED SESSION**

Discussion of Pending Litigation  
Discussion of Personnel

**6:15 PM      CITY COUNCIL WORK SESSION**

1. Amended Budget  
    Fire Dept. Budget
2. New Well/Tank-Financial Assistance
3. Increasing City Liability Insurance Limits
5. Touch Reader/Meter Reader
6. Office Staff/Down-sizing (Deputy Recorder Position)
7. Administrative Policy Manual
8. Training Meeting with City Auditor

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

- Invocation and Pledge of Allegiance
- 7:05    9. New Well/Tank-Financial Assistance
- 7:10    10. Increase Insurance Liability Limits
- 7:15    11. Administrative Policy Manual
- 7:20    12. Training Meeting/City Auditor
- 7:25    13. Set Public Hearing/Ordinance Amending the Elk Ridge Development Code  
Relating to the Permitted & Conditional Uses Within Zones
- 7:30    14. Snelgrove Corporation/Use of Services
- 7:35    15. Expenditures:  
    General  
    Jones Simkins LLP/Billing for Loan Documents Analysis  
    Touch Reader II/Meter Reader  
    Check Register for February, 2002
- 7:50    16. Approval of Minutes of Previous Meetings
- 7:55    17. Nuisance Ordinance/Action
- 8:00    18. Adjournment

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

The times that appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting. Dated this 8<sup>th</sup> day of March, 2002.

  
\_\_\_\_\_  
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 8, 2002.

  
\_\_\_\_\_  
City Recorder

**ELK RIDGE  
CITY COUNCIL MEETING  
March 12, 2002**

**TIME & PLACE  
OF MEETING**

The regular Meeting of the Elk Ridge City Council was held on **Tuesday, March 12, 2002, at 7:00 PM;** it was preceded by a **Council Closed Session at 6:00 PM and a Council Work Session at 6:15 PM.** The meetings were 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 members of the Governing Body by mailing a copy to each on March 8, 2002.

**6:00**

**CITY COUNCIL CLOSED SESSION**

**ROLL CALL**

*Mayor:* Vernon Fritz; *City Council:* Gary Bowen, Gary Prestwich, Todd Jackson, Lee Freeman, Russell Sly

Discussion of Pending Litigation  
Discussion of Strategy

**6:15 PM**

**CITY COUNCIL WORK SESSION**

**ROLL CALL**

*Mayor:* Vernon Fritz; *City Council:* Todd Jackson, Lee Freeman, Gary Prestwich, Russell Sly, Lee Freeman; *Administrative Asst:* Ernestine Folks; *Public:* Caleb Warnock; & *City Recorder:* Janice H. Davis

**AMENDED  
BUDGET**

The next Council Meeting (3-19-02) will be dedicated to discussion of the Budget. There was not much time left after the Closed Session to discuss the Budget. Problems have occurred in assigning expenditures to the various accounts and in re-classifying them into the proper accounts. This affects the year-to-date figures on the Budget.

Chief Waite submitted amendments to the original Fire Dept. Budget for the Council to review prior to the special Council Meeting on 3-19-02.

General Fund: The Auditors suggested an amount of about \$150,000 as a "usable" amount for the Fund Balance in the General Fund. Currently it will take about \$102,943; however, there is also \$13,000 which was pre-budgeted for Fire Dept. usage and was applied to the down payment for the new Fire Truck. \$10,000 was also pre-budgeted for use on roads. This equals \$125,943 of the Fund Balance being used, leaving only about \$24,000 left to go into the new fiscal year.

Suggestion: to review all the Depts. to see where expenditures could be cut this year. There are questions on some of the accounts...are all of the budgeted amounts necessary? (Example: there are transfers budgeted to come out of the General Fund (from three Depts.) to go into the Capital Projects Fund -Town Hall/Fire Station; are all of those transfers necessary?

Todd Jackson: Suggested only transferring \$2,000 for Trails rather than \$10,000.

Question: The Mayor has recommended creating a new Dept. in the General Fund to cover the costs incurred in the Storm Drainage Fund. Will the Council decide to follow this recommendation? Or, will the current Enterprise Fund be sustained in the future with a fee charged to the residents or will the Fund be dissolved?

Mayor Fritz: Asked that the Councilmembers be prepared for the Budget Meeting on the 19<sup>th</sup> to be able to address the many questions regarding the budget for the current fiscal year.

NEW WELL/  
TANK –  
FINANCIAL  
ASSISTANCE

Mayor Fritz: The Mayor wants authorization to pursue a Water Resources Loan through the Utah State Board of Water Resources for funding to help pay for a new well and tank to share with Payson City in the amount of 1.2 million dollars. (\$750,000 would be Elk Ridge's portion, the rest would be Payson's.)

Gary Bowen: An 8" water line will have to be installed between the lower well and the new tank, which will be very costly. LEI is suppose to create a plan for the location of that line.

Mayor Fritz: The application to the Utah State Drinking Water Board must be received by April 15, 2002. That is ready to go and will be sent off on 3-13-02, that is for funding the drilling of the new lower well. If the State takes too long with the process, the City may have to consider a "bridge" loan. The amount of this loan is \$250,000, at 3% to 4% interest rate.

INCREASING  
CITY LIABILITY  
INSURANCE  
LIMITS

Mayor Fritz: Currently the City carries \$2,000,000 worth of liability insurance.

A letter from the Utah Local Governments Trust accompanied the latest statement for renewal of the policy. It was suggested that the City consider raising the limit to \$5,000,000 at an increase in the premium of about \$2,500/year. The CPA (Curtis Roberts) was consulted and he advised that it is a Council decision. He feels the City is on the "edge" of what should be required in liability insurance. It comes down to if the City Council feels the City can afford another \$2,500 per year. The Mayor suggests not increasing anything this current year. The Council agreed.

TOUCH READER/  
METER READER

The Public Works Superintendent has suggested the purchase of a hand-held meter reader (remote) at a cost of \$400. It would eventually fit in with the computer package for electronic meter reading. Currently, it would speed up the reading of the water meters. (Model: Touch Reader II, Model 3096) The Mayor recommends waiting for the purchase until it is needed.

OFFICE STAFF  
DOWN-SIZE

Deputy Recorder Position:

The Deputy Recorder Position is a full-time position at this time. Advertising has gone out and many applications submitted to fill the position. A suggestion came from the Deputy Recorder and the Recorder to consider making the position of Deputy Recorder part-time and allowing Abby Hicks to maintain her job. She is very efficient and has a grasp of the newer version of Windows (Caselle) and has taken time off of some of the tasks. She feels she can handle the requirements of the job. Training someone is a costly process and does not always work out to the benefit of the City. She would receive no health benefits and retirement would be reduced to about \$800 per year at a raised salary of \$12 per hour from her current rate of \$10.10/hour. Mrs. Hicks proposed the raise in salary so that she could afford to obtain her own health insurance.

Annual salary + benefits would decrease from the current: \$30,912 to about \$12,307...savings to the City: \$18,605.

Concerns: Hours would have to be adjusted so there would be more than one person in the office during regular office hours and would this create too much of a workload on the other staff members? Another concern is if the job can be done through a part-time position.

Gary Prestwich: (Another option)

If the proposal of having Mrs. Hicks work part-time doesn't meet the demands, then an alternative might be to hire another part-time person. Then Mrs. Hicks could stay on with her experience and another person could help meet the needs of the office.

City Recorder: If the City hires an additional part-time person, it ought to be considered that the Treasure (Linda Cooper) does not have anyone to back up what she does. Legally, the clerks must not overlap in their duties in their financial duties.

Mayor Fritz: Asked that the Council review the drafts of the Policy and have them ready to turn back in, with comments, by no later than 3-19-02. the codification process is also waiting to receive this Policy to combine with the Code.

## TRAINING MEETING WITH CITY AUDITOR

All Councilmembers present felt that it would be beneficial to have Curtis Roberts from Jones & Simkins CPA Firm. It will be a repeat of part of a training session the City Recorder went to last fall. It was invaluable to better understand government Accounting. The Council would benefit from this training. A date needs to be decided upon. Mr. Curtis is willing to come over on a Saturday (April is a good month for Mr. Roberts). All agreed that a Saturday would be best. The date will be decided upon in the regular session.

**ELK RIDGE  
CITY COUNCIL MEETING  
March 12, 2002**

TIME & PLACE  
OF MEETING

The regular Meeting of the Elk Ridge City Council was held on **Tuesday, March 12, 2002, at 7:00 PM;** it was preceded by a **Council Closed Session at 6:00 PM and a Council Work Session at 6:15 PM.** The meetings were 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 members of the Governing Body by mailing a copy to each on March 8, 2002.

## ROLL CALL

*Mayor:* Vernon Fritz; *City Council:* Todd Jackson, Lee Freeman, Gary Prestwich, Russell Sly, Lee Freeman; *Administrative Asst:* Ernestine Folks; *Public:* Caleb Warnock (Daily Herald) & *City Recorder:* Janice H. Davis

## INVOCATION & PLEDGE OF ALLEGIANCE

Invocation was offered by Lee Freeman and Russell Sly led those present in the Pledge of Allegiance.

## AGENDA TIME FRAME

**MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY GARY PRESTWICH TO APPROVE THE AGENDA, ADJUSTING THE TIME FRAME BY 40 MINUTES**

**VOTE: YES (5)**

**NO (0)**

NEW WELL/  
TANK –  
FINANCIAL  
ASSISTANCE

Mayor Fritz will continue to pursue the application for a Water Resource Loan.

## INCREASE IN LIABILITY LIMITS

RE: Increasing the City's liability limit from \$2,000,000 to \$5,000,000. This would mean an increase in the annual premium of about \$2,500. The Mayor's recommendation is to avoid any unnecessary spending until the new fiscal year.

**MOTION WAS MADE BY LEE FREEMAN AND SECONDED BY GARY PRESTWICH TO DEFER CONSIDERATION TO INCREASE THE CITY'S LIABILITY LIMITS UNTIL AFTER THE CURRENT FISCAL YEAR**

**VOTE: YES (5)**

NO (0)

TRAINING  
MEETING/CITY  
AUDITOR

The Council decided on two dates: April 13th or April 20<sup>th</sup>...it will depend on when the Auditor can come.

SET PUBLIC  
HEARING/ORD.  
PERMITTED &  
CONDITIONAL  
USES

**MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY GARY BOWEN TO SET A PUBLIC HEARING ON APRIL 9, 2002, AT 6:00 PM, CONCERNING AN ORDINANCE AMENDING THE ELK RIDGE CODE RELATING TO THE PERMITTED & CONDITIONAL USES WITHIN ZONES**

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

SNELGROVE  
CORP./USES OF  
SERVICES

Mayor Fritz: Snelgrove Corporation is a company that offers a utility auditing service. They have been in business for 16 years and have worked with many cities, counties, school districts, businesses and industrial clients. Utility companies generally have a small but significant number of overcharges as a result of human error or equipment malfunction. Many of these go unnoticed by the consumer. Snelgrove identifies and recovers these charges for their clients. There is no risk to the client. There are no front-end fees. If no refunds are secured, the client pays nothing. If they are able to secure refund checks or credits to the client's account, the savings are shared equally with Snelgrove. The agreement would be for three years; after that, all of the savings would be the City's. The Councilmembers were all in agreement that the service would be no risk to the City and that it could prove to be beneficial. The Mayor will send the contract to David Church for his legal opinion. The representative from Snelgrove is out of the Country for about a month. The Mayor will meet with him upon his return.

EXPENDITURES:

General:

1. Jones, Simpkins LLP/Billing for Loan Documents Analysis:

Curtis Roberts was asked to review the loan documents from Zion's Bank for Public Financing to pay for the new well. The charge was \$358.50.

**MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY GARY BOWEN TO APPROVE PAYMENT OF \$358.50 TO JONES, SIMKINS LLP, FOR THEIR ANALYSIS OF LOAN DOCUMENTS FROM ZION'S BANK**

**VOTE: YES (5)**

NO (0)

2. Touch Reader/Meter Reader:

The Council took the recommendation of the Mayor to defer the purchase of the Touch Reader until it is needed for the entire program.

3. List of Expenditures for February, 2002:

After review and questions:

**MOTION WAS MADE BY TODD JACKSON AND SECONDED BY RUSSELL SLY  
TO APPROVE THE CHECK REGISTER FOR THE MONTH OF FEBRUARY, 2002**

**VOTE: YES (5)**

NO (0)

\*Mayor Fritz encouraged all the Councilmembers to pick up their packets on the Monday afternoon prior to Council Meetings, to be informed when they come to the Meetings.

NUISANCE  
ORDINANCE

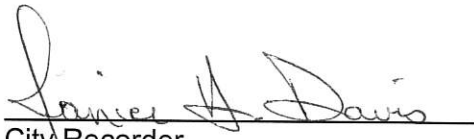
This proposed ordinance was under consideration by the previous Council. It was at point of being reviewed by one of the Councilmembers and a recommendation to be brought before the Council. The Council changed and the new Council feels it would be best if the ordinance were sent to David Church for review and his legal opinion. The Mayor asked that the Council read the ordinance and vote on it after the opinion is received from the attorney.

NON-AGENDA  
ITEM

Gary Prestwich: A safety problem exists at the north end of North Park Drive. turns to the left at the north end of Chad Brown's property. A culvert runs under the road there. The concrete has been washed away and could create a hazard to cars. Markers or flashers to mark the area would be a warning.

ADJOURNMENT

**MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY  
TODD JACKSON TO ADJOURN THE CITY COUNCIL MEETING**  
VOTE: YES (5) NO (0)

  
\_\_\_\_\_  
City Recorder

## **NOTICE & AGENDA**

Notice is hereby given that the City Council of Elk Ridge will hold a Special City Council Meeting on **Tuesday, March 19, 2002**. There will be a **Council Closed Session at 6:00 PM** followed by a **City Council Work Session at 6:20**.

The meetings will be held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

**6:00 PM      CITY COUNCIL CLOSED SESSION**

Discussion of Personnel

**6:20 PM      CITY COUNCIL WORK SESSION**

Invocation and Pledge of Allegiance

6:23 Approval of Agenda Time Frame

6:25 1. Discussion of 2001/2002 & 2002/2003 Fiscal Year Budgets

By Department:

Administrative Dept.

Roads Dept.

Public Safety & Parks Depts.

Planning Commission

Water Dept.

Sewer Dept.

2. Administrative Policy Manual

Discussion & Turn in Drafts of Manual

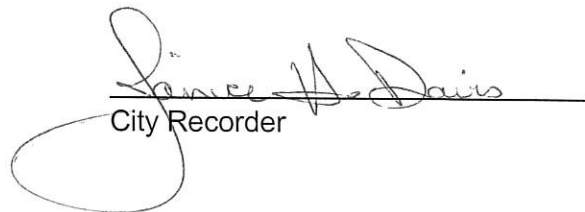
Employer Suggestion Program

3. Storm Water Mitigation Project – Park Drive/Goosenest Drive

9:30 Adjournment

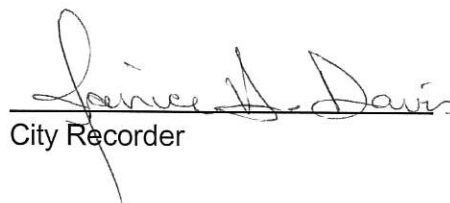
\*Handicap Access, Upon Request. (48 Hours Notice)

The times that appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting. Dated this 14<sup>th</sup> day of March, 2002.

  
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 14, 2002.

  
City Recorder

**ELK RIDGE  
CITY COUNCIL MEETING  
March 19, 2002**

**TIME & PLACE  
OF MEETING**

The Elk Ridge City Council scheduled a Special City Council Work Session, held on **Tuesday, March 19, 2002, at 6:20 PM;** it was preceded by a **Council Closed Session at 6:00 PM.** The meetings were 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 members of the Governing Body by mailing a copy to each on March 14, 2002.

**6:00**

**CITY COUNCIL CLOSED SESSION**

**ROLL CALL**

*Mayor:* Vernon Fritz; *City Council:* Gary Bowen, Gary Prestwich, Todd Jackson, Lee Freeman, Russell Sly

Discussion of Personnel

**6:20 PM**

**CITY COUNCIL WORK SESSION**

**ROLL CALL**

*Mayor:* Vernon Fritz; *City Council:* Todd Jackson, Lee Freeman, Gary Prestwich, Russell Sly, Lee Freeman (Absent: Gary Bowen); *Administrative Asst:* Ernestine Folks; *Public:* Kamile Peterson, Scout Michael Colver, Ruth Shidler; & *City Recorder:* Janice H. Davis

**2001/2002  
AMENDED  
BUDGET  
DISCUSSION**

Mayor Fritz recommended that the Council keep in mind the main reason for this Special Meeting in to make decisions about the budget and to cut expenditures where possible. His preference is to postpone any spending that is not absolutely necessary until the next fiscal year. In all probability, there will be very few major projects this calendar year. The decisions made for the current fiscal year will impact the future fiscal year in the amount of fund balance there is to work with.

\*Discussion between Council, City Recorder & Administrative Assistant:  
(Ernestine Folks to cover the Capital Improvement Plan/Jan Davis to cover the Budget...one affects the other)

Ernestine Folks: Explained the format and led the discussion of the Capital Improvement Plan (CIP) with the Council and those present.

She explained that this is a working document to act as a guide to the Council. The main focus for this particular meeting is to update the actual expenditures on the Projects completed in the City and to supply her with the information needed to finish out the current fiscal year.

**ROADS:**

Loafer Canyon Rd. Project:

The total Project was to come in at \$205,560, it came in at 244,710 and it still is not finished. More work is to be done on storm drainage in Loafer (Estimate: 2,000).

Fremont Way: Road Improvements: was estimated at 42,642...actual = 90,264

Total paid out of Roads Dept. = 111,697

Oak Ridge/Columbus Ln:

Total paid out of Roads Budget: 21,568

(Engineering was 7,313 on this project...this is extremely high (about 30%))

N. Clark Ln./Cul-de-sac: 3,000 for engineering...construction was to take place in 2003/2004.

The Reece's do not want to continue with the culvert going from Clark Lane to Park Drive. The City was going to install a sidewalk over the culvert. The Council decided to discontinue the project. The 3,000 was to be deleted from the budget.

Public Facilities Bldg.: Allocate 5,000 each year from Roads, Parks, Water & Sewer to go toward a Public Facilities Building. This may mean expanding the current building rather than building a new one. This transfer is to the Capital Projects Fund/Town Hall-Fire Station.

Backhoe/Equipment: The payment of the loan for the backhoe will take place from the General Fund. Capital Project Funds cannot pay on loans. The Water/Sewer Depts. will transfer 5,000 each to the General Fund rather than the Capital Projects Fund.

#### WATER:

##### New Water Storage Tank:

Allocate 50,000 towards the tank (to come from the Capital Facilities Replacement Fund).

##### New Well:

50,000 may be spent prior to end of fiscal year 2001/2002.

LEI Engineering will address the Council the following week on options available for drilling a new well. Problems have come up due to the old 6" water line leading from Well #5, south through the City. It is not built to withstand the amount of pressure that would be put on it with the increased amount of water being forced through that line. It would be very costly to replace this line. The issues are to be addressed by LEI and the Mayor asked that any further discussion be deferred until then.

Trash Pump: The decision was to lease the pump for this year rather than purchase

Public Facilities Bldg.: 5,000 to acquire a building to house Public Works equipment.

Backhoe Equipment: Transfer 5,000 to General Fund (loan payment/backhoe)

Well #2 (Loafer Canyon): 9,000 for new pump + controller & control panel

Water Meter Auto Read System: Equal split with Sewer Fund (1,150/Sewer & 1,150/Water) for the Auto Banking portion of the total Auto-read system

#### SEWER:

Trash Pump: Strike purchase of a "trash pump"

Public Facilities Bldg.: 5,000/year to the Capital Projects Fund/Town Hall Fire Station

Water Meter Auto Read System: Equal split with Water Fund (1,150/Sewer & 1,150/Water) for the Auto Banking portion of the total Auto-read system

Transfer to Storm Drainage Fund: 1,300 as a loan to assist in paying expenditures until the Fund has established revenue from fees charged to consumers.

Transfer to Loafer Canyon Rd. Project: 13,000 to assist in the 48,000 overage in running the sewer main and laterals.

Mayor: Reported that a water leak may be causing infiltration into the sewer lines. The flow in the lines has been measured at 2:00 am as high as at mid-day.

#### STORM DRAINAGE:

Engineering Catch Basin (Goosenest Dr): 19,000 was budgeted for engineering on the future Catch Basin on Goosenest Dr. & the 36" main; this is moved to 2002/2003.

N. Clark Ln. Cul-de-sac: The Council decided not to expend the 3,000 for the engineering the cul-de-sac or 1,000 for pipe installation on Reece's property.

Question: what happens to the water once it is diverted to Park Drive?

Mayor Fritz checked with the Reece's and they are no longer interested in doing the project. They are concerned that the excavation could damage a walnut tree. The Mayor recommends reconstructing the asphalt on the cul-de-sac to channel the run-off into the existing sump and away from the Reece's driveway.

Park Detention/Retention Project (Goosenest Dr.): 2001/2002 Annual Payment of the purchase of the land. The Council intends to pay down the principal with impact fees, as they are available...in addition to the annual payment.

National Guard: The National Guard is to do the grading on this project. It would cost the City for fuel (about \$200)

North Park Drive: \$1,050 for storm water mitigation...a drainage ditch will be installed on the east side of N. Park Drive.

Loan from Sewer Fund: 1,300

\*It has yet to be determined by the Council if this Fund will continue or will it be deleted? If it continues, how will it be funded? How much engineering remains on the Detention Basin?

If the Council decides to maintain the Storm Drainage Fund, the Mayor will not oppose it; however, he still feels that drainage should be handled on a "site-specific" basis and will continue to oppose a City-wide system.

The expenditures currently coded to the Storm Drainage Fund have to be covered.

Will this be through a transfer from another Fund (Sewer perhaps)? Will they be paid with property taxes or with a service fee and impact fees?

(Water & Sewer Impact fees should be reviewed every two years. With the prospects of a new well and tank, the fees being charged now may be less than adequate.)

#### PARK, TRAILS & OPEN SPACE:

(\*There is the possibility of receiving 1,500 in grant money for the Parks.)

##### Trails & Open Space:

The budgeted 10,000 budgeted to assist in acquiring property or to upgrade current easements, was reduced to 2,500.

Park Improvements: 10,000 was designated for a retaining wall and a fence at the south boundary of the Park playground. (\*Is the bid still good?)

##### Park/Detention-Retention Project (Goosenest Drive)

Annual Payment...\$3,664 (2,931 Parks, 733 Storm Drainage)

##### National Guard Fuel Bill:

800.00 for Parks...(Storm Drainage portion, 200)

##### Mayor Fritz: Addressed the Questar Gas line...

If Questar runs the new line down Park Drive, they will abandon the line going under the City Hall/Fire Station and City property. Instead of moving the Public Works Dept. down to the other City property off of Goosesnest Drive, there would be space to build a Fire Station on City property and the Public Works Equipment could stay at the City Hall.

Russell Sly: Expressed his concern about safety issues of backing large equipment in and out of the garages in the current parking lot. Suggested an option of changing the entrance to the bay area to the east side of the building.

Mayor Fritz: Is meeting with Burke Cloward the next day to explore the possibility of having an acre of ground on the west side of the ballpark donated to the City or the City renting the ground from him. This would provide extra parking space for the Park area.

There would also be more room if the old fire trucks could be either sold or gotten rid of. Money can continue to accrue in the Capital Projects Fund

City Recorder: Reported that Curtis Roberts (CPA) said the City could push the limit of "usable" fund balance in the General Fund from \$150,000 to \$200,000, which would allow more fund balance going into the new fiscal year.

(Discussion of Government Funds and Enterprise Funds)

CAPITAL PROJECTS FUNDS

FIRE APPARATUS:

1. Fire Dept is selling two old trucks.
2. A new truck (1995 Becker) was purchased from Provo City this year for 130,000. 30,000 down payment + 12,000 paid toward the loan of 100,000 will have been paid out this fiscal year.

CITY HALL/FIRE STATION:

1. Strike 10,000 transfers from Roads and Capital Projects/Parks.
2. Exit door from records room...move to 2002/2003
3. Public Facilities Property: Strike 10,000 for fencing the Public Facilities property in the Goosenest area.
4. Public Facilities Building: Allocate 5,000 annually from Roads, Parks, Water & Sewer to Town Hall/ Fire Station to either build a new Public Works Building or to expand the current City Hall/Fire Station.

BACKHOE/EQUIPMENT:

The down payment was originally made from the Capital Projects Fund; however, the General Fund is making the monthly payments to M & R Equipment. The balance owing after this fiscal year is 12,500 + 7,000/year if the City desires a new backhoe.

City Recorder: Jan Davis reviewed the Budget Message with the Council. The majority of the written Budget Message was meant to inform the Council of the uses of the various accounts and to explain some of the changes from the original Budget adopted in August, 2001.

The Council discussed the need to pre-budget any savings in the Fire Dept. from one year to the next, designating it as specifically belonging to the Fire Dept. It is all General Fund money. The Fire Dept. is supplied with money through the General Fund Revenues, as are the other Depts. in the General Fund. If there are needs in the Fire Dept., which the Council approves, they will be met through General Fund Revenues. The same feelings were expressed by the Council in pre-budgeting prior year fund balance for Roads.

Parks:

Todd Jackson: Reported that Paul Eddy (resident) has volunteered to mow the Park lawn rather than hire summer help. Tyler Cruz (Asst. Public Works) can also mow the lawn. Suggestion: to not hire summer help this coming summer.

Flag lights: The materials have been purchased. Question: where are they? and when will they be installed? Councilmember Jackson said that no additional money will be spent since the flags will be installed by Kent Haskell and Tyler Cruz.

No additional money for athletics for this fiscal year.

Both transfers to Capital Projects/Parks will be decreased to 2,500.

The transfer to the Capital Projects/Town Hall Fire Station will remain at 5,000.

Fire Dept:

Todd Jackson: If the County goes to the 800mhz Radio System, it will cost the City about \$30,000. This needs to accrue to build up that amount.

Fire Dept. Equipment...Equipment needed for the remainder of the current fiscal year: at least one new set of fire gear (800), 3 new pagers (800). Councilmember Jackson feels that 2,000 should remain in the budget and to cut 2,000. A CO<sub>2</sub> monitor was also requested; however, the Mayor feels it can wait until after July 1.

Chief Waite thinks a grant for 3,000 will come through for EMT Grant, which could be applied to the overage in purchasing the defibrillator (EMT Equipment). According to Chief Waite, after the grant money had been applied to expenditures, there would be an added 500 to the budget.

Police Dept.:

Todd Jackson: 15,000 is expected for the year after the COPS Grant is completed. Next year the cost will be 19,000.

The Accounting office at the Sheriff's Dept. said they will give every city/town an amount for police protection (31,163), then they will give what is known as a "citation credit" (17,000). They are willing to write a contract that reads the 31,163 less the 17,000 + 6,000 for court costs = 21,163. This provides the City with ½ of a shift/week (approximately 20 hours /week). The other option for a "call-out" basis is 28.50/hour.

Russell Sly: How does animal control fit into this amount? (This would probably be separate from the police billing.)

(Payson City has not responded to Councilmember Jackson.)

Trails & Open Space:

RE: Proposed trail or "walkway" between Oak Ridge Drive and Olympic Ln.:

There is a problem with fencing on the Ekins' property. He does not mind a walkway going through this area, but if another fence is installed, he would lose access to his yard for his horses (he has already poured a driveway). Nothing will be done about this trail this fiscal year.

Building Inspection:

Lee Freeman: The projected expenditure for inspections is dependant on the number of homes building permits issued this spring. If there were a halt to building, this would be reflected in both the revenue coming in and the expenditures going out.

Roads:

Gary Prestwich:

Highway & Public Improvement:

Education, Training & Conferences: It is not anticipated that the Roads School will be attended this year in St. George. This account can be taken down to the actual figure (110).

Purchase of Equipment: (29,764) Backhoe payment of 15,000, and the payment on the smaller snowplow of 14,700.

Transfer to Cap. Project Fund – Town Hall/Fire Station: 5,000 remains

Class C Roads:

Salaries & Wages: Designated for back-up snowplow drivers

Street Repair: This covers the work done on Fremont Way and Oak Ridge/Columbus. The actual year-to-date figure will be less than the cost of the projects, due to reimbursements for curb/gutter.

Allow 1,000 to 2,000 for patching potholes.

Storm Drainage Fund:

Gary Prestwich: There is 576 in the Beginning Fund Balance...there is no other revenue available at this time. There is not sufficient time in the current fiscal year to instigate a storm drainage fee to build up the revenue to cover the expenditures. A loan from another Fund has been suggested. The question is, which Fund?

There is money available in the PTIF account that can be used on the sewer system. A loan is to be made to the Storm Drainage Fund to cover the deficit. In the future, fees will be charged to supply revenue for this Fund.

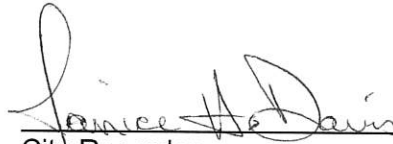
Water Fund:

As was discussed, 50,000 is to be used from the PTIF Account (Capital Replacement Account), to go toward beginning costs to drill a new well. The City will also consider a bridge loan to cover expenditures until State funding can be obtained.

\*There was no further discussion on any of the Agenda items.

ADJOURNMENT

**MOTION WAS MADE BY LEE FREEMAN AND SECONDED BY RUSSELL SLY  
TO ADJOURN THE CITY COUNCIL MEETING  
VOTE: YES (4)      NO (0)      ABSENT (1) TODD JACKSON**

  
\_\_\_\_\_  
City Recorder

## AMENDED NOTICE & AGENDA

Notice is hereby given that the City Council of Elk Ridge will hold **three Public Hearings on Tuesday, March 26, 2002** for the purpose of receiving Public comment regarding the following: The **First Public Hearing, at 6:00 PM,** is on a proposed ordinance amending the Elk Ridge City dealing with side setbacks; the **Second Public Hearing, at 6:15 PM,** is on a proposed ordinance amending the Elk Ridge City Code pertaining to a provision dealing with property access orientation for existing lots when fronting a major street; the **Third Public Hearing, to be held at 6:30 PM,** is for the purpose of Amending the 2001/2002 Fiscal Year Budget, to include transfers and loans between Funds. These Public Hearings will be held in conjunction with the regularly scheduled **City Council Meeting at 7:00 PM. A Council Closed Session will follow the Council Meeting.**

The meetings will be held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

**6:00 PM - 1. PUBLIC HEARING/ORDINANCE - SIDE SETBACKS**

Public Hearing/Ordinance Amending the Elk Ridge City Code Relating to Side Setback Requirements within Zones

**6:15 PM - 2. PUBLIC HEARING/ORDINANCE – PROPERTY ACCESS ORIENTATION**

Public Hearing/Ordinance Amending Elk Ridge City Code Pertaining to the Creation of a General Provision Dealing with Property Access Orientation for Existing Lots When Fronting a Major Street

**6:30 PM - 3. PUBLIC HEARING/AMENDED 2001/2002 FISCAL YEAR BUDGET**

Public Hearing/Amending the 2001/2002 Fiscal Year Budget, to include Transfers and Loans between Funds, for the Operation of the City of Elk Ridge

**CITY COUNCIL WORK SESSION ITEMS**

(To be discussed throughout the 1<sup>st</sup> two Public Hearings, as time allows.)

4. Park/Parking Facility

5. Storm Drain Clean-out Boxes (Loafer Canyon Rd.)

6. Storm Water Mitigation – Park Drive/Goosenest Drive

7. Administration Policy Manual

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

Invocation and Pledge of Allegiance

7:03 Approval of Agenda Time Frame

7:05 8. New Well Options – LEI Engineering

7:35 9. Storm Water Mitigation – Park Dr./Goosenest Drive

7:40 10. SUVMWA Ground Water Study

7:50 11. Adoption/Amended 2001/2002 Fiscal Year Budget

8:10 12. Appointments

City Historians

Grant Chairperson

Neighborhood Emergency Preparedness

8:15 13. 4<sup>th</sup> of July Celebration – State of Progress

8:20 14. Expenditures: General

8:25 15. Approval of Minutes of Previous Meetings

8:30 16. Council Resignation

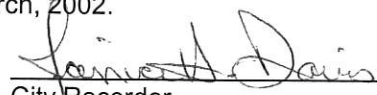
8:35 Adjournment

**CITY COUNCIL CLOSED SESSION**

Discussion of Pending Litigation


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

The times, which appear on this amended agenda, may be accelerated if time permits. All interested persons are invited to attend this meeting. Dated this 25<sup>th</sup> Day of March, 2002.

  
\_\_\_\_\_  
City Recorder

CERTIFICATION

I, the undersigned, duly appointed and acting City Recorder for the municipality of Elk Ridge, do hereby certify 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 21, 2002, and the Amended Agenda was provided to each member of the Council on March 25, 2002.

  
\_\_\_\_\_  
City Recorder

**ELK RIDGE  
CITY COUNCIL MEETING  
March 26, 2002**

**TIME & PLACE  
OF MEETING**

The regular Meeting of the Elk Ridge City Council was held on Tuesday, March 26, 2002, at 7:00 PM; it was preceded by three Public Hearings for the purpose of receiving public comment of the following: The first Public Hearing, at 6:00 PM, was on a Proposed Ordinance related to side setbacks; The Second Public Hearing, held at 6:15 PM, was concerning a proposed ordinance pertaining to a provision dealing with property access orientation for existing lots when fronting a major street; The third Public Hearing, at 6:30 PM, was to amend the 2001/2002 Fiscal Year Budget for the operation of the City of Elk Ridge. The Council Work Session items were discussed throughout the Public Hearings, as time allowed.

A City Council Closed Session was held after the Regular City Council Session.

The meetings were 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 members of the Governing Body by mailing a copy to each on March 21, 2002, and an Amended Agenda was provided to the members of the City Council on March 25, 2002.

**ROLL CALL**

*Mayor Vernon L. Fritz; City Council: Russell Sly, Gary Prestwich, Lee Freeman, Todd Jackson (Gary Bowen resigned, effective as of 3-26-02); Administrative Assistant: Ernestine Folks; Public Works Superintendent: Kent Haskell; LEI Engineering: Greg Magleby, Mike Christiansen; Public: D. Gilbert, Kamile Peterson; and City Recorder: Janice H. Davis*

**INVOCATION  
& PLEDGE OF  
ALLEGIANCE**

Invocation was offered by Russell Sly, followed by the Pledge of Allegiance led by Todd Jackson.

**AGENDA TIME  
FRAME**

**MOTION WAS MADE BY LEE FREEMAN AND SECONDED BY RUSSELL SLY  
TO APPROVE THE AMENDED AGENDA TIME FRAME, ADJUSTING THE TIME BY  
7 MINUTES**

**VOTE: YES (4)**

**NO (0)**

**NEW WELL  
OPTIONS  
LEI ENGINEERING**

(Greg Magleby and Mike Christiansen were present to represent LEI Engineering.)

Greg Magleby:

Submitted a handout to the Councilmembers and to those present, showing the various options in drilling a new municipal well:

**Option #1 – Drill a new well near existing well #5 and pump directly into the system and to the tank.**

Disadvantages:

- 1) Additional cost with minimal benefits
- 2) Limited to only 400 gpm
- 3) 6" pipeline will require replacement soon
- 4) High pumping costs (pumps to residents, not directly to tanks)  
(The more volume of water in the pipes, the harder it is to push that water through.

Advantages:

- 1) Necessary power is available
- 2) Known aquifer

**Estimated cost: \$280,000**

**Option #2 – Drill a new well near existing Well #5 and pump to a mid-town wet-well with booster station located near Salem Hills Drive in the east part of the City.**

- Disadvantages:
- 1) Additional cost of booster
  - 2) Maximum flow of 800 gpm
  - 3) Would need to acquire property
  - 4) Would use the existing 6" line with limited life expectancy  
Added pressure would shorten life of pipe (joints & fittings)
  - 5) Not ideal booster location for future development  
Would have to use pressure meters on the few homes existing between the well & the booster station
  - 6) High pumping costs

- Advantages:
- 1) Limited piping costs
  - 2) Would use existing 6" pipe line  
Ductile pipe is still in good shape (according to Kent Haskell, but pressure would be maxing out the capacity of the line)

**Estimated cost: \$350,000**

**Option #3 – Drill a new well near existing well #5 and pump directly to a new tank or wet-well and booster station located on City property near the golf course.**

- Disadvantages:
- 1) Will require 3,650 feet of new 10" pipeline
  - 2) Cost of new tank or wet-well

- Advantages:
- 1) Booster Station location ideal for future development

**Estimated cost: \$450,000**

**Option #4 – Drill a new well near City owned property and pump directly into the 10" pipeline on Hillside Drive**

- Disadvantages:
- 1) Unknown aquifer
  - 2) Cost of piping

- Advantages:
- 1) Lower pumping costs
  - 2) Well located near future tank site
  - 3) No wet-well will be required

**Estimated cost: \$320,000**

Question: Why not drill in the exact same spot? (Same well)

Kent Haskell: There are two high-voltage power lines on either side of the well-house. This is very dangerous with drill rigs so close to a 72,000-volt line (about 10ft. away).

Mr. Haskell's suggestion is to move off 50', to get away from the power lines.

Mayor Fritz: The power company will redirect the power during the drilling period at a cost of \$400/day. (Kent Haskell commented that not only does the power company not like to shut down that line because it is a main transmission line for somewhere around the Santaquin area and the power company is also very difficult to contact.)

Greg Magleby: Estimates about 30 days to drill the well.

Drilling out the old well through the well house would be more costly than moving over a ways. Even though it is a known aquifer, continued pumping costs would be high.

**Option #5 – Further investigation of existing Well #5 and existing pumping system to determine if other pumping or well options are available.**

**Estimated cost: \$4,150**

The question was asked if the old Well #5 is worth repairing.

Kent Haskell: Answered with a brief history of the Well and all the repairs that have been done of over the years. Last winter the well was cameraed and the video revealed two more holes in the casing. The well driller that Mr. Haskell spoke to said, the casing is so thin, they fear there will be continued breakage.

Nickerson Pump Company sent the video to a company in California that does a process called "sonar jet". After reviewing the tape, their opinion: If the City tried to repair the well, the result would be to add more holes in the casing. The results went back to Nickerson's and they recommend going back with a 60 horse-power pump, and pump 200 gpm, by-passing the booster pump and not trying to repair the well.

Mike Christiansen (LEI): If another well is drilled in a location other than Well #5, the completed paper work for the State could be transferred to another location; however, (Greg Magleby) the biggest downfall to transferring to another well is the Source Protection Zone. The engineers do have a Source Protection Zone already filed and a new well in another location does not have a Source Protection Zone. A test well does not require a Well Head Protection Zone. An additional Well Head Protection Zone would cost about \$10,000 to \$15,000 and 90 to 120 days.

Kent Haskell: If the new well cannot be on line by June 1<sup>st</sup>, the existing Well #5 will have to be put into use with a smaller pump. The City cannot make it through the summer without additional water. Watering restrictions may have to be instigated, as well.

Kamile Peterson: Concerned about the ability to fight fires. The Fire Dept. will do all they can to assist in any way.

Kent Haskell: As long as the tanks are full, there should not be a problem. During the months of July and August, it could be "close". (The citizens should be aware of this and realize how important it is to conserve water.) Last summer the tank ran very low in the upper tank and fire protection would have been a problem.

Mayor Fritz: There will be a Public Meeting around the end of April to update the citizens on the State of the City.

The council could authorize the purchase of a pump and motor for the existing Well #5 to subsidize the water system. After the new well is on line, the existing well would have to be abandoned.

Mike Christiansen (LEI): The water rights have to be assigned to specific wells. Currently, the City has more rights than can be pumped.

Question: Could the City sell the old Well #5 to developers in the lower part of the City?

Mayor Fritz: There is also the problem of not enough sewer capacity for added development.

Greg Magleby: Personally recommends a test well to determine if there is a good aquifer in the area of well (hole) #8.

**STORM WATER  
MITIGATION**

Park Drive/Goosenest Drive:

**MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY LEE FREEMAN TO APPROVE \$1,000 TO ADD STORM DRAIN PROTECTION ON NORTH PARK DRIVE, AS DISCUSSED**

**VOTE: YES (4)**

**NO (0)**

**SUVMWA  
GROUND WATER  
STUDY**

Mayor Fritz: South Utah Valley Municipal Water Assoc. (SUVMWA) is participating in a study done of South Utah Valley Surface and ground waters. The cost of this project is estimated at \$37,112.00. Elk Ridge's allocation = \$934.17

Councilmember Prestwich feels the intent of the study is unclear. How will Elk Ridge benefit from the study? It was generally felt that Elk Ridge should support the other cities in the project.

**MOTION WAS MADE BY LEE FREEMAN AND SECONDED BY RUSSELL SLY TO APPROVE \$934.17 AS ELK RIDGE'S SHARE OF THE ASSESSMENT BY SUVMWA FOR A GROUND WATER STUDY IN THE UTAH COUNTY AREA**  
VOTE: YES (3) NO (0) ABSTAIN (1) GARY PRESTWICH

AMENDED  
2001/2002  
BUDGET

**MOTION WAS MADE BY TODD JACKSON AND SECONDED BY GARY PRESTWICH TO ADOPT THE AMENDED 2001/2002 FISCAL YEAR BUDGET CONTINGENT UPON \$4,000 ADDITIONAL DOLLARS BEING ADDED TO ACCOUNT 31-40-315 FOR STORM DRAINAGE**  
VOTE: YES (4) NO (0)

APPOINTMENTS

**MOTION WAS MADE TO APPROVE THE MAYORAL APPOINTMENTS ON THE FOLLOWING: CREGG INGRAM AS CITY HISTORIAN, CINDI ELLIS AS GRANT CHAIRPERSON, LINDA GOODWIN AS NEIGHBORHOOD EMERGENCY PREPAREDNESS CHAIRPERSON**  
VOTE: YES (4) NO (0)

4<sup>TH</sup> OF JULY  
CELEBRATION

Todd Jackson: Dates for the Celebration: June 24 through June 28, 29  
There is a Mayor/Council Dinner on June 28<sup>th</sup> @ 7:00 PM.  
Volunteers are needed for Parade and 10 K Run.  
The Council will order shirts with the Elk Ridge logo for themselves and the staff (perhaps to be taken from the 4<sup>th</sup> of July budget).

EXPENDITURES

General:  
There were a few mailboxes hit and some sprinkler damage and a street sign hit by the snowplows. Cost estimates are to be turned in and reimbursements paid.  
An assessment is needed on the damage to the yard and sprinklers on Cove Drive.

MINUTES

1. City Council Minutes of 2-12-02:  
**MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY TODD JACKSON TO APPROVE THE CITY COUNCIL MINUTES OF 2-12-02, WITH CORRECTIONS: PG.4: THE MOTION WAS SECONDED BY LEE FREEMAN (RATHER THAN TODD JACKSON); PG.7 (BOTTOM OF PG): RUSSELL SLY: (INSERT) "ON SUCH SHORT NOTICE" AFTER "...MAGNITUDE"**  
VOTE: YES (4) NO (0)

2. City Council Minutes of 2-26-02:  
**MOTION WAS MADE BY LEE FREEMAN AND SECONDED BY GARY PRESTWICH TO APPROVE THE CITY COUNCIL MINUTES OF 2-26-02**  
VOTE: YES (4) NO (0)

COUNCIL  
RESIGNATION

Councilmember Gary Bowen resigned from the Council due to his work load (private business) increasing to a point of taking him out of State much of the time.  
**MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY TODD JACKSON TO ACCEPT THE RESIGNATION OF GARY BOWEN FROM HIS POSITION OF CITY COUNCILMEMBER, EFFECTIVE AS OF THAT DATE, 3-26-02.**  
VOTE: YES (4) NO (0)

AJOURNMENT

**MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY LEE FREEMAN  
TO ADJOURN THE MEETING  
VOTE: YES (4) NO (0)**

  
\_\_\_\_\_  
City Recorder

## AMENDED NOTICE & AGENDA

Notice is hereby given that the City Council of Elk Ridge will hold a **Public Hearing on Tuesday, April 9, 2002, at 6:00 PM**, for the purpose of hearing public comment regarding a proposed ordinance amending the Elk Ridge City Code relating to the permitted and conditional uses within zones, providing for codification, inclusion in Code, and Scrivener's errors, providing for Severability and providing an effective date. This Public Hearing will be held in conjunction with a **Regularly Scheduled Session of the City Council Meeting on Tuesday, April 9, 2002, at 7:00 PM**, and the **City Council Work Session at 6:10 PM**. **A Council Closed Session** will follow the Regular Session of the City Council Meeting. All meetings will be held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

**6:00 PM      1. PUBLIC HEARING/ORDINANCE – PERMITTED & CONDITIONAL USES WITHIN THE ZONES**

A Public Hearing on a proposed ordinance amending the Elk Ridge City Code relating to the permitted and conditional uses within Zones, Providing for codification, Inclusion in Code, and Scrivener's Errors, Providing for Severability and Providing and Effective date

**6:10 PM      COUNCIL WORK SESSION**

2. Loafer Canyon Road – Repairs & Finish Work - Mayor
3. Discussion/LEI Work Releases #23 & #28 - Mayor
4. Touch Read Water Meter Covers - Mayor
5. Envision Utah Update – Lee Freeman
6. Payson City's Annexation policy Meeting – Lee Freeman

**6:30 PM      7. Public Meeting/Questar Right-of-way Contract**

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

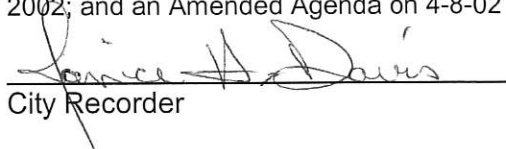
- Invocation and Pledge of Allegiance
- 7:03 Approval of Agenda Time Frame
- 7:05 8. Questar Right-of-way Contract
- 7:15 9. Appointment of Planning Commission Member
- 7:20 10. Storm Drainage Update – Gary Prestwich
- 7:25 11. LEI Work Releases #23 & #28
- 7:30 12. Adoption/Ordinance – Permitted & Conditional Uses Within the Zones
- 7:35 13. Adoption/Ordinance-Side Setbacks
- 7:40 14. Adoption/Ordinance-Property Access Orientation
- 7:55 15. Adoption/Ordinance - Nuisances
- 8:05 16. Parks:
- Ingram Field sign – Update on "Unveiling" - Mayor
- 8:10 17. Approval of Minutes of Previous Meetings
- 8:05 18. Expenditures: General
- A. NR Hiatt Construction Billing
- B. Utah League of Cities & Towns/Annual dues
- C. Refund Murrays/Curb & Gutter
- D. Certified Planner's Seminar/Approval of Expense
- 8:15 19. Well Selection Decision
- 8:35 Adjournment

**CITY COUNCIL CLOSED SESSION**

Discussion of Strategy

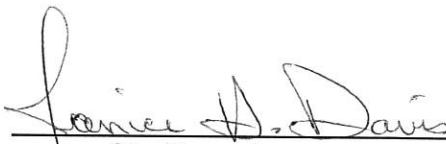
\*Handicap Access, Upon Request. (48 Hours Notice)

The times, which appear on this amended agenda, may be accelerated if time permits. All interested persons are invited to attend this meeting. Dated this 5<sup>th</sup> Day of April, 2002; and an Amended Agenda on 4-8-02

  
City Recorder

CERTIFICATION

I, the undersigned, duly appointed and acting City Recorder for the municipality of Elk Ridge, do hereby certify 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 April 5, 2002; and an Amended Agenda was provided on 4-8-02.

  
\_\_\_\_\_  
City Recorder

**ELK RIDGE  
CITY COUNCIL MEETING  
April 9, 2002**

**TIME & PLACE  
OF MEETING**

The regular Meeting of the Elk Ridge City Council was held on Tuesday, April 9, 2002, at 7:00 PM; it was preceded by a Public Hearing at 6:00 PM, on a Proposed Ordinance Amending the Elk Ridge City Code relating to the permitted and conditional uses within Zones. The Council Work Session was at 6:15 PM. Following the regular Session of the City Council Meeting, A City Council Closed Session was held. The meetings were 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 members of the Governing Body by mailing a copy to each on April 5, 2002, and an Amended Agenda was provided to the Payson Chronicle and to the City Council on Monday, 4-8-02.

**6:00 PM**

**PUBLIC HEARING/ORDINANCE- PERMITTED & CONDITIONAL USES WITHIN ZONES**

**ROLL CALL**

*Mayor* Vernon L. Fritz; *City Council*: Russell Sly, Gary Prestwich, Lee Freeman, Todd Jackson; *Administrative Assistant*: Ernestine Folks; *Questar*: Todd Cassity, Katie Green, Brad Dansie, Bill Lee; *Public*: Robert L. Siemer, Trina Brinkerhoff, Catherine & Steve Filerup, Scot Sessions; and *City Recorder*: Janice H. Davis

At 6:00 PM, Mayor Fritz opened the Public Hearing on a Proposed Ordinance Amending the Elk Ridge City Code relating to the Permitted and Conditional Uses within Zones, Providing for Codification, Inclusion in Code, and Scrivener's Errors, Providing for Severability and Providing an effective Date

This ordinance takes the uses pertaining to residential facilities dealing with disabilities and the elderly out of "Permitted" Uses and places them into "Conditional" Uses in the Zones. In the Critical Environment (CE-1), Zone Storage of agricultural products and machinery has been changed to a Conditional Use and building permits should be considered by the Technical Review Committee.

Todd Jackson and the other City Councilmembers would like a summery of the Uses within the various Zones. (Mrs. Folks will provide this to them.)

Gary Prestwich: Expressed his concern about the number and types of farm animals allowed in the R&L-1-20,000 Zone. (The maximum allowed on 20,000 sq. ft. would be two animal units. There would have to be an additional 5,000 sq. ft to allow one more animal unit. There are further restrictions to be adhered to when animals are allowed in a Zone. Any problems incurred due to mess or smell would fall under the Nuisance Ordinance. R-R-1 and the R7L-1-20,000 are the only Zones where farm animals are permitted.)

There were no further comments.

At 6:15 PM, Mayor Fritz closed the Public Hearing on Conditional & Permitted Uses within the Zones.

**CITY COUNCIL WORK SESSION**

**LOAFER CANYON  
ROAD**

Repairs and Finish Works (Mayor Fritz): There are several sink-holes on the new portion of Loafer Canyon Road. The Mayor has visited with LEI Engineering and they have marked the areas with spray paint and will saw-cut the asphalt, re-build the road base and machine fill the asphalt.

Question: Who is paying for the repairs?

Mayor: LEI is in charge of the work. Mr. Critchfield was the contractor doing the original works, which has failed. The Mayor is in possession of a letter from Mr. Critchfield to LEI Engineering, wherein he refuses to take responsibility for any of the repairs, claiming he was under the direction of LEI.

Mayor Fritz said (to Ernie Thornton) It has to be fixed. It won't be allowed to go through the summer the way it is. If the contractor will not do the repairs, then the City will sue the contractor, the City pay for the repairs up front and then try to re-coupe the money, or to sue Critchfield & LEI Engineering. The Mayor informed Mr. Thornton that Elk Ridge is not going to pay twice for the same job. The bid process has begun to hire a contractor to do the work.

**LEI WORK  
RELEASES  
#23 & #28**

LEI Engineering Work Releases #23 and #28:

Work Release #23:

Engineer and install clean-out boxes for the storm drainage pipe on the east side of Loafer Canyon Road and clean the line. (There were three clean-outs already installed in the pipe, the new ones are in addition to the existing ones. The Work Release was approved and should not exceed \$1,200. The Council felt that, since there is documentation of the work done, the bill should be paid.

Work Release #28:

LEI will prepare documents and necessary State of Utah submittals for drilling a new well near Well #5, prepare preliminary plans for an additional well in Loafer Canyon and Preliminary plans for a new water storage tank + required piping in the central part of the City.

Mayor Fritz contacted LEI, concerned with the study of a future well in Loafer Canyon. The Council is not looking to drill a well in Loafer Canyon at this time. (The Mayor is trying to keep costs down on anything the City does not absolutely need.) The current bill of \$9,310 is for work associated primarily with Well #5 and some preliminary work on a possible well around Well #4. It is the Mayor's understanding that these figures are inclusive of the engineering for Well #5. Is this bill part of the over-all figure of \$32,000 for the engineering of the new well? (The Mayor believes so.)

Todd Jackson: Wanted to know what the \$9,310 purchased. Was it the map brought into the meeting with Mr. Magleby and Mr. Christiansen?

Mayor Fritz: The current billing allows no chance to really scrutinize a breakdown. Does the Council wish to require a breakdown of the costs incurred? It is the general feeling of the Council that they would like to see a breakdown prior to paying this bill and that the bill should go back to LEI.

Todd Jackson: Suggested a detailed break-down of the Work Releases when proposed to the Council for approval. This would be compared against the bills that come in after completion of a portion of the work.

Russell Sly: Agreed with Councilmember Jackson.

Gary Prestwich: The bills should be tied to the initial contract, which should identify what will be done and for what amount. This can then be compared to the work done.

Mayor Fritz: The Mayor will remand this bill (Work Release #28) back to LEI with the Council's direction to require a breakdown of the work completed.

TOUCH READ  
WATER METER  
COVERS

The covers currently over the meters have to be removed in order for the meters to be read. The City will eventually go completely to an automated system. To install the "touch read" electrical device on the meters, a 1" hole must be drilled in the covers. The lids are being drilled in Payson, at a cost of \$5 per hole drilled. (Average of about 20/month. Mr. Kent Haskell suggested the City purchase a drill press to drill the holes (cost = \$500). In the long run, this would save the City money (about \$1,500) and would be useful for other projects. The Council agreed with the purchase after July 1, 2002 (new fiscal year).

QUESTAR  
GAS LINE  
PUBLIC  
MEETING

\*The following Agenda item was moved ahead to accommodate visitors from Questar:

**Public Meeting/Questar Right of Way Contract:**

The representatives of Questar were introduced:

Todd Cassity – Property Agent

Bill Lee – Project Engineer

Brad Dansie – Construction Superintendent

Katie Green – Regional Manager for Utah County

A 24" line will replace the existing 18" line. The right-of-way is established and was in place as Elk Ridge was built on top of it. As it exists, it goes through property including the City's playground area. In an attempt to accommodate the property owners and remain "friendly" to the citizens of the area, Questar is willing to relocate the line to travel across the ball field and east on Park Drive to Salem Hills Drive, where it would then cut to the north, past Bridger Ln. and into the open field, to connect onto the existing pipe on the east side of the City (where the old path is).

The Mayor feels that Todd Cassity has been very good to work with and complimented him in trying to personally speak to each affected property owners.

There were no written requests to speak at the Meeting. Mayor Fritz opened the Meeting up to public questions and comment:

Steve Filerup: Why does Questar want to change the original route of the line?

Todd Cassity: As stated, the Town was built over the top of the pipeline. To replace the line, property and yards will get torn up. This creates problems for Questar in getting to the line in between homes, as well as public relations problems.

1. Questar would rather not have a high-pressure line located in yards. Owners dig in their yards and could cause problems to the line and the surrounding area.

2. Safety: With the line located in the road, Questar and the City can better maintain the line. Generally, excavation permits have to be obtained for any contractor to dig in the road.

As the old pipe is abandoned, Questar still retains rights to the area around the pipe. Each landowner would have to approach Questar to have the right-of-way (easement) abandoned and the owner take responsibility for it. Even though the line is abandoned, there will be paper work and surveying in order for the owners to take over the easement area. It would have to be quit claimed back to the owners. In charging for these services, Questar hopes to re-coupe some of their costs from the individual property owners.

Bill Lee:

Main concerns of Questar:

1. Public Safety

2. Direct relationship with users

He stressed that the existing line is not unsafe. Questar wanted to upgrade the line to increase the capacity to service Utah County.

The re-route had to be approved by upper management. It would add over 1,000 ft. and over \$200,000 to re-route the line.

Catherine Filerup:

How deep will the line be buried? Will the road be rebuilt to the quality in place now? How will homes along the construction route be accessed? Will mail delivery be disrupted? She is also concerned about emergency services.

Bill Lee:

1. When they work in the street, they use ½ of the street and will rebuild that ½ of the street to standards. The other ½ of the street is still usable.
2. When any trench is cut, there will still be access to the homes by use of cover plates. (No one will be “trapped” in his or her houses.)
3. Usually, the trench will not be exposed for very long. It may be necessary to wait to put blacktop on the patch, and do it all at once; but, the trench will be filled and safe for traffic. There may be 50’ to 100’ of trench open at one time.
4. The line will be buried at a depth of 4’ from the top of the pipe to the top of the finished grade, not including hard paving. (Federal mandates only require 3’.) This has all been calculated to support the heaviest of traffic (over 16,000 lbs.).
5. There are only a few places where the line will cross utility lines and it will go under them.

Trina Brinkerhoff: Supports the new route for the line. Will Elk Ridge incur any costs? (No. Questar will cover all the expense.) Questar was hoping to share some of the cost of street repair; but, Questar will cover those costs as well.

Steve Filerup: If the project is approved, what is the useful life of the new line?

Bill Lee: The current line is 50 years old and is still in good condition. The new pipe is better quality and could last up to 100 years (just an estimate).

Scott Sessions: Supports the re-route. This is a 24” line, with higher pressure. What is the possibility of rupture?

Bill Lee: Every joint is welded and tested and every precaution taken. The lines are all pressure tested. Only two possibilities the line could erupt:

1. A contractor with a backhoe hitting the line straight on and causing a spark. This happens more often in someone’s backyard than in a street.
2. A terrorist hitting line with an airplane.

Earthquakes are even taken into consideration. The lines are very flexible. The line would probably be safe in an earthquake registering 5.0. Anything over that, all is at the mercy of God.

If there is no spark, the Gas Company would probably be there repairing the line before there would be a problem. There are check valve systems in place. Anyone hitting the line would be aware of it. It is a very loud, high-pitched whistling sound.

If there is a spark, there could be an explosion. It doesn’t happen very often.

Todd Jackson: The City is probably better off with the new pipe and new standards in technology.

Lee Freeman: When is the starting date?

Bill Lee: There contracts still need to be awarded. They will start the project (8 miles long) in June and plan on completing the project in August or September. They will be coming through Elk Ridge in a few weeks. They will contact us with dates.

Ernestine Folks: Will property owners be allowed to encroach on the old right-of-way without having to take ownership of it?

Todd Cassity: Questar will maintain control of those rights-of-way and owners will have to contact Questar to take ownership. The property owners will be dealing with Questar’s pipe and they will have to sign a document with special language taking responsibility for that pipe. (“Circle” Language...wherein people are accepting environmental liability. If they tear it up, then Questar is not liable.) Before they start encroachments, particularly permanent ones, they need to approach Questar.

Bill Lee: Basically, we are saying, if you want to plant a garden over the right-of-way...ok. If a permanent structure is going in, Questar needs to be contacted.

Ernestine Folks: Salem Hills Drive and Park Drive are major roads with 66' rights-of-way, with 42' width of asphalt as a requirement. Does replacing ½ the road mean ½ the asphalt to standards or ½ the existing asphalt? The existing asphalt is not 42' wide.

Mayor Fritz: It is the Mayor's understanding that the line would not be placed down the center of the asphalt; that would leave a patch in the middle with two boarders along each side of existing pavement. When Mr. Cassity and the Mayor talked, it was to discuss shifting the line over to the edge as far as possible. They decided that Questar would saw-cut down the middle of the road, remove all the old asphalt, install a new line and then rebuild the road to meet City standards, not in width of asphalt...but, in road base and asphalt.

Mayor Fritz: A major concern of the Council is to protect Elk Ridge in terms of the road being rebuilt to standards. It is in the City's interest that the City Engineers (LEI) be involved in the process. The Mayor requested of Mr. Cassity that Questar pay for these engineering services.

Bill Lee: Said that was fine. Typically, Questar does work to the existing standard and most of the time, the standard is even exceeded. If the City wants to use the City's Engineer, that is agreed upon, as long as the City does not abuse this.

Mayor Fritz: The engineer will not be on site all the time. It was also suggested that Questar pay the engineer directly.

Bill Lee: There is no problem with this, within reason. He does not want to be billed a high fee he would have to explain to middle management.

Mayor Fritz: Feels this could be mitigated by a conversation early in the process.

The concern for the City is that this is a City owned road and should be done correctly. The compaction and backfill throughout the road will be tested by a third party and paid for by Questar.

Gary Prestwich: Suggested a contract between Questar and LEI Engineering, specifying the cost estimates.

Todd Cassity: Will work with the Engineers to get an estimate of their inspections ahead of time.

Bill Lee: The compaction tests could be provided to them (City Engineers).

Mayor Fritz: Expressed concern over the durability of the work to be performed.

Mr. Cassity provided the Mayor with a copy of a "self-bond", which states Questar guarantees their work with a \$100,000 bond, and if any damages are not repaired by Questar during the first year after completion of the project, then the City may draw upon that money and have the work done. This was sent to the City Attorney for review.

All developers installing improvements in the City are required to guarantee their work for a two year "durability" time period. Is a two-year time period within reason from Questar's perspective?

Todd Cassity: This was discussed with Questar's attorney and even though this is not normally done, she sees no problem with it. Questar will change the document to read two years. They propose that the Council approve the right-of-way on this night, then he (Mr. Cassity) will bring the corrected document and trade.

Mayor Fritz: The issues about the City Engineers inspecting the work need to be written into the document, as well.

Mrs. Filerup: Wanted to know what side of Park Drive the pipe would in.

Todd Cassity: It will go up the south side of the road.

Bill Lee: When the road is cut, it will be saw-cut. They will only need to cut 6' into the road (6ft. wide).

Todd Cassity: Mentioned that the City wants ½ of the road cut, regardless if Questar only needs to cut 6 ft.

Mayor Fritz: ½ the road being replaced is less likely to deteriorate than a smaller cut. With a two-year durability time, the Mayor feels more comfortable about the replacement of the road and any repairs, which could become necessary.

Russell Sly: Expressed appreciation that Questar is so willing to work with the City to minimize the impact of upgrading the gas line. He sees the relocation of the line as a benefit to the City in being able to reclaim some of the lots, which were not considered developable with the gas line going through them.

ENVISION UTAH  
UPDATE

Lee Freeman: Attended a meeting of the Envision Utah Committee. They consider the long-term development of the State and how we, as cities and towns, proceed. The books he got at the meeting will be made available to the Councilmembers and any other individual interested. They address various topics:

Protecting sensitive lands, Meeting Housing Needs, Making our Community a good place to walk, Re-use & In-fill and Promoting Water Efficiency by using Utah's water wisely.

PAYSON CITY'S  
ANNEXATION  
POLICY  
MEETING

Lee Freeman: Attended the Meeting. Long-range plans were discussed as pertaining to eventual City boundaries. Each city declares their intent to annex. At times there are over-laps in the proposed boundary lines with other municipalities. Payson has not had any Public Hearings yet. Their plans do not encroach into Elk Ridge land at all.

**ELK RIDGE  
CITY COUNCIL MEETING  
April 9, 2002**

TIME & PLACE  
OF MEETING

The regular Meeting of the Elk Ridge City Council was held on **Tuesday, April 9, 2002, at 7:00 PM;** it was preceded by a **Public Hearing at 6:00 PM,** on a Proposed Ordinance Amending the Elk Ridge City Code relating to the permitted and conditional uses within Zones. The **Council Work Session was at 6:15 PM.** Following the regular Session of the City Council Meeting, **A City Council Closed Session was held.** The meetings were 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 members of the Governing Body by mailing a copy to each on April 5, 2002, and an Amended Agenda was provided to the Payson Chronicle and to the City Council on Monday, 4-8-02.

ROLL CALL

*Mayor* Vernon L. Fritz; *City Council:* Russell Sly, Gary Prestwich, Lee Freeman, Todd Jackson; *Administrative Assistant:* Ernestine Folks; *LEI:* Mike Christiansen; *Public:* Robert L. Siemer, Scot Sessions; and *City Recorder:* Janice H. Davis

INVOCATION  
& PLEDGE OF  
ALLEGIANCE

Invocation was offered by Gary Prestwich, followed by the Pledge of Allegiance led by Russell Sly.

AGENDA TIME  
FRAME

**MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY GARY PRESWICH TO APPROVE THE AMENDED AGENDA TIME FRAME, ADJUSTING THE TIME FRAME BY 45 MINUTES**

**VOTE: YES (4)**

**NO (0)**

QUESTAR  
RIGHT-OF-WAY  
CONTRACT

**MOTION WAS MADE BY LEE FREEMAN AND SECONDED BY RUSSELL SLY TO APPROVE THE QUESTAR RIGHT-OF-WAY CONTRACT AS DESCRIBED, WITH THE NEW GAS LINE BEING RE-LOCATED TO EXTEND ACROSS THE CURRENT BALL FIELD, EAST ON PARK DRIVE, THEN NORTH TO RE-CONNECT ONTO THE EXISTING LINE; SUBJECT TO THE FOLLOWING CONDITIONS:**

- 1. THE AGREEMENT WILL STATE THAT THE DURABILITY BOND FROM QUESTAR WILL BE CHANGE FROM A ONE-YEAR PERIOD OF TIME TO TWO YEARS.**
- 2. QUESTAR WILL CONTRACT DIRECTLY WITH THE CITY ENGINEERS (LEI ENGINEERING) TO PERFORM A THIRD-PARTY INSPECTION OF THE WORK DONE BY QUESTAR.**
- 3. QUESTAR WILL MAKE THEIR CUTS ON THE EXISTING ROADWAYS DIRECTLY DOWN THE CENTER OF THE ROADS AND THAT THEY WILL REPLACE ½ OF THE ROAD AFTER THEY COMPLETE THEIR WORK ON THE GAS LINE.**

**VOTE: YES (4)**

**NO (0)**

APPOINTMENT/  
PLANNING  
COMMISSION  
MEMBER

Leonhardt Schroedter has resigned from the Planning Commission due to moving out of Elk Ridge. No name has been submitted to replace him.

STORM  
DRAINAGE  
UPDATE

Gary Prestwich: This is to add storm drain protection to the east side of Park Drive from Oak Ridge Drive to Gooseneck Drive. The distance is approximately 400 ft. Councilmember Prestwich submitted a written description of the work to be done. The projected cost = \$585.00 Labor will be supplied by City employees. Specifications were provided by Utah Dept. of Transportation (UDOT). The cost estimate was based on materials being delivered, but the Public Works Superintendent can pick them up and decrease costs even more.

LEI ENGINEERING  
WORK RELEASES  
#23 & #28

Work Release #23:

**MOTION WAS MADE BY TODD JACKSON AND SECONDED BY LEE FREEMAN TO APPROVE PAYMENT OF INVOICE #102546, IN THE AMOUNT OF \$ AS PART OF LEI WORK RELEASE #23**

**VOTE: YES (4)**

**NO (0)**

Work Release #28:

It was decided by the Council to remand the invoice from Work Release #28 back to LEI Engineering for a breakdown of the costs incurred.

ORDINANCE/  
PERMITTED &  
CONDITIONAL  
USES WITHIN  
ZONES

**MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY LEE FREEMAN TO ADOPT AN ORDINANCE AMENDING THE ELK RIDGE CITY CODE RELATING TO THE PERMITTED AND CONDITIONAL USES WITHIN ZONES, PROVIDING FOR CODIFICATION, INCLUSION IN CODE, AND SCRIVENER'S ERRORS, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE**

**VOTE (POLL): TODD JACKSON-AYE, LEE FREEMAN-AYE, GARY PRESTWICH-AYE, RUSSELL SLY-AYE  
PASSES 4-0**



3. Utah League of Cities & Towns/Annual Dues:  
(ULCT) assessed Elk Ridge \$667.80 for 2002/2003 dues.

**MOTION WAS MADE BY LEE FREEMAN AND SECONDED BY TODD JACKSON TO APPROVE THE PAYMENT OF THE ANNUAL DUES OF \$667.80 TO THE UTAH LEAGUE OF CITIES & TOWNS (ULCT) FOR 2002/2003**

**VOTE: YES (4)**

**NO (0)**

4. Refund – Murrays/Curb & Gutter:

Murrays are residents on Fremont Way. They paid their curb & gutter assessment at a rate of \$8.35 plf. The actual cost of installing the curb & gutter was less than that and the Murrays requested a refund for the difference. Mayor Fritz agreed to charge them \$6.50 plf. He would like the Council to ratify this decision.

**MOTION WAS MADE BY TODD JACKSON AND SECONDED BY LEE FREEMAN TO RATIFY THE REFUND TO THE MURRAYS IN THE AMOUNT OF \$388.50**

**VOTE: YES (4)**

**NO (0)**

\*The Roundy's also live on Fremont. Their curb/gutter assessment is \$520. They had to repair some damage, which occurred during the process. The repairs came to \$130. The Mayor deducted this amount from their assessment, leaving a balance owed of \$390.

5. Certified Planner's Seminar:

The Planning Commission would like to attend a training seminar at a cost of \$25/person. All members plus Ernestine Folks would like to attend.

**MOTION WAS MADE BY LEE FREEMAN AND SECONDED BY RUSSELL SLY TO APPROVE \$200 FOR ATTENDANCE AT THE PLANNER'S SEMINAR**

**VOTE: YES (4)**

**NO (0)**

WELL  
DECISION

Dave Hansen: (A hydrologist in the City who volunteered his time to study Elk Ridge's position with regards to water availability and to offer advise as to the drilling of a new well. Gary Prestwich contacted him and introduced him to the Council.)

There is no simple solution. He reviewed the existing wells with the Council on a topographic map. He summarized the flows of the various wells.

He reported a flowing artesian well on Don Mecham's land (southwest of the City), in John Mecham's name. It is used for livestock. (This was drilled without any knowledge on the part of the City.)

Mr. Hansen does not recommend placing another well in the location of the upper Loafer Well. He fears the aquifer might get "tapped out". The aquifer could drop down and affect the existing well. Besides the Upper Loafer Well, there is a well belonging to Loafer Recreation Assoc. Both wells are good wells, reflecting a good aquifer. Well #5 seems to have a good aquifer. Well #4 (Golf Course) has the capacity of pumping 90 gpm.

Mike Christiansen:

Well #4 was not drilled deep enough. According to Gary Bowen, the driller did not get beyond a hard-pan layer, where most of the water could be found. Drilling a pilot hole was discussed to see about the possibilities of a producing, municipal well. That would be in a good position to pump to the upper tank, until such time as a tank could be installed close to City Hall.

Bryce Montgomery did a hydrology report (early 90's):

Best aquifer lies on the mountainside of the fault.

There are actually two faults and he recommended 2 different locations...

A. In Loafer Canyon, just on the south side of the fault (near the gate)

B. Just below the upper tank (between the 2 faults)

Aquifers:

In the valley, aquifers are more common. In mountainous areas, more flow is picked up through the cracks; but a lot of water is produced.

Mayor Fritz:

Questions the Council needs to consider:

1. What can the City afford currently?
2. How much longer can the City defer drilling a second well?
3. The location of the well must be decided.

Gary Prestwich: Mr. Hansen feels the area of Well #5 is a good location for a replacement well.

Mayor Fritz: LEI Engineering also feels this would be a good location to drill a new well.

Mike Christiansen (LEI): A replacement well in the location of Well #5 does have some limitations:

- Limited to 400 gpm, based on the size of the existing pipe
- Expensive to pump up to the tank

LEI recommends a pilot hole in the vicinity of Well #4

Explained the difference between a developed well and a test hole.

Mayor Fritz: Is meeting with Andy Hall (Payson City Manager) to discuss:

- Sharing the cost of the pilot hole
- A tank (shared cost)
- Possible source of water from Payson

Russell Sly: Concerned about the lack of available funds to drill a test hole at this time (\$35,000 to \$40,000).

Todd Jackson: He feels the Council's main obligation lies with the existing residents of Elk Ridge. 400 gpm would service the existing residents. New development should pay for their own water. He figures there is too much risk and cost to drill a test hole by Well #4, then to develop the well, install the necessary water lines...and still not be sure there will be a good aquifer. The cost would actually be more than the pumping costs on a well in the area of Well #5.

Lee Freeman: We feel fairly confident that there is available water by Well #5; but, there are on-going pumping costs in running a well in the lower part of the City. There is greater risk in drilling elsewhere. A test well also takes more time.

Russell Sly: The smaller pipe can eventually be replaced.

Gary Prestwich: If development occurs north of the City, wouldn't this well serve the lower portion of the City, thus avoiding high pumping costs?

Mike Christiansen: Not necessarily. Water would still have to be pumped to a tank at a higher elevation to get the water pressure needed. That is why LEI recommends a well at a higher elevation.

\*(There is a question on water rights and whether the City really is short on rights or capacity to pump the required amount of water to equal the City's water rights.

Councilmember Jackson produced figures, which may not agree with the concept that the City is not pumping enough water to meet the demands of the assigned rights.)

Mayor Fritz: There may be the possibility to apply for more loan money from the State, then, if not needed...the amount may be able to be reduced.

**MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY TODD JACKSON TO APPROVE OPTION #1, AS PRESENTED BY LEI ENGINEERING, WHICH DESIGNATES THE LOCATION OF THE NEW WELL SITE IN THE AREA OF THE EXISTING LOWER WELL #5, PUMPING DIRECTLY INTO THE SYSTEM**

**VOTE: YES (4)**

**NO (0)**

Design:

- The new well will be that of a full municipal class well, with a 22" casing.
- Pump...needs to be the size required to pump 400 gpm

The preliminary Engineering report has to be ready to go to the State on April 15, 2002. Mr. Christiansen (LEI) has not begun the report. The City will be charged on an hourly basis for the report. Mr. Christiansen was charged to begin on the report as soon as possible.

Mayor Fritz will check on the "bridge loan" through public financing.

AJOURNMENT

**MOTION WAS MADE BY LEE FREEMAN AND SECONDED BY TODD JACKSON TO  
ADJOURN THE MEETING**

**VOTE: YES (4)**

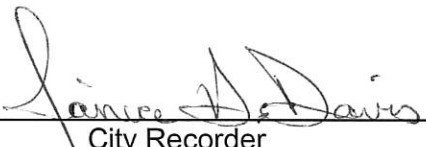
**NO (0)**

**CITY COUNCIL CLOSED SESSION**

ROLL CALL

*Mayor:* Vernon Fritz; *City Council:* Todd Jackson, Lee Freeman, Russell Sly, Gary Prestwich

Discussion of Strategy

  
\_\_\_\_\_  
City Recorder

## **NOTICE & AGENDA**

Notice is hereby given that the City Council of Elk Ridge will hold a regular City Council Meeting on **Tuesday, April 23, 2002, at 7:00 PM**; it will be preceded by **the City Council Work Session at 6:00 PM**. The meetings will be held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

**6:00 PM      CITY COUNCIL SPECIAL SESSION**  
1. Appointment of City Council Member

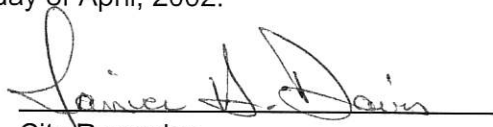
**6:10 PM      CITY COUNCIL CLOSED SESSION**  
2. Discussion of Personnel

**6:25 PM      CITY COUNCIL WORK SESSION**  
  
3. Linda Goodwin – Emergency Preparedness Presentation  
4. Proposal to Change Street Names - Cindi Ellis  
5. Sale of Fire Engine  
6. LEI Work Release #28 - Mayor  
7. Water Restrictions Ordinance - Mayor

**7:00 - PM      REGULAR COUNCIL MEETING AGENDA ITEMS:**  
Invocation and Pledge of Allegiance  
7:03      Agenda Time Frame  
7:05      8. Water Restrictions Ordinance - Mayor  
7:10      9. Set Public Hearings:  
        • Ordinance/Providing for Commercial Zone Requirements  
        • Ordinance/Providing for Landscaping Requirements  
        • Ordinance/Providing for Site Plan Review  
7:15      10. Expenditures:  
            General  
            LEI Work Release #28 - Mayor  
7:20      11. Approval of Minutes of Previous Meetings  
7:25      12. Budget Discussion  
8:30      13. Adjournment


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

The times that appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting. Dated this 19<sup>th</sup> day of April, 2002.

  
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 April 19, 2002.

  
City Recorder

**ELK RIDGE  
CITY COUNCIL MEETING  
April 23, 2002**

**TIME & PLACE  
OF MEETING**

The regular Meeting of the Elk Ridge City Council was held on Tuesday, April 23, 2002, at 7:00 PM; it was preceded by a Special City Council Meeting at 6:00 PM, a Council Closed Session at 6:10 PM and a Council Work Session at 6:25 PM. The meetings were 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 members of the Governing Body by mailing a copy to each on April 19, 2002.

**6:00 PM**

**CITY COUNCIL SPECIAL SESSION**

\*This Special Session was postponed until 6:15 PM.

**ROLL CALL**

*Mayor:* Vernon Fritz; *City Council:* Todd Jackson, Gary Prestwich, Lee Freeman, Russell Sly; *Administrative Asst.:* Ernestine Folks; *Scouts:* Tyler Weber, Kade Ogden; *City Recorder:* Janice H. Davis

**APPOINT  
CITY COUNCIL  
MEMBER**

**MOTION WAS MADE BY LEE FREEMAN AND SECONDED BY RUSSELL SLY TO APPOINT SEAN NIELSEN AS A CITY COUNCIL MEMBER, TO REPLACE GARY BOWEN. THE TERM OF OFFICE IS THROUGH DECEMBER, 2003.**  
**VOTE: YES (4) NO (0)**

**6:10 PM**

**CITY COUNCIL CLOSED SESSION**

\*This Closed Session was postponed until after the Regular Session of the City Council Meeting.

**ROLL CALL**

*Mayor:* Vernon Fritz; *City Council:* Gary Prestwich, Todd Jackson, Lee Freeman, Russell Sly

Discussion of Personnel

**6:15 PM**

**CITY COUNCIL WORK SESSION**

**ROLL CALL**

*Mayor:* Vernon Fritz; *City Council:* Todd Jackson, Lee Freeman, Gary Prestwich, Russell Sly, Lee Freeman; *Administrative Asst.:* Ernestine Folks; *Scouts:* Tyler Weber, Kade Ogden; & *City Recorder:* Janice H. Davis

**EMERGENCY  
PREPAREDNESS  
PRESENTATION**

Mayor Fritz introduced Linda Goodwin, who has been appointed the Chairperson over Emergency Preparedness for the City.  
Linda Goodwin: The Goodwin's have lived in Hawaii during various emergencies, including floods, hurricanes and a dock strike when there was no food on the shelves of the stores. Linda Goodwin feels the 3-Stepn Plan is a good one and submitted a summary hand-out to the Council of the Three-Step Plan to prepare families and neighborhoods for emergencies.

1. Organize your neighborhood into small groups of about 10 families each with a pre-selected meeting location in each group called a staging area.
2. Help each other acquire emergency supplies.
3. Obtain rescue training for a large number of people from the neighborhood. This plan is a way for neighbors to help each other in times of emergency. It not only helps families to prepare fro personal emergencies, it also empowers

neighbors to be more effective in helping each other in the minutes and hours after a neighborhood or community disaster—during the interval before professional help can arrive.

**3 Circles of Concern:**

- Help in Seconds: Self & Family Help
- Help in Minutes: Next-door Neighbor Help
- Help in Minutes or Hours: Neighborhood Help

The 3-Step Program assumes that planning, preparing, and training neighbors to help each other during emergencies will be more reliable and dependable than leaving the safety of loved ones to chance. Professional help typically will not be available until days or weeks after a disaster-level emergency has occurred.

**Goals:**

- Organize neighborhood into groups of 8 to 10 families with captains over each group.
- Help each other obtain the supplies, knowledge and skills necessary to deal with an emergency.
- Facilitate Neighborhood Watch through the groups.
- Build a sense of community and a spirit of love and sharing within the groups that will make working together before, during, and after an emergency easy and successful.
- Encourage as many neighbors as possible to get emergency training such as CERT; then practice together and review semiannually.

Examples of the following were included with the information:

- Neighborhood map
- Sample list of contacts
- Sample of a Group of 10 Staging Area
- 3-Step Community Organization Chart
- Area Organization Chart

**Guidelines:**

- The Emergency Preparedness Committee meets once a month with the Area Coordinators & Group Captains in the beginning to train and organize. After initial training they meet as often as is needed.
- Each Captain selects a co-captain who can fill in when the Captain is unavailable.
- Each Captain meets with his/her group when needed to convey information, assess needs, help each other, collect orders, and build community.
- Each Group works together to obtain necessary emergency preparedness supplies for individual families.
- Each Group supports one another in providing storage space required for emergency preparedness supplies.
- Each Group must be sensitive to each other's feelings and needs for privacy as they work on emergency preparedness requirements.

Questions:

Gary Prestwich: CERT training took place at one time in Elk Ridge; however, the City lost the Chairperson and the program fell apart. Is Mrs. Goodwin going to be trained as the CERT Leader? Will she then train others?

The LDS Church has available "two-box packs", which constitute one-month kits. Councilmember Prestwich is attending a meeting to find out more about these.

Mrs. Goodwin: Commented that this is not a “Church” program; it is a community – based program. The five Bishops of the Elk Ridge Wards would be advised of the program since their cooperation and support would be needed. Mrs. Goodwin is interested in the kits, though.

An entry in the City Newsletter will ask for volunteers to contact Mrs. Goodwin.

Lee Freeman: There is a need to be particularly sensitive to residents who are not members of the LDS Church. It is a value that there are already units organized geographically throughout the City in the form of Wards for the LDS Church, but all citizens within those ward boundaries need to feel a part of this community effort.

Mayor Fritz: This subject falls under the jurisdiction of Councilmember Todd Jackson, who is the Dept. Head for Public Safety. He will work with Mrs. Goodwin as the liaison to the City Council. Mrs. Goodwin was encouraged to use the facilities and equipment at the City Hall, as needed.

Robert Goodwin: (Answer to Councilmember Prestwich’s question)

CERT Training is available, either through other cities or through Elk Ridge. Those doing the training could come to the city to train. The organization must take place, then the training. He feels the training should begin with the five Area Coordinators, then the Team Captains.

Mrs. Goodwin: Requests that the Council adopt this Program, officially, so there is so type of authority backing any actions to further CERT in the City. (The City will have to provide the adopting documents.)

#### STREET NAMES CHANGES

Cindi Ellis (Former Councilmember): In December, 2001, Mrs. Ellis was on the City Council. At that time, she sent a survey out to the residents of Elk Ridge. The survey stated there needed to be some changes made in some of the Street names because of safety concerns expressed by the Sheriff’s Dept and the Fire Chief. The Street names of concern are:

- West Magellan Ln.
- East & West Salem Hills Dr.
- North Loafer Drive
- Fremont Way
- Cove Dr.

Concerns:

West Magellan: It does not connect with Magellan. Even if or when the street does finally go through the block, it jogs and doesn’t line with Magellan. There is no continuity between East and West Magellan.

East & West Salem Hills Dr.: These are streets around the corners from Salem Hills Drive. It is not understood why Salem Hills Dr. was set up as a “belt route” in Elk Ridge.

North Loafer Drive: There is a concern that there will be some confusion between it & Loafer Canyon Rd. Some residents claim that Loafer Canyon Rd. was renamed to Loafer Drive.

Fremont Way: This is a major concern because the house numbers on the north and south ends of the horseshoe shaped street have the same series of numbers (5XX & 6XX). Chief Waite said they were delayed in getting service to an individual on Fremont due to the numbering grid on the Street, in that they had difficulty finding the house.

Cove Drive: Is similar to Coley’s Cove.

Survey (Questions asked of residents):

1. Should these streets (& future streets) be changed to a grid system? or
2. Should we just change the street names?

Results:

- 4 people said to change to the grid system
- 9 people said to keep names
- 5 people said to keep names but add the grid system to the names to help with confusion.

Cindi Ellis: Mrs. Ellis lives on E. Salem Hills Drive. Even though she would have to go through the hassle of a change of address, she is more concerned with emergency vehicles being able to find her home. She made the point that the difference between life & death can only be minutes!

Mrs. Ellis has contacted the Post Office and they are willing to work with the City in these changes if we would keep them informed. Residents could be given about three months warning to be able to use up existing checks, etc. LEI Engineering already has the east, west, north, south coordinates for the City, using Alpine Dr. as the "0" line (established some time ago prior to LEI).

Russell Sly: Perhaps Utah League of Cities & Towns (ULCT) could be contacted to determine if there are any legalities the City needs to be aware of prior to any change.

Gary Prestwich: Is in favor of specific problems being handled, but is not in favor of Citywide changes in addresses. It must be determined if there are County or State laws regulating changing established addresses. (Mrs. Ellis said she would be happy to make those calls and inform Councilmember Prestwich.)

6:15 PM

### **SPECIAL SESSION OF THE ELK RIDGE CITY COUNCIL**

ROLL CALL

*Mayor*: Vernon Fritz; *City Council*: Todd Jackson, Lee Freeman, Gary Prestwich, Russell Sly, Lee Freeman; *Administrative Asst*: Ernestine Folks; *Scouts*: Tyler Weber, Kade Ogden; & *City Recorder*: Janice H. Davis

Mayor Fritz opened the Special Session of the City Council Meeting. This Meeting was scheduled to appoint a candidate to fill the vacancy created by the resignation of Gary Bowen. Sean Nielsen has submitted his name for consideration.

**MOTION WAS MADE BY LEE FREEMAN AND SECONDED BY RUSSELL SLY TO APPOINT SEAN NIELSEN AS A CITY COUNCIL MEMBER FOR ELK RIDGE CITY, TO REPLACE GARY BOWEN. THE TERM OF OFFICE IS THROUGH DECEMBER, 2003**

**VOTE: YES (4)**

**NO (0)**

Mayor Fritz closed the Special Session and moved back into the Council Work Session.

### **CITY COUNCIL WORK SESSION**

ROLL CALL

*Mayor*: Vernon Fritz; *City Council*: Todd Jackson, Lee Freeman, Gary Prestwich, Russell Sly, Lee Freeman; *Administrative Asst*: Ernestine Folks; *Scouts*: Tyler Weber, Kade Ogden; & *City Recorder*: Janice H. Davis

SALE OF FIRE  
ENGINE

The Fire Dept. reports that Portage Town, Utah, wants to purchase the LaFrance Fire Truck for \$3,000.00. They may also be interested in taking the other Fire Truck.

LEI WORK  
RELEASE #28

Mayor: This work Release has been approved for preliminary engineering and documentation for the New Well. The Council had indicated that there needed to be more of a breakdown of the services rendered on the billing from LEI. There was more, though not exactly what the Council had in mind. The Mayor was informed that the billing was for about 50% of the work projected for the Work Release. The Council still felt that when documents are prepared, they should get copies of those documents and anything else the fees have purchased, as verification of work done. Perhaps the second ½ of the bill ought to be withheld until the Council receives verification of the work completed (example: topographical survey).  
Todd Jackson: Would like to see the prepared specifications for the bid documents. LEI should be informed of this, so they can be prepared with the requested information.  
Gary Prestwich: Would like to have noted the dates of meetings attended by LEI.

WATER  
RESTRICTIONS

Mayor Fritz: There is a drought situation Statewide. Governor Leavitt sent out a sample ordinance, asking the cities & towns to consider water restrictions. The wording needs clarification as to when watering will be allowed/restricted. Rather than prohibiting watering "during" the hours of 10:00 am and 6:00 pm, it should read "between" the hours of 10:00 am and 6:00 pm.

Todd Jackson: If adopted, what will be done to enforce the restrictions?

Mayor Fritz: Enforcement will always be a problem, a part of that should be covered later in the discussion.

Russell Sly: The main purpose of this ordinance is to conserve water, overall. The concern Statewide is the level of the reservoirs while in Elk Ridge the problem is that we cannot adequately pump the water.

Mayor: Does not agree entirely. There is a problem with the level of the aquifer in one of the City's wells (#3); it has dropped to a point of rendering the well useless for now. The Mayor reviewed the various wells, which service the City. In consulting with Bryce Montgomery (geologist who did the previous hydro-geologic study for Elk Ridge), the Mayor learned that though the well in Loafer Canyon hit a good aquifer, there was considerable "draw-down" with the test well that was drilled. In this case, Well #5 becomes even more important. There is a known aquifer with Well #5 and less chance of mistake.

These aquifers are forms of reservoirs. The levels of water in these aquifers are of major concern.

The enforcement of the watering restrictions will come partly through water rates for usage. "Rates" charged for usage are easier to collect than "fees".

Gary Prestwich: Sees a difference between rates and fines. The suggested ordinance establishes any violation of the terms of the ordinance as a misdemeanor with a fine and possible incarceration.

Lee Freeman: Is concerned about making these violations punishable by "fines" and considered a Class "B" misdemeanor. He is more in favor of a premium rate on usage. If the watering time is violated, then he agrees with a fine; but over usage should be charged a premium rate.

Mayor Fritz: Is inclined to grant exceptions to the violations for the first month and possibly the second month...this gives a bit of latitude in enforcement.

Todd Jackson: Agrees that a premium rate for high amounts of usage will be incentive enough for all the water users.

Russell Sly: Suggested leaving the wording as it is in the proposed ordinance and establishing a policy of enforcement as per the number of violations with the fines increasing with the number of violations.

Todd Jackson: If it is punishable as a Class B misdemeanor, this will go on their records.

Gary Prestwich: Collections will be much more irritating with fines than with water rates. (Councilmember Freeman agreed that charging citizens with a "crime" with a fine as well as possible incarceration, for watering, is not right.)

It was also questioned whether this should be classified as a Class "B" or a Class "C" misdemeanor. Class "B" is more severe than a Class "C" misdemeanor.

Russell Sly: Suggested a separation:

1. Watering between 10:00 am and 6:00 pm – perhaps a Class "C" misdemeanor (as suggested by Councilmember Prestwich)
2. Then charge a premium rate for over usage, to be determined by the Council.

Discussion on Water Rates:

1. Base Rates – Supports the loan
2. Over the base rate...it needs to be decided on how much to charge and at what point is usage considered to be on the "high end"?

Mayor Fritz: Page 2 of the proposed ordinance, under the heading, Penalty:

The Council appears to suggest striking the last sentence in the paragraph.

Lee Freeman: Rather than strike the sentence, it would be better if altered to read, "Any water usage in excess of that limit shall hereby be subject to a premium rate, to be determined by the City Council." (The Council agreed.)

Todd Jackson: Feels in may not be a bad idea to change the water rates altogether, specifically the usage rates.

- 1<sup>st</sup> 12,000 gals...part of Base Rate
- The next 38,000 gal are @ 1.35/1,000 gal
- Over 50,000 gal @ 1.75/1,000 gal.

Average household last summer (peak time) used about 70,000 in a month; this amount hits the premium rate. The highest rate is the one, which creates "conservation". There is a certain amount of watering required to just keep the lawns from completely dying (which he does not think is reasonable to ask at this point in time. He suggests making the "top" rate \$2.50/1,000 rather than \$1.75/1,000.

Russell Sly: Perhaps an intermediate "plateau" would be advisable.

Cindi Ellis: Explained that the previous Councilmember over the Water Dept. considered 50,000 gal. as the dividing line since that matches the amount allowed by a right to connect to the system (water right).

Mayor Fritz: Is working on a proposed rate structure and intends on having it ready before the first Council Meeting in May, 2002. The Council will have to meet prior to the Council Meeting on 5-14-02 to discuss the proposed rates and make some decisions. The ordinance presented this night simply states that it is prohibited to water between 10:00 am and 6:00 pm. If the usage goes above a "to be determined volume", then it would be subjected to the premium rates.

Todd Jackson: Concerned with the level in the tanks if all residents are watering during the evening and early-morning hours. Perhaps the Council should consider "every other day" watering restrictions.

Lee Freeman: Would people use more water with "every other day" watering? Experience says, "Yes".

Gary Prestwich: "Every other day" watering may force people to "deep" water on a periodic basis, which is better for the lawns.

Todd Jackson: Residents should be reminded to turn their water off when it rains! Perhaps signs could be posted in conspicuous places within the City.

Mayor: The Churches use a great deal of water. They have been given the directive to follow the City ordinances.

Mayor Fritz: Suggested changing the effective date on the ordinance from May 1<sup>st</sup> to May 15<sup>th</sup> to give time to notify the residents.

More information is necessary to set a rate structure. This may be feasible by the next City Council Meeting (5-14-02).

Under Penalty (1<sup>st</sup> sentence): It will not be considered a misdemeanor of any class to violate the ordinance. It will simple have a possible fine of up to \$1,000 attached to any violation. (The Council agreed.)

It was decided to meet at 5:00 pm, prior to the next Council Meeting on 5-14-02.

The Mayor will meet with Lee Freeman on 5-13-02, since Councilmember Freeman will not be present on 5-14-02.

**ELK RIDGE  
CITY COUNCIL MEETING  
April 23, 2002**

TIME & PLACE  
OF MEETING

The regular Meeting of the Elk Ridge City Council was held on **Tuesday, April 23, 2002, at 7:00 PM;** it was preceded by a **Special City Council Meeting at 6:00 PM, a Council Closed Session at 6:10 PM and a Council Work Session at 6:25 PM.** The meetings were 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 members of the Governing Body by mailing a copy to each on April 19, 2002.

ROLL CALL

*Mayor:* Vernon Fritz; *City Council:* Todd Jackson, Lee Freeman, Gary Prestwich, Russell Sly, Lee Freeman; *Administrative Asst:* Ernestine Folks; *Scouts:* Tyler Weber, Kade Ogden; & *City Recorder:* Janice H. Davis

INVOCATION  
& PLEDGE OF  
ALLEGIANCE

Invocation was offered by Todd Jackson and Lee Freeman led those present in the Pledge of Allegiance.

AGENDA TIME  
FRAME

**MOTION WAS MADE BY LEE FREEMAN AND SECONDED BY TODD JACKSON TO APPROVE THE AGENDA, ADJUSTING THE TIME FRAME BY 45 MINUTES & MOVE THE CLOSED SESSION TO AFTER THE REGULAR COUNCIL MEETING**

**VOTE: YES (4)**

**NO (0)**

WATER  
RESTRICTIONS  
ORDINANCE

**MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY LEE FREEMANTO ADOPT AN ORDINANCE AMENDING THE ELK RIDGE CITY CODE PROVIDING FOR TIME OF DAY WATERING, CODIFICATION, INCLUSION IN THE CODE, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE, TO INCLUDE THE FOLLOWING CHANGES:  
SECTION I:**

- **PERMITTING OF DAY TIME IRRIGATION**  
**CHANGING THE WORD "DURING" TO "BETWEEN" 10:00 AM AND 6:00PM**
- **PERIOD OF APPLICABILITY**  
**CHANGE THE STARTING DATE OF THE ORDINANCE FROM MAY 1 TO MAY 15**

- **PENALTY**

1. **STRIKE THE CLASS B MISDEMEANOR; THE FIRST SENTENCE SHOULD READ: "ANY VIOLATION OF THE PROVISIONS OF THIS ORDINANCE RELATED TO TIME OF DAY IRRIGATION PARAMETERS SHALL BE DEEMED A VIOLATION OF THE ELK RIDGE CITY CODE AND PUNISHABLE BY A POSSIBLE FINE, UP TO \$1,000."**

3. **(LAST SENTENCE): "ANY WATER USAGE IN EXCESS OF THAT LIMIT SHALL HEREBY BE SUBJECT TO A PREMIUM WATER RATE, AS DETERMINED BY THE CITY COUNCIL."**

**VOTE (POLL): RUSSELL SLY-AYE, GARY PRESTWICH-AYE,  
LEE FREEMAN-AYE, TODD JACKSON-AYE**

**NAY (0)**

**PASSES 4-0**

**SET PUBLIC  
HEARINGS**

1. **Public Hearing-Ordinance/Providing for Commercial Zone Requirements:**

**MOTION WAS MADE BY TODD JACKSON AND SECONDED BY GARY PRESTWICH TO SET A PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING THE ELK RIDGE CITY CODE, PROVIDING FOR COMMERCIAL ZONE REQUIREMENTS ON MAY 28, 2002, AT 6:00 PM**

**VOTE: YES (4)**

**NO (0)**

2. **Public Hearing-Ordinance/Providing for Landscaping Requirements:**

**MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY TODD JACKSON TO SET A PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING THE ELK RIDGE CITY CODE, PROVIDING FOR LANDSCAPING REQUIREMENTS, ON MAY 28, 2002, AT 6:10 PM**

**VOTE: YES (4)**

**NO (0)**

3. **Public Hearing-Ordinance/Providing for Site Plan Review and Approval:**

**MOTION WAS MADE BY LEE FREEMAN AND SECONDED BY RUSSELL SLY TO SET A PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING THE ELK RIDGE CITY CODE, PROVIDING FOR SITE PLAN REVIEW AND APPROVAL, ON MAY 28, 2002, AT 6:20 PM**

**VOTE: YES (4)**

**NO (0)**

**EXPENDITURES:**

**General:**

- **LEI Work Release #28:**

**MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY GARY PRESTWICH TO APPROVE THE PAYMENT OF \$9,310, A PARTIAL PAYMENT OF LEI ENGINEERING WORK RELEASE #28**

**VOTE: YES (4)**

**NO (0)**

**MINUTES**

The Council received the minutes prior to the Council Meeting and would like a chance to review them before approval. Approval was postponed until the next Council Meeting.

**BUDGET  
DISCUSSION**

The work sheet for the Projected Budget for 2002/2003 was submitted to the Council at the last Council Meeting. Any changes to the Capital Improvement Plan must be submitted to Mrs. Folks. The Tentative Budget must be presented at the first City Council Meeting in May, 2002.

Roads Dept.: Councilmember Prestwich sees about \$80,000 being budgeted for the next fiscal year. It was projected that nothing more than patching would be done this summer. Generally the chips for chip & seal are ordered in February or March for the work planned for the following summer. No chips were ordered this past winter.

Priority List:

- Patching potholes
- Correcting the intersection of Park Drive and Elk Meadows (safety issue)
- Changing Street signs to add coordinates will have to be provided for.

Mayor Fritz: Loafer Canyon Road should be patched and perhaps either an overlay or chip & seal over the top of the asphalt.

“Truth in Taxation Hearing”: Will the Council consider raising Property Taxes? If so, a Public Hearing must be scheduled with Utah County now for a Public Hearing in August. If the suggested Certified Tax Rate is adopted, no Public Hearing would be required. The County does not distribute the Tax Rate until June...sometimes in July. The cut in State money will affect the City in the amount of funds going out to the municipalities (example: B & C Road Funds, Sales Tax).

New Well: The Mayor anticipates receiving the loan money from the State this Fiscal Year. The Well will be drilled in the up-coming Fiscal Year. The State expects the City to be responsible for approximately \$50,000 toward the drilling of the Well. The Mayor must meet with the Drinking Water Committee on May 10, 2002.

Storm Drainage: There will be a Storm Drainage Fee charged to the residents next Fiscal Year. Suggested Fee...perhaps \$2.00; this would generate an overall budget figure of about \$12,000 for the year. The Council will consider an Impact Fee, for new development, based on the Storm Drainage Study done by LEI Engineering. What projects will be done next Fiscal Year?

Parks:

- Temporary Parking Lot
- Fencing and Wall for Playground area
- Trails/Open Space; will there be any projects next Fiscal Year?
- The Council felt that summer help may not be needed. The Assistant Public Works Employee can mow the lawn. The Mayor suggested budgeting the money and not hiring anyone unless absolutely necessary.
- The Flag lights need to be installed. Councilmember Jackson is to contact Kent Haskell to see if they could be installed prior to the 4<sup>th</sup> of July Celebration. \$2,000 to be budgeted for “Special Projects”.
- Transfer to Town Hall/Fire Station: 5,000 to be budgeted

Fire Dept:

- Does the Council wish to have the CERT Program included under the Fire Dept.?

Loafer Canyon Road: The Mayor advises there be no work budgeted for this Project for 2002/2003.


Sewer Dept.: A camera for the Dept. needs to be purchased...cost is about \$3,500. The Impact Fee Study should be updated.

Water Dept.: Besides the New Well, the Impact Fee Study should also be updated.

City Hall/Fire Station: If the City is anticipating connecting onto the sewer system, perhaps the lateral should be run out into the street prior to the Gas Main being installed in Park Drive. The depth would have to be engineered. The Mayor advised having LEI do the engineering and make a recommendation to the Council. The Mayor will contact them. LEI will submit a Work Release to the Council for approval.

ADJOURNMENT

**MOTION WAS MADE BY LEE FREEMAN AND SECONDED BY GARY PRESTWICH TO ADJOURN THE CITY COUNCIL MEETING**  
**VOTE: YES (4) NO (0)**

  
\_\_\_\_\_  
City Recorder

**CITY COUNCIL CLOSED SESSION**

ROLL CALL

*Mayor:* Vernon Fritz; *City Council:* Todd Jackson, Gary Prestwich, Lee Freeman, Russell Sly;

Discussion of Personnel

## AMENDED NOTICE & AGENDA

Notice is hereby given that the City Council of elk Ridge will hold a regularly scheduled **City Council Meeting on Tuesday, May 14, 2002, at 7:00 PM;** it will be preceded by a **Council Work Session at 5:00 PM and a Special Public Meeting at 6:00 PM.** **A City Council Closed Session** will be held after the Regular Council Session. The meetings will be held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah.

**5:00 PM      CITY COUNCIL WORK SESSION**

- Oath of Office of New City Councilmember
- 1. Discussion/Water Restriction Rates – Mayor Fritz
- 2. Remodel City Council Table
- 3. New Well Update – Mayor Fritz
- 4. City Excavations – Mayor Fritz

**6:00 PM      SPECIAL PUBLIC MEETING/STATE OF THE CITY**

- 5. State of the City Address – Mayor Fritz

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


- Invocation and Pledge of Allegiance
- 7:05      Approval of Agenda Time Frame
- 7:10      6. Approval/Resolution-Water Restriction Rates
- 7:15      7. John Peterson Lots/Approval of Subdivision Requirements – Mayor Fritz
- 7:25      8. Nuisance Ordinance
- 7:30      9. Administrative Policy Ordinance/Adoption
- 7:35      10. Presentation of Tentative 2002/2003 Fiscal Year Budget
  - Set Public Hearing/Adoption of Tentative Budget
- 8:00      11. BFI Contract for 2002/2003
- 12. K & C Subdivision/Durability Retainer Release
- 13. Expenditures:
  - A. General:
  - B. Invoices: Alex Fisher (Driveways), Jones Simkins LLP (Financial Seminar)  
LEI Invoice (Work Release #31), Nickerson Co. (Install Well Pump)
  - C. Check Register/Approval
- 13. Minutes of Previous Meetings
- Adjournment

**CITY COUNCIL CLOSED SESSION**

Discussion of Personnel

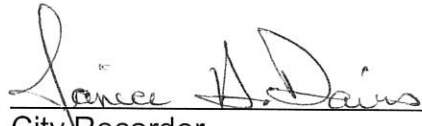
\*Handicapped Access, Upon Request. (48 Hours Notice)

The Times, which appear on this agenda, may be accelerated if time permits. All interested persons are invited to attend this Meeting. Dated this 13<sup>th</sup> Day of May, 2002.

  
\_\_\_\_\_  
City Recorder

CERTIFICATION

I, the undersigned, duly appointed and acting City Recorder for the municipality of Elk Ridge, do hereby certify that a copy of the Notice of Agenda was faxed to the Payson Chronicle, 145 East Utah Ave., Payson, Utah, and mailed to each member of the Governing Body on May 10<sup>th</sup>, 2002; and an amended Agenda on 5-13-02.

  
\_\_\_\_\_  
City Recorder

**ELK RIDGE  
CITY COUNCIL MEETING  
May 14, 2002**

**TIME & PLACE  
OF MEETING**

The regular Meeting of the Elk Ridge City Council was held on Tuesday, May 14, 2002, at 7:00 PM; it was preceded by a City Council Work Session at 5:00 PM, a Special Public Meeting at 6:00 PM, with a Council Closed Session following the Regular Council Meeting.

The meetings were 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 members of the Governing Body by mailing a copy to each on May 10, 2002, and an Amended Agenda on May 13, 2002.

**5:00 PM**

**CITY COUNCIL WORK SESSION**

**ROLL CALL**

*Mayor:* Vernon Fritz; *City Council:* Todd Jackson, Gary Prestwich, Russell Sly, Sean Nielsen (Absent: Lee Freeman); *Administrative Asst.:* Ernestine Folks; *Deputy Recorder:* Abby Hicks; *County Sheriff:* Public: Roger Hardy, Carol Righettini, Stewart Jolley, D. Gilbert, Judy Swanson, Pat & Lynn Jacobson, David Wride, Al Bornholdt, Marilyn Gabler, Bettylou & Jim Bean, Carol Wakkure, Chris Davis, H. Adovnik, Mrs. Currie, Ty & Debbie Currie, Kevin H. Clark, KD Taylor, Darren Balls, Terry Pierce, Cyndy Hendrickson, Randy Jones, Dayna Hughes, Dennis & Sharon Wintch, Darin Magoffin, Ronald Thomas, Don Mecham, Jeff Meyers, Cindy Henriksen, Jerry Allen, Jon Argyle, Lance Cooper, Kamile Peterson, Steve Powell, Ron & Margaret Leckie; & *City Recorder:* Janice H. Davis

**OATH OF OFFICE  
CITY COUNCIL  
MEMBER**

The Oath of Office was administered to Sean Nielsen. He is to fill the vacancy created by the resignation of Gary Bowen from the Council and will serve the rest of that 2-year term of Office.

**WATER  
RESTRICTIONS**

Due to the drought situation in Utah, Elk Ridge City complied with the Governor's request to adopt a Watering Restriction Ordinance at the last Council Meeting. The Council must set the rates for usage, by resolution. The discussion was concerning the proposed rates.

Mayor Fritz:

Proposed:

- Base Rate - \$4.02 (To fund "New Well Loan")  
\$5.98 - (Water Reserve Fund...to be used on current and future system needs, particularly another well and tank)
- \$2.50 – Sewer Fee Increase
- \$2.50 – Storm Drainage Fee

Todd Jackson:

Proposed:

- \$5.00 – (New Well Loan)
- \$8 to 10.00 (Water Reserve)

Replacement of current infrastructure (6" lines) as well as future needs

Storage Capacity: He feels with increased pumping capacity (currently at 54,000 gph) and if the water usage were to stay the same...(About 1 million gal. per day during peak times) that there is the ability to keep the tanks full.

Mayor Fritz: Shared with the Council a different perspective. In a conversation with the Public Works Supervisor that morning, the Mayor learned the wells, running at full capacity, are not keeping up with the usage.

Todd Jackson: Feel this is the case because the water usage is being concentrated into the hours of 6:00 pm to 10:00 am and probably even more so during the evening and morning hours. This would cause the tank to go down. This is not a normal occurrence. According to his analysis, the City does not need a new tank.

Mayor Fritz: A problem has occurred over the past few summers. The level of the tank would drop to 2 or 3 feet in the morning.

Todd Jackson: Taking into consideration the depreciation schedule, and the useful life of the various parts of the system, there is about \$500,000 worth in infrastructure, which will need to be replaced over the several years.

Mayor Fritz: Building a cash reserve with a “stepped” method of charging water rates will build a reserve over time to be able to handle the City’s needs.

Sean Nielsen: As a citizen he wants to be treated fairly and not be penalized for someone else’s usage. He is not living in Elk Ridge to “make the City money” with extremely high rates.

Gary Prestwich: (Reviewed the actions of the Council in the last Council Meeting)

The City received a recommendation from the Governor’s Office to not only restrict water usage from 10:00 am to 6:00 pm, but to penalize any violators with a Class “B” misdemeanor, with up to \$1,000 fine and possible jail time. The Council elected to lessen the penalty to just the fine, not the misdemeanor part of the recommendation. The recommendation was also included a penalty of a misdemeanor if residents are wasting water and using more than they should. The Council decided against this.

Mayor Fritz: Having a reserve built up could possibly allow the reduction of water rates. The Mayor stated that the “City” is not an tangible entity that benefits from the revenue, but an “operational unit” for the citizens of the Community. There are no reserves at this point to fall back on.

Question: What is considered to be “high end usage”? Over 50,000 gal. per month used to be. Is this figure realistic?

Todd Jackson: 22% of the current connections uses more than 75,000 gal. per month during peak times. The Council has to be careful not to be contradictory to the General Plan, which focuses on big lots, spacious living and beautiful landscaping. The cost still should be somewhat reasonable.

Sean Nielsen: Agrees with Councilmember Jackson, to create a tier for usage over 75,000 gal.

Mayor Fritz: Of the top ten users in the City, the City Park and the two LDS Chapels is the top three. The City has reduced the usage on the ball-park. The mayor has contacted the maintenance representative for this area for the LDS Church and asked what their policy is toward conservation...the response was to do whatever the cities ask them to do.

There are also private citizens who are in the 200,000 to 275,000 gal. range.

(Councilmember Nielsen suggested the possibility of another tier over 150,000 gal.)

The Mayor does not see that a decision is going to be arrived at during this meeting. The Council cannot decide on “arbitrary” numbers to used. He is in favor of establishing the Base Rate, but he feels more information is needed to come to a decision on the “stepped” rates. He would like to see the financial results of the various tiers of water rates, which have been proposed. An average from years past could be considered.

Another issue to consider would be if individuals become extremely conscientious in conservation; the City still needs to be able to pay the bills. This is why the Base Rate must also be adjusted.

Gary Prestwich: Agrees that more analysis is needed to see what effect these proposed rates will have.

Todd Jackson: Offered the suggestion:

- Base rate increased to cover debt. Service (\$8 to \$10)
- Leave the current rate \$1.35/1,000 gal for usage up to 50,000 gal.; except for adding another tier from 50,000 to 75,000 gal @ \$1.75/1,000., with the assumption that the average user will probably not use that much water in a month. Over 75,000 gal. would cost \$2.50/1,000 gal.

\*The rates for first two tiers could be blended in some way; or the base rate could be raised to \$37.00.

Mayor Fritz: Feels the Council should consider still another tier above 125,000 gal. That figure needs to be determined.

Russell Sly: Agrees; but, he feels the lower tier should remain.

Sean Nielsen: Suggested \$2.75/1,000 gal. for the tier above 125,000 gal.

Mayor Fritz:

- "Winter Usage" would be at the Base Rate: #37.00.
- "Initial Spring Reading": \$37.00 up to 72,000 gal. (6 X 12,000 gal.)  
+ \$ ? per 1,000 gal in excess of the Winter Use Period

The Mayor recommended postponing action on this proposed resolution until the following Council Meeting to give the Council additional time to gather more information and decide on all of the rates.

(There were no objections from the Councilmembers.)

Gary Prestwich: Discussed the possibility of changing the billing format to better reflect the breakdown of the rates based on usage. He would also like the Council to consider adding a line to remind citizens that it is against the law to water between 10:00 am & 6:00 pm. The question is, will Caselle adapt to this? It could be expensive to re-write a program for Elk Ridge.

#### REMODEL COUNCIL TABLE

A member of the Planning Commission (Bruce Lindow) offered to remodel the City Council table to better accommodate the members of the Council and the Planning Commission. He proposed rounding off the edges of the table.

Russell Sly: Suggested more of a "horseshoe" shape for the table, allowing more effective communication between the members.

Mayor Fritz: Wants to explore the possibility before the next Council Meeting.

#### NEW WELL UPDATE

Mayor Fritz: The loan from the State has been approved in the amount of \$275,000. \$25,000 or \$50,000 will have to be provided by the City. The bids will be opened on Thursday, 5-16-02. The contract should be signed 10 days after the bids are opened.

#### CITY EXCAVATIONS

The Mayor postponed discussion of this agenda item due to a lack of time.

6:00 PM

**SPECIAL PUBLIC MEETING/STATE OF THE CITY**

ROLL CALL

*Mayor:* Vernon Fritz; *City Council:* Todd Jackson, Gary Prestwich, Russell Sly, Sean Nielsen (Absent: Lee Freeman); *Administrative Asst.:* Ernestine Folks; *Deputy Recorder:* Abby Hicks; *County Sheriff:* Public: Roger Hardy, Carol Righettini, Stewart Jolley, D. Gilbert, Judy Swanson, Pat & Lynn Jacobson, David Wride, Al Bornholdt, Marilyn Gabler, Bettylou & Jim Bean, Carol Wakkure, Chris Davis, H. Adovnik, Mrs. Currie, Ty & Debbie Currie, Kevin H. Clark, KD Taylor, Darren Balls, Terry Pierce, Cyndy Hendrickson, Randy Jones, Dayna Hughes, Dennis & Sharon Wintch, Darin Magoffin, Ronald Thomas, Don Mecham, Jeff Meyers, Cindy Henriksen, Jerry Allen, Jon Argyle, Lance Cooper, Kamile Peterson, Steve Powell, Ron & Margaret Leckie; & *City Recorder:* Janice H. Davis

Mayor Fritz:

1. Bridge on 1600 West:

The Bridge is finished and passage on the road has been resumed. Utah County says that they would like to finished 1600 West up to Goosenest Drive. Bettylou Bean has been instrumental in talking to the County engineers. She encourages all the citizens to call the County offices to express their opinions that Elk Ridge needs to have this main “collector” road improved. There should also be a light at the corner of the Highway and Elk Ridge Blvd., so that the road can be seen.

2. Administrative Savings:

The Administrative staff has been reorganized in the City Offices. Two of the Office staff have resigned and rather than hiring to fill those positions, the Deputy Recorder and the rest of the staff are absorbing the responsibilities. The Deputy Recorder's position is being consolidated down from a full-time position to a part-time position. This consolidation will save the City, overall, about \$19,359 in the Administrative Dept. The part-time position remaining after the consolidation reduces administrative overhead by \$10,443 per year by the elimination of a benefit package of \$870 per month.

3. Police Protection:

The City has been on a “COPS” Grant for the past few years. That contract has terminated. Police Protection costs will increase from \$15,000 to about \$36,000.

4. Roads Dept.:

There were three major Road Projects this Fiscal Year. There were over runs with all of the Projects:

a. Loafer Canyon Road:

Estimated Amt: \$205,700 – Actual Amt.: \$279,950 – Over-run: \$74,320

b. Fremont Way:

Estimated: \$72,320 – Actual: \$118,523 – Over-run: \$46,203

c. Oak Ridge/Hudson:

Estimated: \$16,000 – Actual: \$24,320 – Over-run: \$8,320

The Mayor proposes no new road projects until the funds have been built back up. He feels the City should just maintain what is necessary. Revenue in the General Fund could be affected due to the possibility of decreased State funding.

5. Water Restrictions:

State-wide Recommendation: Restrictions with severe penalties, such as any violation being classified as a Class B misdemeanor plus a fine and possible incarceration. The City did away with the Misdemeanor portion of the penalty, but left the fine of up to \$1,000. Watering will not be allowed between 10:00 PM and 6:00 PM. New lawns have special rules.

- How bad is the City's water situation?
  - A. Normal July Production in 2001: 830,000 gallons per day
  - B. Currently: (With Well #5 producing @ 175 gpm rather than 400 gpm)  
= 578,567 gal. per day
  - \*Shortfall gallons = 252,000 gal.
  - C. Average household uses 1,932 gallons per day; losing 250,000 gal/day means 586 gallons less than normal per day /household

6. New Well Loan Costs Per Residence:

\$275,000	20 Yrs @ 4.05%	15 Yrs @3.80%	10 Yrs @3.55%	5 Yrs @ 3.30%
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Cost per Home:	\$4.02	\$4.83	\$6.56	\$11.99
Annually:	\$48.29	\$57.94	\$78.60	\$143.89

Total with the current terms of 20 years = \$4.02

- High cost of Debt:  
\$275,000 @ 4.05% for 20 Years = \$22,357 per year X 20 years = \$447,140
- \*Is there a better way? Perhaps a 10-year loan would be better from a financial perspective.

Question: Why not consider the 5-year option? It is less money overall.

Question: What is the time frame on the new well?

(Perhaps by August. The contracts still need to be reviewed.

Don Mechem: The pumping costs for the area around Well #5 are high. Why not drill higher up?

Mayor: There is a known aquifer in the area of Well #5, which the Council felt makes the lower area a preferable place to drill. Drilling costs are projected as lower for the lower well site. It would cost at least an additional \$35,000 to drill a test well @ Elk Meadows.

Steve Clough: Preliminary drilling costs would be made up by the high cost of pumping in the Well #5 area.

7. Proposed Increase in Fees for the Following Purposes:

Future Needs	New Well 2002	Future Well/Tank	Future Sewer	Storm Drain
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Cost/Home	\$4.02	\$5.98	\$2.50	\$2.50
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Total Increase/month = \$15.00

A "Reserve Build Up Chart" was shown to the public and reviewed. The Mayor used \$5.98 (Water), \$2.50 (Sewer), \$2.50 (Storm Drain) = \$10.98 per household/month with 463 homes.

The future needs for the City's current population will overwhelm the City's ability to meet the demands unless we take steps to build up financial reserves to meet those obligations.

Question/Answers:

Question (Lance Cooper): Asked if the Council had ever considered a "City-owned" business; perhaps a convenience-type store? This would bring in added revenue.

Ty Currie: There needs to be clarity when informing residents of new water rates and restrictions.

Question: Is there the possibility of annexing into Salem or Payson?

Neil Gunnell: Is there the possibility of Grants? Could the Base Rate be adjusted by usage? He would also like to have conservation ideas available to the citizens.

Mayor Fritz: The City has applied for development grants in the past, with little success. Our average cost of living is too high to qualify for CDBG Grants. Former Councilmember Cindi Ellis has been asked to research grant writing and available grants for the City for various projects.

Base Rates must be "predictable" income.

Question: Has the Council addressed the use of swimming pools and alternate days for watering?

Mayor: The hope is that residents will concern themselves with the need for conservation to the point that these measures will not be necessary.

Comment: The high end users should be paying a premium price.

K.D. Taylor (20-year resident): Made the point that the "High-end users" already are paying more for water. They are not "getting off easy".

Steven Clough: Suggested a secondary water system for Elk Ridge.

Mayor Fritz: Commented that the Councils past & present have considered this option and are still researching this through South Utah Valley Municipal Water Association (SUVMWA). A secondary system estimate has been quoted in the past as about \$2,000,000 just for the system, not including acquiring the water or pumping it to Elk Ridge

Debbie Currie: Cautioned that with a combination of drought conditions and water restrictions will result in increased fire hazard situation. People should be required to clear off the scrub brush from their property.

(Any hazards can be reported to the Mayor or to the Fire Chief.)

Ron Thomas (24-year resident): Has seen this issue arise over and over. As soon as the City gains a bit of a "comfort zone", development loosens up and the cycle begins again. Development should pay its own way!

(The Council all agreed.)

Mayor Fritz: Example of Proposed Chaminox Annexation (1600 West)...The Mayor has already met with them and made it very clear that when and if they decide to pursue their proposed annexation, they will be "paying their own way". They would have to provide for their needs, such as water and water rights, sewer, etc. They are not continuing with their proposal at this time.

Annexation of Elk Ridge into either Payson or Salem: Those cities would have to want to do this. How would it be beneficial to them? That could be a possibility in the future, not at this point in time.

Sharon Dahlstrom: Wanted to know if the funds collected from water rates would remain in the Water Fund, to be spent of the system. (Yes. It is restricted money specifically for the Water system.)

**ELK RIDGE  
CITY COUNCIL MEETING  
May 14, 2002**

**TIME & PLACE  
OF MEETING**

The regular Meeting of the Elk Ridge City Council was held on Tuesday, May 14, 2002, at 7:00 PM; it was preceded by a City Council Work Session at 5:00 PM, a Special Public Meeting at 6:00 PM, with a Council Closed Session following the Regular Council Meeting.

The meetings were 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 members of the Governing Body by mailing a copy to each on May 10, 2002, and an Amended Agenda on May 13, 2002.

**ROLL CALL**

*Mayor:* Vernon Fritz; *City Council:* Todd Jackson, Gary Prestwich, Russell Sly, Sean Nielson (Absent: Lee Freeman); *Administrative Asst:* Ernestine Folks; *Public:* K.D. Taylor, John Peterson, Steven Clough, Jeff Meyers; *City Recorder:* Janice H. Davis

**INVOCATION  
& PLEDGE OF  
ALLEGIANCE**

Invocation was offered by Todd Jackson and Steve Clough led those present in the Pledge of Allegiance.

**AGENDA TIME  
FRAME**

**MOTION WAS MADE BY TODD JACKSON AND SECONDED BY RUSSELL SLY  
TO APPROVE THE AGENDA, ADJUSTING THE TIME FRAME BY  
25 MINUTES**

**VOTE: YES (4)**

**NO (0)**

**ABSENT (1) LEE FREEMAN**

**RESOLUTION/  
WATER  
RESTRICTION  
RATES**

It was previously agreed to defer this Agenda Item until the next Council Meeting.  
Gary Prestwich: He suggested examining the median usage as well as the "peaks". How much money does the City need to generate to produce the necessary water? He also feels the "stepped" system should increase significantly.

\*Councilmember Jackson will gather the information and present it to the Council.

**JOHN  
PETERSON  
LOTS**

Approval of Subdivision Requirements: (Brief History)  
(Memo from Ernie Folks to the City Council)

The reason this issue was brought back to the Council is because the Elk Ridge Council approved the proposed Peterson Lot line adjustment with the condition..."that the required infrastructure be in place prior to the sale of the lot and that the terms of approval be noted on the subdivision plat and the improvements be installed to city standards." The improvements were put in place prior to the sale of the lot, but were not installed according to city standards.

The improvements were completed prior to plan & profile construction drawings being provided to LEI for review and approval. The cost estimates were never provided. Refer to LEI's letter dated 4-26-02 regarding the improvements.

The subdivision plat has not been recorded because there are issues needing to be resolved before the recording can take place. No building permits can be issued until the plat is recorded.

Issues needing to be resolved by the City Council:

1. According to LEI's 4/26 letter, a determination by the Council as to how to treat the previously installed improvements and what will be required.
2. Amount of Durability Retainer (20% of the cost estimates) for the improvements. The proposed figure from LEI, accept Mr. Peterson's figures or something else.
3. Costs for engineering review & inspections: should these costs be added to the durability retainer and drawn for payment from the escrow account or paid prior to the account being established?
4. Additional water right requirement for the existing home on lot 1.

John Peterson (Junior): He was told the 6" line was approved. How big does a line have to be for one lot?

Ernestine Folks: The point is, the line was not tested and no exception was granted. Is the 6" line to be considered a lateral? The standard for a main is 8". There are two service laterals stubbed out to the lot (there were going to be two lots). One of the laterals should be removed.

Mayor Fritz: This should not have gotten to this point. Four persons in authority were present when the line was installed. The process was not stopped. The most to be added to this line would be two or three homes. According to LEI's letter, the line should not be connected onto, if it is to be considered a lateral. The Mayor disagrees; he feels there should be no problem for the lot to the west connecting onto this line. He asks there be a stipulation that this be allowed.

Steve Clough: The extra laterals could be disconnected (capped off) at the main. It would not be a big job, perhaps \$75 (John Peterson agreed to pay for this to be done).

Todd Jackson: There is the added problem that there is no 10' separation between the water & sewer lines.

Ernestine Folks: LEI states that if the lines are too close, then compaction must meet a certain percentage (95%).

John Peterson: The 10' separation is not followed in Elk Ridge.  
(Then 95% compaction would be required.)

Sean Nielsen: Suggested capping off a water lateral, and the other sewer lateral intended for an additional lot...then there would be the desired separation.

Steve Clough: "As-builts" should be the responsibility of the excavator. The City should get a set.

Regarding the LEI letter dated 4-26-02; who is liable for payment? If the City ordered the letter, the City should be liable for payment. Usually, the costs of reviews and inspections are covered by the Performance Bond posted with the City.

**MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY TODD JACKSON TO APPROVE OPTION #2, AS PER LEI'S LETTER DATED 4-26-02, WHICH ACCEPTS THE IMPROVEMENTS FOR THE JOHN PETERSON SUBDIVISION AS SERVICE LATERALS, WITH THE FOLLOWING STIPULATIONS:**

1. THE LOT TO THE WEST SHALL BE GIVEN THE RIGHT TO CONNECT ONTO THE 6" WATER LINE INSTALLED BY MR. PETERSON.
2. ADDITIONAL WATER RIGHT WILL BE REQUIRED FOR THE EXISTING HOME ON LOT #1
3. THE INVOICE FROM KENT HASKELL'S WORK ON THE WATER LINES IS NEEDED TO ESTABLISH THE ACTUAL CONSTRUCTION COSTS
4. A DURABILITY BOND OF \$2,366.80 OR 20% OF THE CONSTRUCTION COSTS
5. ONE WATER LATERAL CAPPED OFF AT THE MAIN; ONE SEWER LATERAL CAPPED OFF AT THE MAIN

VOTE: YES (4)

NO (0)

ABSENT (1) LEE FREEMAN

NUISANCE  
ORDINANCE

No opinion back from the Attorney. No action at this time.

ADMINISTRATIVE  
POLICY  
ORDINANCE

The Council previously approved the Administrative Handbook Policy. This is the adopting Ordinance, which adopts the Policy, by reference.

**MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY GARY PRESTWICH TO ADOPT AN ORDINANCE AMENDING THE ELK RIDGE CITY ORDINANCE 99-7-27-7, ENTITLED "AN ORDINANCE ADOPTING THE POLICIES AND PROCEDURES FOR THE EMPLOYEES OF THE TOWN OF ELK RIDGE", PROVIDING FOR CODIFICATION, INCLUSION IN THE CODE, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE**

**VOTE (POLL): RUSSELL SLY-AYE, TODD JACKSON-AYE,**

**GARY PRESTWICH-AYE (3) NO (0) ABSTAIN (1) SEAN NIELSEN  
(Not on Council when Policy adopted)**

**ABSENT (1) LEE FREEMAN**

PRESENTATION/  
TENTATIVE  
2002/2003  
BUDGET &  
CAPITAL IMP.  
PLAN

The Budget for the 2002/2003 Fiscal Year was presented to the City Council in its draft form.

There was a brief explanation of the format of the Budget. The Council was asked to review the figures for their Departments and to make any changes or corrections and Inform the City Recorder prior to the next Council Meeting.

Set Public Hearing:

**MOTION WAS MADE BY TODD JACKSON AND SECONDED BY RUSSELL SLY TO SET A PUBLIC HEARING FOR 5-28-02 @ 6:30 PM TO ADOPT THE TENTATIVE BUDGET, TO INCLUDE CHANGES TO THE CITY COUNCIL SALARY AND INCLUDING THE TENTATIVE CAPITAL IMPROVEMENT PLAN**

**VOTE: YES (4) NO (0) ABSENT (1) LEE FREEMAN**

BFI CONTRACT  
2002/2003

BFI (Garbage collection company) is raising their rates slightly by 2.9%.

Current rate (collection) = \$9.28, increased to \$9.55 (includes the 1st container)

Current for 2nd container = \$4.44, increased to \$4.57

The change will take place on July 1, 2002.

This will not result in any change to the billing for collection, currently set at \$10.00.

The charge for the 2nd container will increase to \$5.00

**MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY TODD JACKSON TO ACCEPT THE PROPOSED INCREASES FOR SERVICES FROM BFI (BROWNING FERRIS, INC.)**

**VOTE: YES (4) NO (0) ABSENT (1) LEE FREEMAN**

K & C  
SUBDIVISION/  
DURABILITY  
RETAINER  
RELEASE

**MOTION WAS MADE BY SEAN NIELSEN AND SECONDED BY GARY PRESTWICH TO APPROVE THE RELEASE OF THE DURABILITY RETAINER FOR K & C SUBDIVISION, PLAT A, AS PER ENGINEERING RECOMMENDATION, AS OF JUNE 1, 2002, PENDING SUBMISSION OF "AS-BUILTS" TO THE CITY**

**VOTE: YES (4) NO (0) ABSENT (1) LEE FREEMAN**

EXPENDITURES: A. General:

1. Contract for Well Bid:

Poll: City Council to authorize the Mayor or the Mayor Pro tempore to sign the contract for the Bid on drilling the New Well. All present agreed. The poll is to be ratified at the next Council Meeting.

2. "Pitless Adaptor":

A "Pitless Adaptor" would eliminate the need for an additional well house for the New Well. It would allow the water to be pumped underground to the current well house. The cost would be approximately \$8,000 to \$10,000, but the City would not have to build a well house. The area would be fenced.

**MOTION WAS MADE BY TODD JACKSON AND SECONDED BY SEAN NIELSEN TO APPROVE \$8,000 TO \$10,000 FOR THE PURCHASE OF A PITLESS ADAPTOR FOR THE NEW WELL, TO REPLACE A WELL HOUSE FOR THE NEW WELL.**

**VOTE: YES (4) NO (0) ABSENT (1) LEE FREEMAN**

B. Invoices:

3. Alex Fisher (Driveway tie-ins):

**MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY TODD JACKSON TO APPROVE PAYMENT OF \$5,635.77 TO ALEX FISHER FOR DRIVEWAY TIE-INS**

**VOTE: YES (4) NO (0) ABSENT (1) LEE FREEMAN**

4. There is another invoice in the amount of \$2,720.38, which the Council will defer approval of payment on until the Mayor has had a chance to review and check out certain problems in billing.

5. Jones Simkins, LLP (Financial Seminar with the Council):

**MOTION WAS MADE BY TODD JACKSON AND SECONDED BY RUSSELL SLY TO APPROVE PAYMENT OF \$953.71 TO JONES SIMKINS, LLP, FOR THE FINANCIAL SEMINAR WITH THE CITY COUNCIL**

**VOTE: YES (4) NO (0) ABSENT (1) LEE FREEMAN**

• LEI Work Release #31:

No action at this time.

• Nickerson Company:

**MOTIN WAS MADE BY TODD JACKSON AND SECONDED BY GARY PRESTWICH TO APPROVE PAYMENT OF \$8,475.97 TO NICKERSON COMPANY FOR INSTALLATION OF A PUMP IN WELL #2**

**VOTE: YES (4) NO (0) ABSENT (1) LEE FREEMAN**

C. Check Register:

**MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY TODD JACKSON TO APPROVE THE CHECK REGISTER FOR APRIL, 2002**

**VOTE: YES (4) NO (0) ABSENT (1) LEE FREEMAN**

MINUTES

**MOTION WAS MADE BY TODD JACKSON AND SECONDED BY GARY PRESWICH TO APPROVE THE MINUTES OF 4-9-02**

**VOTE: YES (3) NO (0) ABSENT (1) LEE FREEMAN**

**ABSTAIN (1) SEAN NIELSEN (was not on the Council at the time)**

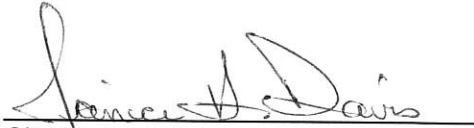
ADJOURNMENT

**MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY TODD JACKSON TO ADJOURN THE CITY COUNCIL MEETING**

**VOTE: YES (4)**

**NO (0)**

**ABSENT (1) LEE FREEMAN**



City Recorder

## **AMENDED NOTICE & AGENDA**

Notice is hereby given that the City Council of Elk Ridge will hold a regular **City Council Meeting on Tuesday, May 28, 2002, at 7:00 PM and After the Council Closed Session, Preceded by a Council Work Session**...items to be discussed between Public Hearings; These meetings will be preceded by **Four Public Hearings** for the purpose of hearing public comment about the following: **The First Public Hearing, at 6:00 PM**, is on a proposed ordinance dealing with Commercial Zone Requirements; **The Second Public Hearing, to be held at 6:10 PM**, is on a proposed ordinance pertaining to providing for Landscape Requirements; **The Third Public Hearing, at 6:20 PM**, is concerned with a proposed ordinance Providing for Site Plan Review; **The Fourth Public Hearing, at 6:30 PM**, is to consider the Adoption of a Tentative Budget for the Fiscal Year 2002/2003 for the Operation of the City of Elk Ridge, to include Transfers between Funds, City Council Salaries & the Capital Improvement Plan. A **Council Closed Session will be held after the Regular Council Session and will be followed by another Regular Council Session**.

The meetings will be held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

- 6:00 PM      1. PUBLIC HEARING/ORDINANCE-COMMERCIAL ZONE REQUIREMENTS**  
Ordinance/Amending the Elk Ridge City Code Providing for Commercial Zone Requirements, Codification, Inclusion in Code, Correction of Scrivener's Errors, Severability, and Providing an Effective Date
- 6:10 PM      2. PUBLIC HEARING/ORDINANCE-LANDSCAPE REQUIREMENTS**  
Ordinance/Amending the Elk Ridge City Code Providing for Landscaping Requirements, Codification, Inclusion in the Code, Correction of Scrivener's Errors, Severability, and Providing an Effective Date
- 6:20 PM      3. PUBLIC HEARING/ORDINANCE-SITE PLAN REVIEW**  
Ordinance/Amending the Elk Ridge City Code Providing for Site Plan Review and Approval, Providing for Codification, Inclusion in the Code, Correction of Scrivener's Errors, Severability, and Providing an Effective Date
- 6:30 PM      4. PUBLIC HEARING/TENTATIVE 2002/2003 FISCAL YEAR BUDGET & CAPITAL IMPROVEMENT PLAN**  
Resolution/Adopting a Tentative Budget for the 2002/2003 Fiscal Year Budget for the Operation of the City of Elk Ridge; to include Transfers between Funds, City Council Salaries & the Capital Improvement Plan
- 6:50 PM      CITY COUNCIL WORK SESSION**
- 5. Water Rate Increase Considerations
    - A. Pre-paid Water – Sean Nielsen
  - 6. Driveway Considerations:
    - A. Jay Gammon/Driveway Consideration – Gary Prestwich
    - B. Fremont Way-Driveway Consideration/Jacobson – Gary Prestwich
  - 7. Bid on Replacement Well - Mayor
    - A. Signing Bid Contracts/Authorize Mayor or Mayor Pro-tempore
    - B. Council Poll/"Pitless Adaptor" – Authorize Purchase - Mayor
  - 8. Occupancy Restrictions/Review Form - Mayor
  - 9. Correct Street Sign Problems – Ken Baguley
  - 10. Enforcement of Ordinance Violation – Gary Prestwich
- 7:00 - PM      REGULAR COUNCIL MEETING AGENDA ITEMS:**  
Invocation and Pledge of Allegiance  
Approval/Agenda Time Frame
- 7:05 11. Contractor Policy for In-Road Laterals - Mayor
  - 7:10 12. Jay Gammon/Driveway Consideration – Gary Prestwich
  - 7:15 13. Fremont Way-Driveway Consideration/Jacobson – Gary Prestwich
  - 7:15 14. Ratify Council Poll/ Bid on Replacement Well - Mayor
    - A. Signing Bid Contracts/Authorize Mayor or Mayor Pro-tempore
    - B. Ratify Council Poll/"Pitless Adaptor" Purchase - Mayor
  - 7:30 15. Correct Problems/Street Signs

- 7:35 16. Enforcement of Ordinance Violations - Gary Prestwich
- 7:40 17. Fisher Construction/Driveway Billing – Mayor
  - A. Driveway Work-Youd & Wride
- 7:50 18. Resolution/Water Rate Increase
- 8:05 19. ZAP Tax - Mayor
- 8:10 20. Adoption of Ordinances:
  - A. Commercial Zone Requirements
  - B. Landscaping Requirements
  - C. Site Plan Review and Approval
- 8:15 21. Adoption/Tentative 2002/2003 Fiscal Year Budget & Capital Improvement Plan
  - A. Elected Officials/Staff Compensation
- 8:20 21. Audit Proposal/Jones Simkins
- 8:30 22. Planning Commission Member Replacement
- 8:35 23. Expenditures:
  - General
  - A. LEI Work Releases #23, #28
  - B. SUVMWA Assessment
- 8:50 24. Quarterly Joint Meetings with Planning Commission
- 8:55 25. Approval of Minutes of Previous Meetings
- 9:00 26. Set Public Hearing/Vacation-Lot 3, Block 9, Plat B, Salem Hills Subdivision
- 9:05 27. Adjournment to Council Closed Session

**CITY COUNCIL CLOSED SESSION**

Discussion of Personnel

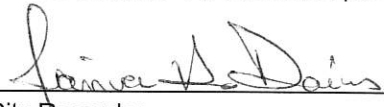
**REGULAR CITY COUNCIL SESSION**

Any Action from Council Closed Session

Adjournment


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

The times that appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting. Dated this 23<sup>rd</sup> day of May, 2002.

  
\_\_\_\_\_  
City Recorder

**CERTIFICATION**

I, the undersigned, duly appointed and acting City Recorder for the municipality of Elk Ridge, hereby certify 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 May 23, 2002.

  
\_\_\_\_\_  
City Recorder

**ELK RIDGE  
CITY COUNCIL MEETING  
May 28, 2002**

**TIME & PLACE  
OF MEETING**

The regular Meeting of the Elk Ridge City Council was held on **Tuesday, May 28, 2002, at 7:00 PM;** it was preceded by **four Public Hearings** for the purpose of receiving public comment on the following: **The first Public Hearing, at 6:00 PM,** was on a Proposed Ordinance related to Commercial Zone Requirements. **The second Public Hearing, held at 6:10 PM,** was concerning a proposed ordinance pertaining to Landscape Requirements. **The third Public Hearing, at 6:20 PM,** was on a proposed ordinance concerning Site Plan Review. **The fourth Public Hearing, at 6:30 PM,** was to adopt the Tentative Budget for the fiscal year 2002/2003 for the Operation of the City of Elk Ridge, to include Transfers between Funds, City Council Salaries & the Capital Improvement Plan. The **Council Work Session was scheduled for 6:50 PM.** Work Session items were discussed throughout the Public Hearings, as time allowed.  
**A City Council Closed Session was held after the Regular City Council Session, with a short Council Session to follow.**

The meetings were held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah.

Notice of time, place and Amended Agenda of these meetings was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body by mailing a copy to each on May 23, 2002.

**6:00 PM**

**PUBLIC HEARING/ORDINANCE-COMMERCIAL ZONE REQUIREMENTS**

**ROLL CALL**

*Mayor Vernon L. Fritz; City Council: Russell Sly, Gary Prestwich, Lee Freeman, Todd Jackson, Sean Nielsen; Deseret News: Roger Hardy; Public: Berty Morgan, Jay Gammon, Amy Weyerman, Richelle Adams, Ken & Diane Baguley; and City Recorder: Janice H. Davis*

At 6:00 PM, Mayor Fritz opened the Public Hearing on an Ordinance amending the Elk Ridge City Code Providing for Commercial Zone Requirements, Codification, Inclusion in Code, Correction of Scrivener's Errors, Severability, and Providing an Effective Date.

This ordinance is the same commercial ordinance without the landscaping requirements. The Council felt they were too restrictive and wanted the ordinance to be more general in the requirements for commercial landscaping.

There were no public comments.

At 6:10 PM, Mayor Fritz closed the Public Hearing on Commercial Zone Requirements.

**6:10 PM**

**PUBLIC HEARING/ORDINANCE-LANDSCAPE REQUIREMENTS**

**ROLL CALL**

*Mayor Vernon L. Fritz; City Council: Russell Sly, Gary Prestwich, Lee Freeman, Todd Jackson, Sean Nielsen; Deseret News: Roger Hardy; Public: Berty Morgan, Jay Gammon, Amy Weyerman, Richelle Adams, Ken & Diane Baguley; and City Recorder: Janice H. Davis*

At 6:10 PM, Mayor Fritz opened the Public Hearing on an Ordinance amending the Elk Ridge City Code Providing for Landscaping Requirements, Codification, Inclusion in the Code, Correction of Scrivener's Errors, Severability, and Providing an Effective Date.

This Ordinance is the other part of the requirements for landscaping that was included in the Commercial Ordinance. The requirements are less restrictive, as per Council direction. The provisions of this ordinance shall apply to all new and rehabilitated landscaping for public agency projects, developer-installed landscaping in multi-family projects that require a conditional use permit, and private development projects.

There were no public comments.

At 6:20 PM, Mayor Fritz closed the Public Hearing on Landscaping Requirements.

6:20 PM

**PUBLIC HEARING/ORDINANCE-SITE PLAN REVIEW & APPROVAL**

ROLL CALL

*Mayor Vernon L. Fritz; City Council: Russell Sly, Gary Prestwich, Lee Freeman, Todd Jackson, Sean Nielsen; Deseret News: Roger Hardy; Public: Berty Morgan, Jay Gammon, Amy Weyerman, Richelle Adams, Ken & Diane Baguley; and City Recorder: Janice H. Davis*

At 6:20 PM, Mayor Fritz opened the Public Hearing on an Ordinance Amending the Elk Ridge City Code Providing for Site Plan Review and Approval Codification, Inclusion in the Code, Correction of Scrivener's Errors, Severability, and Providing an Effective Date

The current provisions have been found to be inadequate and vague and need clarification. The changes were made in 10-3-3.20 of the Development Code.

There were no comments by the public or the Council.

At 6:30 PM, Mayor Fritz closed the Public Hearing on Site Plan Review and Approvals.

6:30 PM

**PUBLIC HEARING/TENTATIVE 2002-2003 FISCAL YEAR BUDGET & CAPITAL IMPROVEMENT PLAN**

ROLL CALL

*Mayor Vernon L. Fritz; City Council: Russell Sly, Gary Prestwich, Lee Freeman, Todd Jackson, Sean Nielsen; Deseret News: Roger Hardy; Public: Berty Morgan, Jay Gammon, Amy Weyerman, Richelle Adams, Ken & Diane Baguley; and City Recorder: Janice H. Davis*

At 6:30 PM, Mayor Fritz opened the Public Hearing on a Resolution adopting a Tentative Budget for the 2002/2003 Fiscal Year, for the Operation of the City of Elk Ridge; to include Transfers between Funds, City Council Salaries and the Capital Improvement Plan.

Discussion with the Council was deferred until the Regular Session of the Council Meeting.

There was no Public comment.

At 6:50 PM, Mayor Fritz closed the Public Hearing on the Tentative Budget for 2002/2003, City Council Salaries & the Capital Improvement Plan.

**CITY COUNCIL WORK SESSION**

ROLL CALL

*Mayor Vernon L. Fritz; City Council: Russell Sly, Gary Prestwich, Lee Freeman, Todd Jackson, Sean Nielsen; Deseret News: Roger Hardy; Public: Berty Morgan, Jay Gammon, Amy Weyerman, Richelle Adams, Ken & Diane Baguley; and City Recorder: Janice H. Davis*

WATER RATE  
INCREASE

Sean Nielsen: Councilmember Nielsen presented to the Council the concept of Pre-paid water charges. He has been trying to determine various options to obtain the necessary funding for the new well to be drilled.

Suggestion: To offer residents the option of pre-paying for their water usage at a discounted rate (perhaps 3%). This money the City gets up-front would be applied to the loan for the well; or to whatever the City needs. Not having to borrow or borrowing less, saves the City money in the long run.

This idea needs to be developed and brought back to the Council in the future. The Council needs to make decisions on water rates now; but, this concept could be reviewed when more information is available.

Todd Jackson and Sean Nielsen have been working together to come up with some figures to assist in determining water rates. Councilmember Nielsen contacted the City's Auditor, Curtis Roberts, to find out how much it costs for the City to produce 1,000 gals. of water. The amount = \$1.96 to produce 1,000 gallons, based on the last audit figures showing Operating costs. The City is charging less than it takes to produce the water. Depreciation covers line replacement and repair to the system without any expansion or future growth. Depreciation is considered part of the Operating costs.

Todd Jackson: Would like to see a "blended rate" between the base rate and the tiered rates that would generate about \$2.15 to \$2.25/1,000 gals. That would place the City at about a 15% to 20% profit margin for Operation & Maintenance (O & M).

Lee Freeman: Suggested consideration of a "straight fee" basis for charging for water. Many retired or older citizens have low usage. They pay a base rate all winter and in the summer they could be subject to a premium rate. Perhaps there should be a base rate year-round, based on actual usage.

Gary Prestwich: Part of the base rate is for the right to be connected to the system, part is for usage. He feels the base rate should remain, as it is to allow, in part for fire protection. A resident may not use very much water, unless his/her house burns down...then it would be needed.

Todd Jackson: The rates need to be "predictable" to be able to cover costs.

Sean Nielsen: Would like to see a base rate that buys "0" water, just covers

Todd Jackson:

He believes the "tiered" rates are effective since those using the most water in peak months pay for it and it encourages water conservation.

Recommendation:

- Base Rate @ \$40/month (Covers most of the fixed costs)
- Tiered Rates:
  1. 12,000 gal – 50,000 gal @ 1.80/1,000 gal (current: 1.35/1,000 gal)
  2. 50,001 gal – 75,000 gal @ 2.00/1,000 gal (current: over 50,000 = 1.75)
  3. 75,001 gal – 125,000 gal @ 2.25/1,000 gal
  4. Over 125,000 gal ?

Councilmember Jackson also advises on a 10-year loan rather than a 20-year loan, to save on interest.

Mayor Fritz: Suggested another tier to address the few high-end users (Including the City Park and the two LDS Chapels). The tier would be over \$125,000 gal. @ \$2.75/1,000 gal.

Average peak usage: about 75,000 gal.

Sean Nielsen: 1.80/1,000 gal does not cover the cost; why not charge at least 1.96/1,000? An “across the board” tiered system is going to be unfair to some.

The flat rate he suggested would be for the right to use the system; then 1.96 would be charged for every gallon used. Individuals should not be singled out to pay more than others.

Mayor Fritz: Doesn't the \$40 base rate cover a portion of the difference between 1.80 and 1.96? \$7.50 covers the loan payment for the new well. \$7.50 is needed for system replacement.

Russell Sly: Disagrees that the highest tier “singles out” individuals socially or any other way. It is a responsible attitude that must be had...that the City does not have an infinite amount of water. We must be conservative. We live in a desert and we cannot waste water. If there are individuals using an exorbitant amount of water, they should get the message that they shouldn't be doing that. They have the same opportunity as every other resident to be conservative with water and to have landscaping which doesn't require a great deal of water. This is not discriminatory; it is just a common-sense approach.

Public Comment: Ken Baguley agrees with the highest tier of over 125,000 gal. He feels high-end users should pay more. It encourages water conservation.

Berty Morgan: Agrees that there should be the higher tier over 125,000 gal.

Mayor Fritz:

A decision needs to be made at this meeting. Things can always be changed when more information is available.

Poll of Councilmembers: (As presented by Todd Jackson, including a tier over 125,000 gal.) Russell Sly-Yes, Todd Jackson-Yes, Gary Prestwich-Yes, Lee Freeman-No, Sean Nielsen-No...Councilmembers Freeman and Nielsen disagree with the tier over 125,000 gal)

#### DRIVEWAY CONSIDERATIONS

Gary Prestwich: Councilmember Prestwich has prepared a memo to the Council, at the request of the Mayor, addressing the driveway tie-ins on Fremont Way and Loafer Canyon Rd. When curb & gutter was installed in conjunction with the redesigning of the roads, some of the accesses to existing homes were altered. The tie-ins are to repair these problems.

- 579 E Fremont Way: owner...Dennis & Gaylene Jacobson  
The only driveway not replaced after curb/gutter installation.  
Recommend: this driveway be replaced with asphalt, approximately 12' x 20' (no slope problem).

Three problem driveways on Loafer Canyon Rd.:

- 469 N Loafer Canyon Rd: owner...Mike or Berty Morgan  
There is a severe slope problem.  
Recommend: this driveway be replaced with asphalt, approximately 8' of existing concrete should be removed and then the driveway should be filled to match the ends of the concrete and curb/gutter; then new asphalt should be applied...approximately 20' x 20'
- 577 N Loafer Canyon Rd: owner...Jeremy & Toni Hermansen  
Recommend: this driveway be replaced with asphalt, approximately 12' x 20' (no slope problem)
- 629 N Loafer Canyon Rd: owner...Jay Gammon  
Recommend: this driveway be replaced with asphalt, approximately 12' x 20' (no slope problem).

It is further recommended that all home-owners above (four) be given the option of an asphalt driveway as stated above, or an allowance equal to the asphalt driveway cost, which they could apply to a concrete driveway...home-owners would not to be paid until the concrete driveway has been completed.

The cost is just an estimate from Councilmember Prestwich for 12' x 20' piece of asphalt...about \$1,000.

Public Comment:

Berty Morgan: The consideration given for her driveway is appreciated. Adams', next door to Morgans, are not on the list and their driveway is in need of repair, as well (465 N Loafer Canyon D). Jeremy Hermansen's driveway is completed, so why is he still on the list of needed repairs?

Why not use some of the fill in the field on Loafer Canyon Rd. to fill in between the yards and the new curb/gutter?

Gary Prestwich: The dirt from the field is not what UDOT calls "non-plastic fill". That means if it gets wet, it expands and contracts. If UDOT road base is used (not expensive), it does not expand and contract. This results in a more stable driveway. (Mrs. Morgan was referring to the rest of her yard.)

Brandon Adams was placed on the list of driveways.

Mayor Fritz: The City would be responsible for the 9' of right-of-way beyond the pavement. According to LEI Engineering, the citizens would be responsible for whatever went beyond the 9'. The Mayor suggested that each homeowner involved be negotiated with individually to come to an agreement. Mr. Prestwich will be the contact person on the Council.

#### NEW WELL BID

##### A. Signing Bid Contracts:

A poll of the Council was taken to authorize either the Mayor or the Mayor pro-tempore (in the absence of the Mayor) to sign the contract with a driller. (No contract was signed in that period.) The Council should ratify the poll taken in the Regular Council Session.

##### B. "Pitless Adaptor":

A poll was taken to authorize the purchase of a "pitless adaptor". This is a device that allows the water to be pumped directly underground from the well into the existing well house and into the system. This would eliminate the need for a new well house, saving the City money.

#### OCCUPANCY RESTRICTIONS

No action in this meeting.

#### CORRECT STREET SIGN PROBLEMS

Ken Bagley: (Former police lieutenant & resident of Elk Ridge)

As a police officer, Mr. Bagley is experienced in traffic control. He has been asked to evaluate the City's street and traffic signs and to make recommendations to the Council on any changes he feels are appropriate.

There are problems with the placement of stop and yield signs, and with the height of some signs.

Roadways are for the purpose of moving traffic safely and efficiently, not for slowing it down or stopping it, unless there is a need. There are other problems, as well.

He advises to make every intersection "drunk-proof". The thinking is that if a person were intoxicated, what would it take to keep this person from going off the road? (Example: signs, lines, reflectors, etc.)

Mr. Bagley will work with Councilmember Prestwich to determine what is needed.

Gary Prestwich: Has recommended Ken Bagley for the position of Nuisance Inspector for the City. Mr. Bagley is thinking about it and would like to have more information about the position before making a decision. Dave Church should be consulted about the legality of an appointed officer of the City issuing citations.

Councilmember Prestwich recalls him being asked the question when he was in attendance at a City Council Meeting and that Mr. Church felt there would be no problem with this arrangement.

Lee Freeman: The enforcer would be acting under the direction of the City Council.

Mayor Fritz: Still feels David Church should be contacted for direction. The Mayor would prefer the enforcer be an individual who is not a resident of Elk Ridge.

Gary Prestwich: The problem is in getting someone from another city to volunteer for the position.

**ELK RIDGE  
CITY COUNCIL MEETING  
May 28, 2002**

**TIME & PLACE  
OF MEETING**

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**ROLL CALL**

*Mayor* Vernon L. Fritz; *City Council:* Russell Sly, Gary Prestwich, Lee Freeman, Todd Jackson, Sean Nielsen; *Daily Herald:* Roger Hardy; *Public:* Berty Morgan, Jay Gammon, Amy Weyerman, Richelle Adams, Ken & Diane Baguley; and *City Recorder:* Janice H. Davis

**INVOCATION  
& PLEDGE OF  
ALLEGIANCE**

Invocation was offered by Russell Sly, followed by the Pledge of Allegiance led by Roger Hardy.

**AGENDA TIME  
FRAME**

**MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY TODD JACKSON TO APPROVE THE AMENDED AGENDA TIME FRAME, ADJUSTING THE TIME BY 40 MINUTES**

**VOTE: YES (5)**

**NO (0)**

CONTRACTOR  
POLICY/  
IN-ROAD  
LATERALS

Mayor Fritz: The Mayor spoke with Kent Haskell about this issue. Currently, building contractors can use any excavator they choose to install laterals in the road. These excavators display different levels of quality. Mr. Haskell suggested hiring a single contractor which they builders are instructed to use for in-road laterals. The price would be comparable to what the contractors could get the work done for. The Mayor feels this is a good suggestion and would like to know what the Council thinks. Generally, the Council agreed that it would be a good idea. The City could advertise for interested excavators. The Council also considered using the Public Works Superintendent for the work; however, he is already very busy with other projects. The City could still do the work and charge to install the laterals. This would generate revenue for the City and allow the City to maintain more control of the quality of work. The Mayor will look into this further and get back to the Council.

DRIVEWAY  
CONSIDERATIONS

Gray Prestwich: The Council needs to authorize Councilmember Prestwich to negotiate with each of the property owners on the list to determine whether they will use asphalt or concrete and the costs involved. The City Attorney will draw up a contract that they would each have to sign. The property owners would not be paid until the driveways are installed.

Todd Jackson: Suggested setting a maximum dollar amount.

Sean Nielsen: Will the City hire the contractor to be used?

(The Council agreed that the City should have a contract with whoever does the work.) Councilmember Prestwich will bring the estimates back to the Council at the next Council Meeting for approval.

REPLACEMENT  
WELL BID

**MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY LEE FREEMAN TO RATIFY THE PREVIOUSLY POLLED CITY COUNCIL VOTE TO AUTHORIZE EITHER THE MAYOR OR THE MAYOR PROTEMPORE TO SIGN THE BID CONTRACT TO DRILL THE NEW WELL.**

**VOTE (5)**

**NO (0)**

**MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY SEAN NIELSEN TO RATIFY THE PREVIOUSLY POLLED CITY COUNCIL VOTE TO AUHTORIZE THE MAYOR TO PURCHASE A "PITLESS ADAPTOR" FOR THE NEW WELL CONSTRUCTION**

**VOTE: YES (5)**

**NO (0)**

CORRECT  
PROBLEMS/  
STREET SIGNS

No Action taken at this time.

ORDINANCE  
VIOLATIONS/  
ENFORCEMENT

Gary Prestwich: Recommendation...Even though the Mayor has suggested an Inspector from outside the City, Councilmember Prestwich still feels Mr. Baguley would be a good choice. Talking to residents effectively when they are in violation of some City ordinance takes someone trained to do so. Mr. Baguley has experience as a police officer. Someone outside the City would expect to be paid for his or her services.

How much would it cost to have the sheriff respond to this type of assignment? The new contract with the sheriff would allow the City 20 hours per week; could any violation enforcement be taken care of during this time?

FISHER  
CONSTRUCTION/

Mayor Fritz: Two bills have been received from Fisher Construction, who did the tie-ins on Loafer Canyon Rd., Fremont Way and Oak Ridge Ln. Only the first of those

DRIVEWAY  
BILLING

bills has been authorized for payment. The second of the bills is being held pending review of certain charges by the Mayor.

WATER RATE

**MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY GARY PRESTWICH TO APPROVE THE RESOLUTION ADOPTING THE FOLLOWING WATER RATES:**

**\$40 (Base Rate) – 1<sup>st</sup> 12,000 gal**  
**\$1.80/1,000 gal. – 12,001 to 50,000 gal.**  
**\$2.00/1,000 gal. – 50,001 to 75,000 gal.**  
**\$2.25/1,000 gal. – 75,001 to 125,000 gal.**  
**\$2.75/1,000 gal. – Over 125,000 gal.**

**WINTER MONTHS: \$40/MONTH (Base Rate)**

**SPRING READING:**

**\$40/MONTH (1<sup>ST</sup> 72,000 gals)**  
**\$2.00/1,000 gal in excess of Winter Use Period Base Amount times number of months under the Winter Use Period up to 75,000 gal and \$2.25/1,000 gal beyond 75,000 gal used**

**LATE PAYMENT FEE STAYS AT \$5.00 PER MONTH**

**THESE RATES WOULD BE EFFECTIVE AS OF JUNE 1, 2002.**

Discussion: Sean Nielsen and Lee Freeman were against the idea of the last tier, over 125,000 gals.

**VOTE: YES (3)**

**NO (2) SEAN NIELSON**

ZAP TAX

Mayor Fritz: This Resolution would allow the County to place this tax on the ballot for a public vote. The tax would be 1/10 of one cent of everything that is sold in the County. It is designed, primarily, to accomplish funding for zoos, recreation, etc. It is anticipated that one year after this is placed into effect, Elk Ridge would receive \$23,000 for our parks & recreation program.

**MOTION WAS MADE BY LEE FREEMAN AND SECONDED BY SEAN NIELSEN TO APPROVE A RESOLUTION ENCOURAGING THE UTAH COUNTY COMMISSION TO PLACE AN OPINION QUESTION ON THE NOVEMBER 2002 BALLOT TO GIVE COUNTY RESIDENTS AN OPPORTUNITY TO EXPRESS THEIR OPINION CONCERNING THE IMPOSITION OF A LOCAL SALES TAX OF .1% TO FUND RECREATIONAL AND ZOOLOGICAL FACILITIES AND BOTANICAL, CULTURAL AND ZOOLOGICAL ORGANIZATIONS (ZAP TAX)**

**VOTE: YES (5)**

**NO (0)**

ADOPTION OF  
ORDINANCES

1. Commercial Zone Requirements:

**MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY LEE FREEMAN TO ADOPT AN ORDINANCE AMENDING THE ELK RIDGE CITY CODE PROVIDING FOR COMMERCIAL ZONE REQUIREMENTS, CODIFICATION, INCLUSION IN THE CODE, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE**

**VOTE (POLL): TODD JACKSON-AYE, LEE FREEMAN-AYE, GARY PRESTWICH-AYE, RUSSELL SLY-AYE, SEAN NIELSEN-AYE**  
**PASSES 5-0**

2. Landscaping Requirements:

**MOTION WAS MADE BY LEE FREEMAN AND SECONDED BY SEAN NIELSEN TO ADOPT AN ORDINANCE AMENDING THE ELK RIDGE CITY CODE PROVIDING FOR LANDSCAPING REQUIREMENTS, CODIFICATION, INCLUSION IN THE CODE, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE**

**VOTE (POLL): SEAN NIELSEN-AYE, LEE FREEMAN-AYE, TODD JACKSON-AYE, GARY PRESTWICH-AYE, RUSSELL SLY-AYE  
PASSES 5-0**

2. Site Plan Review & Approval:

**MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY GARY PRESTWICH TO ADOPT AN ORDINANCE AMENDING THE ELK RIDGE CITY CODE PROVIDING FOR SITE PLAN REVIEW AND APPROVAL, CODIFICATION, INCLUSION IN THE CODE, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE**

**VOTE (POLL): SEAN NIELSEN-AYE, TODD JACKSON-AYE, LEE FREEMAN-AYE, RUSSELL SLY-AYE, GARY PRESTWICH-AYE  
PASSES 5-0**

TENETATIVE  
2002/2003  
BUDGET &  
CAPITAL IMP.  
PLAN

Budget Discussion:

The Council has decided not to exceed the suggested Certified Tax Rate, so no "Truth in Taxation" Hearing will be necessary in August.

**MOTION WAS MADE BY SEAN NIELSEN AND SECONDED BY TODD JACKSON TO SET A PUBLIC HEARING TO ADOPT THE 2002/2003 FISCAL YEAR, INCLUDING THE CAPITAL IMPROVEMENT PLAN, ON JUNE 11, 2002, AT 6:15 PM**

**VOTE: YES (5)**

**NO (0)**

Review:

The Budget reflects the Capital Projects anticipated for the next fiscal year. The figures were decided upon in meeting with the Administrative Assistant or in previous Council Meetings.

The Capital Improvement Plan was reviewed with the Council. **A change is required in the Fund handling the payment of the loan for the Backhoe.** The General Fund, not the Capital Project Fund handles the payments. The Capital Improvement Plan needs work on projecting future years.

\$8,000 is to be transferred from the Special Revenue Fund/Parks to Trails & Open Space (not included in the Budget).

Special Revenue Fund/Parks: New line item added..."Usage if Impact Fees", to separate this off from "Usage of Fund Balance".

Backstop and fencing for Park: 5,000

General Fund:

"Appropriated Use of Fund Balance" decreased due to cutting expenditures. Almost 64,000 is budgeted as projected Fund Balance. It must be remembered that this is the very beginning of the new-year and expenditures will increase as the year progresses.

Mayor Fritz: Cautioned that it is still not known what State monies will come in as revenue, since they are experiencing cuts in their budgets (such as Class "C" Revenues, Sales Tax).

Capital Projects Fund:

Town Hall/Fire Station: 1,200 is to go toward a "fire door" from the lower records room to the bay area.

Enterprise Funds:

Storm Drainage Fund:

12,000 budgeted for Storm Drainage Fee charges...when will the fee be decided upon and charged?

"0" out expenditure for Engineering.

Water Fund:

350,000 "Bond Proceeds" is moved to 2002/2003

"Capital Outlay-New Well" – 350,000 in 2002/2003

"Capital Outlay" – Water line replacement = 20,000

(Kent Haskell estimates the cost for the water line repair on Powell Cr. To be about \$13,000.)

Sewer Fund:

"Capital Outlay:

\$3,500 – camera for sewer lines

\$3,000 – wastewater study update

(Powell Circle – sewer line repair should be done at the same time as the repair on the water line.)

**MOTION WAS MADE BY TODD JACKSON AND SECONDED BY RUSSELL SLY TO ADOPT THE TENTATIVE BUDGET FOR THE 2002/2003 FISCAL YEAR; INCLUDING THE CAPITAL IMPROVEMENT PLAN, WITH THE CHANGES DISCUSSED**

**VOTE: YES (5)**

**NO (0)**

Compensation of Elected Officials & Office Staff:

Mayor Fritz: (Recommendations)

Full-time wages:

Public Works Forman:

Range: \$14 - \$17/hour

Current pay increased to \$15.12/hour

Assistant Public Works:

Range: \$10.50 - \$12/hour

Current pay increase to \$10.87/hour

Deputy Recorder: (Position changing to part-time)

Pay increase to \$13.00/hour (as well as the other 2 part-time employees)

City Recorder:

Gary Prestwich: Recommended wages be increased from \$15.12 to \$16.05

(Comments from City Recorder: Feels her responsibilities are on an equal basis with the Public Works Forman. Though the jurisdictions are different, they are of equal value to the City. Although she appreciates the recommendation, she feels both positions should be paid the same.)

Mayor Fritz: Based on comparables from other municipalities of similar size, Ms. Davis is at the bottom of the wage scale for her position.

Recorder: Elk Ridge will not be in line with other cities/towns. There isn't adequate revenue. The concept of bonuses has been discussed by the previous Council. Bonuses would still be based on performance; but would avoid annual raises that would eventually exceed the wage ranges. COLA (Cost of Living Adjustments) + bonuses was what the staff received last year.

Fire Dept:

Fire Chief: from \$100 to \$200/month

Assistant Fire Chief: from \$75 to \$150/month

EMT Supervisor: from \$75 to \$150/month

No changes from previously discussed wages for all other staff members. With the current consolidation of positions and one of the full-time employees changing to part-time, the result is a savings of about \$9,000; with the recommended pay increases. The Mayor is of the opinion that the staff has not been receiving deserved pay increases and this year's savings presents an opportunity to do this and still save money.

The City Council discussed raising the amount of compensation for the Council positions. The previous Council was going to address the issue prior to leaving office; however, they did not. It has been a subject that comes up regularly with each Council; but no one once to be accused of raising his or her own salary. The point was made that it is not just for the current Council; but for future Councils, as well. The higher pay may encourage more people to run for office.

Mayor Fritz suggested \$300 for the Mayor & \$200 for the Councilmembers.

Todd Jackson recommended \$500 for the Mayor's position. It was also suggested to pay the Council \$300/each.

Opinion poll: Russell Sly, Gary Prestwich, Lee Freeman all favored \$500 & \$300

Todd Jackson suggested \$500 & \$250; Sean Nielsen is fine with whatever is decided.

This will be voted upon at the next City Council Meeting.

**AUDIT PROPOSAL** Correction: Last Page of the Proposal: "...the City agrees that the Auditor's reports will not be used at bond offerings, internet sites.....with (should be changed to without) the written consent..."

**MOTION WAS MADE BY LEE FREEMAN AND SECONDED BY GARY PRESTWICH TO APPROVE THE AUDIT PROPOASAL FROM JONES SIMKINS LLP, TO PERFORM THE ANNUAL FINANCIAL AUDIT FOR ELK RIDGE CITY FOR AN AMOUNT NOT TO EXCEED \$9,700.00, WITH THE NOTED CHANGE; THIS FEE DOES NOT INCLUDE THE OUT-OF-POCKET EXPENSES FOR HOTEL ACCOMMODATIONS AND MEALS**

**VOTE: YES (5)**

**NO (0)**

**PLANNING  
COMMISSION  
MEMBER  
REPLACEMENT**

**MOTION WAS MADE BY LEE FREEMAN AND SECONDED BY TODD JACKSON TO APPOINT JOE JAMISON AS A MEMBER OF THE ELK RIDGE PLANNING COMMISSION, TO REPLACE LEONHARDT SCHROEDTER**

**VOTE: YES (5)**

**NO (0)**

Term of Office expires February, 2007.

A letter is to go to Mr. Jamison.

**EXPENDITURES**

General:

1. LEI Work Release #23 (Drainage cleanout in Loafer Canyon):

Mayor recommended payment of this invoice.

**MOTION WAS MADE BY GARAY PRESTWICH AND SECONDED BY TODD JACKSON TO APPROVE PAYMENT OF INVOICE #102775 IN THE AMOUNT OF \$545.00**

**VOTE: YES (5)**

**NO (0)**

2. LEI Work Release #28:

The Mayor postponed presenting this bill for payment until certain issues are resolved.

**SUVMWA  
ASSESSMENT**

**MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY RUSSELL SLY TO PAY THE ANNUAL DUES TO BE A MEMBER OF SOUTH UTAH VALLEY MUNICIPAL WATER ASSOCIATION (SUVMWA), IN THE AMOUNT OF \$1,381.71**

**VOTE: YES (5)**

**NO (0)**

QUARTERLY  
JOINT MEETINGS  
WITH PLANNING  
COMMISSION

Lee Freeman will have a recommendation for the Council at the next Council Meeting.

MINUTES

1. 4-23-02:

**MOTIN WAS MADE BY GARY PRESTWICH AND SECONDED BY LEE FREEMAN  
TO APPROVE THE CITY COUNCIL MEINUTES OF 4-23-02**

**VOTE: Yes (5)**

**NO (0)**

SET PUBLIC  
HEARING/  
JOHN PETERSON  
SUBDIVISION

The Council previously approved the John Peterson Development as a recognized lot-combination/lot line adjustment; however, Utah County will not accept the Plat in this manner. They require this to be a Two-lot Subdivision and this would require a Public Hearing to Vacate the current Subdivision: Lot #3, Block 9, Plat B, Salem Hills Subdivision. If there are no written protests, then the Hearing will not be necessary. Notices will be sent to all property owners within 300 ft. of the proposed vacation.

**MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY TODD JACKSON TO SET A PUBLIC HEARING FOR JUNE 11, 2002, AT 6:00 PM, FOR THE JOHN PETERSON SUBDIVISION TO VACATE SALEM HILLS SUBDIVISION, PLAT B, BLOCK 9, LOT #3**

**VOTE: YES (5)**

**NO (0)**

AJOURNMENT

**MOTION WAS MADE BY LEE FREEMAN AND SECONDED BY TODD JACKSON TO  
ADJOURN THE MEETING AND MOVE TO COUNCIL CLOSED SESSION**

**VOTE: YES (5)**

**NO (0)**

**CITY COUNCIL CLOSED SESSION**

ROLL CALL

Mayor Vernon L. Fritz; City Council: Russell Sly, Gary Prestwich, Lee Freeman, Todd Jackson, Sean Nielsen

Discussion of Personnel

  
\_\_\_\_\_  
City Recorder

## AMENDED NOTICE & AGENDA

Notice is hereby given that the City Council of Elk Ridge will hold two Public Hearings on Tuesday, June 11, 2002 for the purpose of receiving Public comment regarding the following: The First Public Hearing, scheduled for 6:00 PM, has been Cancelled. It was to consider the Proposed Vacation of Salem Hills Subdivision, Plat "B", Block 9, Lot #3; the Second Public Hearing, at 6:15 PM, is on the Adoption of the 2002/2003 Fiscal Year Budget, Including Transfers between Funds and City Council Salaries & the Capital Improvement Plan; These Public Hearings will be held in conjunction with the regularly scheduled City Council Meeting at 7:00 PM. Two Council Closed Session will be held prior to the regular City Council Meeting.

The meetings will be held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

**6:00 PM - 1. PUBLIC HEARING/ORDINANCE -**

Public Hearing/Vacation of Lot #3, Block 9, Plat "B", Salem Hills Subdivision; to Create the John Peterson Subdivision, Plat "A", Lots 1 & 2

**Cancel Public Hearing.** Reason: no public protests to the proposed Vacation means no Public Hearing is necessary.

**6:15 PM - 2. PUBLIC HEARING/2002/2003 FISCAL YEAR BUDGET & CAPITAL IMPROVEMENT PLAN**

2002/2003 Fiscal Year Budget, to include Transfers and Loans between Funds & consideration of City Council Salaries, for the Operation of the City of Elk Ridge

**6:30 PM - 3. CITY COUNCIL CLOSED SESSION**

Discussion of Strategy

**6:45 PM 4. CITY COUNCIL CLOSED SESSION**

Discussion of Strategy

**CITY COUNCIL WORK SESSION ITEMS**

5. 4<sup>th</sup> of July Celebration – State of Progress – Todd Jackson

6. Franchise Agreement/Strawberry Electric – Kent Haskell

7. Surface Repair/Treatment of City Parking Areas – Mayor Fritz

8. Discussion/Ordinance – Building Permits/Connection to Sewer System – Mayor Fritz

9. Discussion/Ordinance Amendment – Metered Water Usage – Mayor Fritz

10. Quarterly Sessions with the Planning Commission

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

Invocation and Pledge of Allegiance

7:03 Approval of Agenda Time Frame

7:05 11. John Peterson Subdivision, Plat A, Lots 1 & 2

A. Approval/Vacate Lot #3, Block 9, Salem Hills Subdivision, Plat B

B. Approval/John Peterson Subdivision, Plat B, Lots 1 & 2

7:15 12. Utah County Sheriff's Dept. Contract/Approval

7:25 13. Surface Repair/Treatment of City Parking Areas – Mayor Fritz

7:30 14. Adoption/2002-2003 Fiscal Year Budget & Capital Improvement Plan

7:40 15. Set Public Hearing/Ordinance Amending the Elk Ridge City Code Providing for Requirements Regarding Accessory Buildings

7:45 16. Expenditures: General

A. Alex Fisher/Payment of billing for Driveway Work

B. Ratify Polled Vote of City Council/Purchase of Internet Program/Administrative Policy

C. E-Z Concrete (Park Project)

D. Nickerson Co. Billing

8:00 17. Approval of Minutes of Previous Meetings

Adjournment

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


The times, which appear on this amended agenda, may be accelerated if time permits. All interested persons are invited to attend this meeting. Dated this 10<sup>th</sup> Day of June, 2002.

  
City Recorder

Elk Ridge City Council Meeting  
6-11-02

CERTIFICATION

I, the undersigned, duly appointed and acting City Recorder for the municipality of Elk Ridge, do hereby certify 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 June 7, 2002; and an Amended Agenda on 6-10-02.

  
\_\_\_\_\_  
City Recorder

**ELK RIDGE  
CITY COUNCIL MEETING  
June 11, 2002**

**TIME & PLACE  
OF MEETING**

The regular Meeting of the Elk Ridge City Council was held on Tuesday, June 11, 2002, at 7:00 PM; it was preceded by two Public Hearings for the purpose of receiving public comment of the following: The first Public Hearing, at 6:00 PM, was to consider the Proposed Vacation of Salem Hills Subdivision, Plat B, Block 9, Lot #3; The Second Public Hearing, held at 6:15 PM, was on the Adoption of the 2002/2003 Fiscal Year Budget, Including Transfers between Funds and City Council Salaries & the Capital Improvement Plan; The Council Work Session items were discussed throughout the Public Hearings, as time allowed. Two City Council Closed Session were scheduled prior to the Regular City Council Session; but were cancelled due to the subject being inappropriate for Closed Sessions.

The meetings were 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 members of the Governing Body by mailing a copy to each on March 21, 2002, and an Amended Agenda was provided to the members of the City Council on March 25, 2002.

**6:00 PM**

**PUBLIC HEARING/JOHN PETERSON SUBDIVISION - VACATION**

**ROLL CALL**

*Mayor Vernon L. Fritz; City Council: Russell Sly, Gary Prestwich, Lee Freeman, Sean Nielsen (Todd Jackson-Absent); Administrative Assistant: Ernestine Folks; Public Works Superintendent: Kent Haskell; Public: Debbie May, Scott May, Carl Deichman; and City Recorder: Janice H. Davis*

Notices were sent out to all property owners within 300 ft. of the proposed Vacation of Salem Hills Subdivision, Plat B, Block 9, Lot #3 and the City received no written protests; therefore, no Public Hearing is required.  
The Public Hearing was cancelled.

**PUBLIC HEARING/2002-2003 FISCAL YEAR BUDGET & CAPITAL IMPROVEMENT PLAN**

**ROLL CALL**

*Mayor Vernon L. Fritz; City Council: Russell Sly, Gary Prestwich, Lee Freeman, Sean Nielsen (Todd Jackson-Absent); Administrative Assistant: Ernestine Folks; Public Works Superintendent: Kent Haskell; RB&G Engineering: Carl Cook & Russell O. Brown; Public: Debbie May, Scott May, Carl Deichman; and City Recorder: Janice H. Davis*

At 6:15 PM, Mayor Fritz opened the Public Hearing on the 2002/2003 Budget, to include Transfers and Loans between Funds & Consideration of the City Council Salaries and the Capital Improvement Plan, for the Operation of the City of Elk Ridge.

There were no major changes from the Tentative Budget.

The Certified Tax Rate has not been received from the County. The Budget will have to be amended when the suggested Tax Rate is received.

It was suggested to transfer 48,428 dollars (Fund Balance) out of the General Fund and into Loafer Canyon Road/Capital Project, to maintain the 18% limit of Fund Balance.

At 6:30 PM, the Mayor closed the Public Hearing.

6:30 PM

**CITY COUNCIL CLOSED SESSION**

Discussion of Strategy...Cancelled on the advise of the City Attorney. It was not legal to hold the Closed Sessions on the designated topics.

6:45 PM

**CITY COUNCIL CLOSED SESSION**

Discussion of Strategy...Cancelled on the advise of the City Attorney. It was not legal to hold the Closed Sessions on the designated topics.

**CITY COUNCIL WORK SESSION**

ROLL CALL

*Mayor Vernon L. Fritz; City Council: Russell Sly, Gary Prestwich, Lee Freeman, Sean Nielsen (Todd Jackson-Absent); Administrative Assistant: Ernestine Folks; Public Works Superintendent: Kent Haskell; RB&G Engineering: Carl Cook & Russell O. Brown; Public: Roger Hardy (Daily Herald), Debbie May, Scott May, Carl Deichman; and City Recorder: Janice H. Davis*

4<sup>TH</sup> OF JULY  
CELEBRATION

Todd Jackson was not present.  
He asked that all Councilmembers be at the Celebration to help.

FRANCHISE  
AGREEMENT

Kent Haskell: Is on the Board if Trustees for Strawberry Electric Service District (SESD). SESD is in the process of obtaining a bond to refinance and to buy-out Strawberry Water Users. Originally, the Water Users owned the distribution system. SESD plans to purchase the system through a long-term contract. SESD wants a Franchise Agreement with Elk Ridge City, which authorizes SESD to be their power supplier for the life of the Agreement (50 years). (Woodland Hills would have the same type of Agreement.) There would be no change on the power prices at this time. Mr. Haskell recommends approval of the Agreement:

1. Strawberry Electric has treated Elk Ridge fairly.
2. If Elk Ridge wanted to change power companies, we would have to buy out the cost of the system (about \$2 ½ million).

SESD would like to have the Agreement completed in the next two to three weeks.

Russell Sly: 50 years seems like a long contract. If the bond is for 25 – 30 years, could the Agreement be for 25 –30 years?

Sean Nielsen: Is there any assurance from SESD that the rates will not be inflated?

Kent Haskell: There are no assurances like that with utility companies. The Company does not actually own any power.

Russell Sly: The blank "franchise fee" needs to be filled in. What is the proposed number? (Would that be the 6% the City already receives?) This needs to be clarified prior to approval.

The Council would also like to have the term of the Agreement for 30 years rather than 50 years.

Mr. Haskell will have this information for the Council at the next Council Meeting.

SURFACE REPAIR/  
TREATMENT OF  
CITY PARKING  
AREAS

Gary Proctor spoke to Mr. Haskell about proposing a bid to resurface the parking areas around the City Hall. Mr. Haskell agrees that the parking areas do need to be resurfaced. He has not seen the bid from Mr. Proctor.

The City received a bid from Mr. Proctor's company in the amount of \$2,381.00.

Russell Sly: Recommended getting more than one bid, to compare costs estimates. The Council agreed. The Mayor will obtain other bids to present to the Council.

ORDINANCE/  
BUILDING  
PERMITS

Mayor Fritz: The City's current Ordinance states that "all dwellings & other buildings used for human occupancy shall be served by the City's water system or by an existing private central water system which is approved by the appropriate state approval authority and which is capable of providing and delivering adequate supplies for both culinary and fire fighting purposes."

And;

"All dwellings and other buildings intended for human occupancy shall be served by the City's central sewage collection and disposal system."

The Mayor submitted copies of the current Ordinance to the Councilmembers in their Council Meeting Packets. He would like for the Council to consider amending the current Ordinance to allow permits to be issued, if certain conditions were met.

History:

When Mayor Fritz was on a previous Elk Ridge City Council, the Council received a memo from the Utah League of Cities & Towns (ULCT) that said, in their opinion, it was possible...that if the City issues a building permit to a property owner, knowing that there is not fire suppression capability (according to Utah Code) that perhaps the City could be held liable. There have been property owners in the Goosenest area who have been denied building permits based on that information.

Since that time, the City has passed an Ordinance which states that property owners must connect onto the City's water & sewer system (see above).

- The Mayor wrote a letter to the City's Attorney (David Church) asking his opinion on this issue. His opinion is contained in the memo dated April 5, 2002.
  1. Even though "most cities & towns rely on the Uniform Fire Code to establish the minimum fire flow & water supply requirements for fire fighting. The State Law, however, [Utah Code 53-7-204 (4)(c)] allows cities & towns to modify, or delete the fire flow & water supply requirements of the Uniform Fire Code. It is therefore possible for Elk Ridge to establish a lower standard for fire flow water supply than the Uniform Code," if desired. (Mr. Church also lists other options for fire flow protection.)
  2. Generally a city or town will not incur liability if it adopts a different requirement for the fire water supply, if there is a plan on how to eventually improve the system. The people building in those areas would do so with knowledge of the existing problem.
  3. Withholding permits until sewer is available:

"The difficulty in your current position is that you have several homes on septic tanks, so you will need to explain why four more septic tanks create a problem...The strongest point in your current position is that you are currently pursuing sewer service to the area so this is not a permanent prohibition on building."
  4. "Release of Liability": A property owner can release the city from liability, "but the problem is with subsequent purchasers or 3<sup>rd</sup> parties who may be hurt in the fire and who have not released the city. Any release will be helpful if you decide to allow the building...but, no release is full coverage."
- The Mayor contacted the Utah County Health Dept. and they are not opposed to use of septic tanks, with a letter of approval from the City.
- The Fire Chief (Elk Ridge) was asked if the Dept. could provide fire suppression...his comment was that "One more house would not make a difference."

Specifically, there is a property owner in the Goosenest area who has been denied a building permit. He owns a share in the Goosenest Water System. Is there a way to amend the current Ordinance to allow building permits in the Goosenest area? The property owner would have to build with the understanding that connection to the water and sewer systems would be required when they become available.

Discussion:

Sean Nielsen: Is in favor of allowing people to use their property. This individual has a water share, he has an approved lot, if the system is safe and functional, he (Councilmember Nielsen) "does not see any reason why we should keep individuals from doing that" (using their land).

Russell Sly: Thinks that it would be discrimination to do otherwise.

Gary Prestwich: He seems to have the law on his side; however, there are places in town where the situation is different.

\*The Councilmembers were in agreement that connection to the water & sewer systems should be mandatory, once those systems become available.

Mayor Fritz: Through Councilmember Freeman, the Mayor will recommend that this issue go before the Planning Commission for consideration and recommendation.

ORDINANCE  
AMENDMENT/  
METERED WATER  
USAGE

Mayor Fritz: When individuals use water out of the fire hydrants (example: to fill up water tank on hydro-seeding truck or any other type of truck using water), they are to pay a fee and only use the hydrant located at Escalante and Park Drive. The fee (\$20) is the same for tanks of various sizes, up 15,000 gals. The Mayor feels the fee should fit the amount of usage.

Recommendation:

500 gal. would cost \$5 (no meter)

- 2<sup>nd</sup> load of 500 gal. in same day would be covered by the original \$5.
- Over 1,000 gal. in same load = .01/gal. (metered)

He also advises "tagging" all fire hydrants to direct anyone to the hydrant on Escalante Drive and to inform him or her of the penalty for violation.

Gary Prestwich: Suggested not using a meter and just charge a flat rate (\$20) for loads over 1,000 gals. Smaller loads could be charged the \$5/load, as the Mayor suggested. Any violation should be met with a fine.

Sean Nielsen: Agrees that there should be a fine. What is the set fine for a Class C misdemeanor? The dollar amount of the fine should be listed. (Up to \$1,000 fine was suggested and agreed upon. The Attorney is to advise on the amount.)

Policing usage becomes the problem.

Mayor Fritz: Would like to come to a decision as to how to modify the current Resolution and pass specific directions to the Attorney.

Lee Freeman: Agrees with the Mayor's proposal to "tag" all the hydrants to direct anyone using them to the designated hydrant.

Kent Haskell: A \$700 meter was purchased for the purpose of metering water usage. It is easy to use. It is loaned out to the individual and returned to the City after the metering is complete.

Gary Prestwich: Does not object if the metering is accomplished by the individuals using the water, as long as the Public Works Dept. does not have to go out and do the task.

It was agreed:

- To charge the smaller loads \$5 per load, as recommended by the Mayor.
- Larger loads (over 1,000 gal.) the hydrants should be metered.
- Dollar amount mentioned in the ordinance/Penalty = Class "C" misdemeanor

Mayor Fritz will contact David Church to determine if he should write the amending ordinance and his legal opinion on the proposed changes.

QUARTERLY  
SESSIONS WITH  
PLANNING  
COMMISSION

Lee Freeman: The Planning Commission Chairman and the Mayor need to meet to create an agenda for a Meeting at the end of July. The City Council Agendas are so full, it was suggested to meet at the Planning Commission Meeting on a quarterly basis.

RB & G  
ENGINEERING

The City's contract with LEI Engineering will be expired in the fall of 2002. The City Council has been considering other engineering firms. RB & G is one of the firms interested in doing work for Elk Ridge.

Carl Cook & Russell O. Brown:

RB & G spoke to the Council about their policies:

Experience:

- Located in Provo/in business for 47 years
- Civil Engineering Firm with 45 employees, including 10 civil engineers
- Geotechnical division, surveying division & municipal division
- Provide services all over Utah/are the City Engineers for Mapleton/have served as Engineers for Springville and were the City Engineers for Orem (these cities provide their own engineering now, but still consult with RB & G on projects). They have worked with UDOT and Utah County
- Municipal work includes projects in storm drainage, sewer systems, water systems...has been involved in the drilling of perhaps 50 water wells (all of Orem City's, some in Provo, Springville)...all types of wells and storage tanks & subdivision plat reviews & construction.

Questions/comments from the Council:

Lee Freeman: Do you normally operate under a "fixed-price" contract?

RB&G: It depends on the nature of project. Generally, this is preferable, but in some instances, it is not possible. (Example: UDOT does not permit this on construction projects. They require a "cost + fixed fee with a not-to-exceed number".) They have no problem giving a fixed estimate and standing by that fee; if there should be significant changes, there would have to be a contract modification.

Gary Prestwich: What would be the length of an engineering contract with a city?

RB&G: Prefers it on the budget-year basis; one-year contracts or shorter contracts for specific jobs. They work with the cities to give them an estimate of what the engineering is going to cost for the fiscal year for budgeting purposes.

They examine the Capital Improvement Projects and come up with a budget

Gary Prestwich: Would they have a problem if the City hired an independent engineer? for a particular project, if they were the City's engineers?

RB&G: No, but they would not recommend it. They feel they (RB&G) would do the best job for the City. This is fairly common if the City is looking for expertise not found at RB&G.

Russell Sly: Concerned about the billing process used by RB&G

RB&G: Again, it depends on how the contracts are set up. With a fixed-fee, the "milestones" of a project are identified and billed for as the work is completed. A breakdown of hours worked on the project and by whom can be provided, accompanied by a progress report.

City Recorder: What is the policy for billing for subdivision inspection?

RB&G: Generally, the developers pay fees to the city and RB&G provides inspections. Other arrangements for billing could be considered.

They do not believe in charging for every phone call or piece of advise given.

Sean Nielsen: What is your policy on guaranteeing work done; contractors would be used for the work under the direction of the engineers. If work is not done properly and problems arise, who would be held accountable?

RB&G: If there is an error on the part of the engineers in the service they are providing, Then there is no question who should pay for it. If it is an error on the part of the Contractor, and the engineers are not present to oversee the work, then they (the contractor) should pay for it.

Gary Prestwich: Would RB&G be responsible for making them pay for it?

RB&G: We may or may not be able to do that. It depends on the terms of the contract. The contractor is required to meet a certain performance level, if he doesn't meet that level, he should be bonded to guarantee their work.

Public Works Forman: Wanted to know if the work of the inspector (engineer) would be guaranteed.

RB&G: They (RB&G) will not "pay for work (or guarantee work) done by somebody else". The inspector's job is to conduct tests and to inspect the work. The contactors' responsibility is to do the work correctly. RB&G won't assume the responsibility for the contractor.

**ELK RIDGE  
CITY COUNCIL MEETING  
June 11, 2002**

**TIME & PLACE  
OF MEETING**

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**ROLL CALL**

*Mayor* Vernon L. Fritz; *City Council*: Russell Sly, Gary Prestwich, Lee Freeman, Sean Nielsen (Todd Jackson-Absent); *Administrative Assistant*: Ernestine Folks; *Public Works Superintendent*: Kent Haskell; *Sheriff*: Sgt. Darren Gilbert; *Public* Roger Hardy (Daily Herald); and *City Recorder*: Janice H. Davis

**INVOCATION &  
PLEDGE OF  
ALLEGIANCE**

The Invocation was offered by Lee Freeman and the Pledge of Allegiance was led by Sean Nielsen.

**AGENDA TIME  
FRAME**

**MOTION WAS MADE BY LEE FREEMAN AND SECONDED BY SEAN NIELSEN TO APPROVE THE AGENDA TIME FRAME, ADJUSTING THE TIME BY 35 MINUTES**  
**VOTE: YES (4) NO (0) ABSENT (1) TODD JACKSON**

**JOHN  
PETERSON  
SUBDIVISION,  
PLAT A,  
LOTS 1 & 2**

1. Approval/Vacate Lot #3, Block 9, Salem Hills Subdivision, Plat B:  
**MOTION WAS MADE BY SEAN NIELSEN AND SECONDED BY RUSSELL SLY TO DECLARE THAT THE CITY COUNCIL FINDS THERE IS NO MATERIAL INJURY TO ANY OF THE PROPERTY OWNERS WITHIN 300 FT. OF THE PROPOSED VACATION AND TO APPROVE SAID VACATION OF SALEM HILLS SUBDIVISION, PLAT B, BLOCK 9, LOT #3**  
**VOTE: YES (4) NO (0) ABSENT (1) TODD JACKSON**

2. John Peterson Subdivision, Plat A, Lots 1 & 2/Final Approval:

(Memo from Administrative Assistant, Ernestine Folks):

On 9-11-2001, the Council approved a lot line adjustment (for John Peterson); however, in checking with the County Engineer, what was handled as a lot line adjustment should have been done as a vacation to a subdivision plat, because of the manner in which the original lot split was done (by metes and bounds description).

In addition, the Peterson's decided to create two lots rather than three. The Plat has been reviewed for corrections and the Planning Commission has made their recommendation to the Council to grant Final Plat Approval to the John Peterson Subdivision, Plat A, Lots 1 & 2.

Prior to the Plat being recorded, the developer will have to provide additional water rights for the two lots in the newly created subdivision.

They also need to pay \$32 for recording fees.

Plat & improvements drawings need to be furnished electronically to the City prior to recording the Plat.

"As-builts" need to be provided to the City prior to any final payment from the Durability Retainer.

**MOTION WAS MADE BY LEE FREEMAN AND SECONDED BY SEAN NIELSEN TO GRANT FINAL PLAT APPROVAL TO THE JOHN PETERSON SUBDIVISION, PLAT A, LOTS 1 & 2**

**VOTE: YES (0)**

**NO (4)**

**ABSENT (1) TODD JACKSON**

**MOTION WAS MADE BY LEE FREEMAN AND SECONDED BY SEAN NIELSEN TO AMEND THE ORIGINAL MOTION TO GRANT FINAL APPROVAL TO THE JOHN PETERSON SUBDIVISION, PLAT A, LOTS 1 & 2; TO ADD THE FOLLOWING STIPULATIONS:**

**RECORDING OF THE PLAT CONTINGENT UPON:**

- 1. UPGRADING THE WATER RIGHTS FOR BOTH LOTS 1 & 2**
- 2. PAYMENT OF THE \$32 RECORDING FEES**
- 3. PROVIDING PLAT & IMPROVEMENT DRAWINGS TO THE CITY**
- 4. ESCROW ACCOUNT BE SET UP (ALREADY ACCOMPLISHED)**
- 5. "AS-BUILTS" ARE TO BE PROVIDED TO THE CITY BEFORE ANY FINAL PAYMENT FROM THE DURABILITY RETAINER**
- 6. THE LOTS TO THE WEST OF THE JOHN PETERSON SUBDIVISION BE ALLOWED TO CONNECT TO THE 6" WATER MAIN SERVING THIS SUBDIVISION, INSTALLED BY MR. PETERSON**
- 7. ONE WATER AND SEWER LATERAL SHALL BE CAPPED OFF AT THE MAIN**

**VOTE: YES (4)**

**NO (0)**

**ABSENT (1) TODD JACKSON**

UTAH COUNTY  
SHERIFF'S DEPT  
CONTRACT

The proposed contract from the Utah County Sheriff's Dept.:

The contract needs to go to the City Attorney for review. The contract proposes automatic renewal after the second year, but at a different rate.

1<sup>st</sup> Year - \$26,000

2<sup>nd</sup> Year - \$28,000

3<sup>rd</sup> Year & 4<sup>th</sup> Year, are open-ended at this point.

No action at this time.

**MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY GARY PRESTWICH TO APPROVE THE UTAH COUNTY SHERIFF'S CONTRACT FOR POLICE PROTECTION, AS PRESENTED; PENDING REVIEW AND APPROVAL BY THE CITY ATTORNEY**

**VOTE: YES (4)**

**NO (0)**

**ABSENT (1) TODD JACKSON**

SURFACE  
REPAIR/CITY  
PARKING AREA

No action until more bids are presented for the work.

2002/2003 FISCAL  
YEAR BUDGET  
& CAPITAL  
IMPROVEMENT  
PLAN

Discussion of the Capital Improvement Plan (Ernestine Folks):

The only change since the Tentative Budget was adopted was made to the Dept. funding the Loan payback for the City's backhoe. Capital Projects Funds cannot make loan payments. The payments will be covered by the General Fund and transfers from Water and Sewer Funds will go to the General Fund rather than to the Capital Projects Fund.

There are still substantial blanks in the 5-Year projections. It was interesting that RB&G Engineering bases much of their planning on the 5-Year Capital Improvement Plan. It is important to use this Plan. After the Audit, there will be an Amendment to the Budget; this would be a good time to update the Capital Improvement Plan, as well.

City Council Salary:

It is proposed to approve the Council salary for 2002/2003 at:

Mayor – From \$150/month to \$500/month

City Council – From \$100/month to \$300/month

Fire Dept.:

Fire Chief – From \$100/month to \$200/month

Asst. Chief – From \$75/month to \$150/month

EMT Supervisor – From \$75/month to \$150/month

All of the Councilmembers present were in agreement (Lee Freeman will support \$300, but he recommends \$250/month).

**MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY LEE FREEMAN TO ADOPT THE 2002/2003 FISCAL YEAR BUDGET WITH THE CHANGE OF TRANSFERRING \$48,428 TO THE CAPITAL PROJECTS FUND/LOAFER CANYON ROAD, TO INCLUDE THE PROPOSED CITY COUNCIL SALARIES AND THE CAPITAL IMPROVEMENT PLAN**

**VOTE: YES (4)**

**NO (0)**

**ABSENT (1) TODD JACKSON**

SET PUBLIC  
HEARING/  
ACCESSORY  
BUILDINGS

**MOTION WAS MADE BY LEE FREEMAN AND SECONDED BY RUSSELL SLY TO SET A PUBLIC HEARING ON AN ORDINANCE AMENDING THE ELK RIDGE CITY CODE PROVIDING FOR REQUIREMENTS REGARDING ACCESSORY BUILDINGS, FOR JULY 9, 2002, AT 6:00 PM**

**VOTE: YES (4)**

**NO (0)**

**ABSENT (1) TODD JACKSON**

Gary Prestwich: Expressed concern about one part of the proposed ordinance:

Height of Building: 20' from the median point of the finished grade. He feels that the term "finished grade" gives the excuse to make the finished grade at whatever height a person may want the building to be. Recommends that the Planning Commission study this ordinance again to see if there is some other way to express this.

Russell Sly: Has a problem with "Conditional Uses" being approved by the Planning Commission. He questions whether there should also be the approval of the Council when there is going to be an accessory building on a lot when there is no home. Shouldn't the Planning Commission recommend and the Council approve?

Councilmember Prestwich agreed.

Lee Freeman: Feels that the Planning Commission should have the authority to approve conditional uses and should be trusted to handle the situations.

Councilmember Nielsen agreed that the Planning Commission has qualified people, that they should be given the authority to handle it.

Gary Prestwich: The normal procedure is for the Council to approve with the Planning Commission recommending.

Mayor Fritz: If the Planning Commission disapproves, the individual can still appeal to the Council. The apprehension is that something could be passed that the Council does not agree with.

Lee Freeman: Feels the Planning Commission is responsible and capable and does not see a problem.

Sean Nielsen: Is fine either way; but, feels the Planning Commission is qualified to make the decision.

Lee Freeman: Summarized the issues to be taken back to the Planning Commission:  
1. The height of a building: how is it measured? The concern is measuring it from the "median point of finished grade". Currently, the Code requires measuring from the highest point of finished grade.

(Councilmember Prestwich added that the wording could be "original" or "natural grade")  
There could be a dip in the natural grade.

**The instructions would be to see if the Planning Commission could come up with a better way to express the intent.**

## EXPENDITURES

General:

### 1. City Vehicles:

In registering the City Vehicles, it is necessary to purchase new tires for the 1997 Pickup and for one of the snowplows. The estimated cost: Pickup - \$500 & the snowplow - \$1,200.

**MOTION WAS MADE BY SEAN NIELSEN AND SECONDED BY GARY PRESWICH TO APPROVE THE PURCHASE OF TIRES FOR TWO OF THE CITY VEHICLES: SNOWPLOW - \$1,200 & THE PICKUP - \$500**

**VOTE: YES (4)**

**NO (0)**

**ABSENT (1) TODD JACKSON**

### 2. Alex Fisher/Driveway Work:

There remains \$2,720.38 to be paid on a bill from Alex Fisher for payment on the work he did on driveway tie-ins. Mr. Fisher has not gotten back to the Mayor to justify the billing. No action will be taken at this time.

### 3. Ratify Polled Vote/Purchase of Internet Version of the Administration Policy:

The Company that customized the Administrative Policy came to the City to load the electronic version onto the computer. It was created in Folio. When questioning Scott Baird (Strategic Human Resources) about how easily we could copy the document onto a disc, he informed us that though we could manipulate the document in-house, folio does not lend itself well to copying. Due to the difficulty in working with Folio, they are not switching to either a Word Version or an Internet Version. In order to get the updates and support and to be able to effectively transfer that information to Sterling Codifiers for updates in the overall City Code, it became apparent that the City would have to switch to one of these options, as well.

The Mayor and the City Recorder met with Mr. Baird and his Associate and were given the pros and cons of all options. It was felt that the Internet version would be more accessible to be able to get it to Sterling Codifiers on a regular basis, so they can then manipulate it into the City Code.

The cost was \$595. The Mayor authorized a check to be made out to Strategic Human Resources. Annual maintenance + support will be \$495/year.

Mayor Fritz polled the Council and gained the authorization to accomplish this.

**MOTION WAS MADE BY LEE FREEMAN AND SECONDED BY SEAN NIELSEN TO RATIFY THE POLL TO PURCHASE AN INTERNET VERSION OF THE ADMINISTRATIVE POLICY FOR THE CITY OF ELK RIDGE, IN THE AMOUNT OF \$595.00.**

**VOTE: YES (4)**

**NO (0)**

**ABSENT (1) TODD JACKSON**

5. E-Z Crete Concrete (Park Project):

This is an invoice for materials used for the Park Project (retaining walls and steps to the tennis court).

**MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY RUSSELL SLY TO APPROVE THE PAYMENT OF \$315.00 TO E-Z CRETE FOR MATERIALS USED ON THE PLAYGROUND PROJECT**

**VOTE: YES (4) NO (0) ABSENT (1) TODD JACKSON**

1. Nickerson Company Billing:

The existing Well #5 had to be rebuilt with a smaller pump in order to assist in sustaining the City until the new well is drilled and on line.

Videos were made of the well, if the City does not have copies of this video, they should be obtained.

**MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY SEAN NIELSEN TO APPROVE PAYMENT OF THE BILL FROM NICKERSON COMPANY IN THE AMOUNT OF \$18,088.22, PENDING RECEIPT OF THE TWO VIDEOS THEY HAVE INCLUDED IN THE BILLING**

**VOTE: YES (4) NO (0) ABSENT (1) TODD JACKSON**

MINUTES

1. City Council Minutes of 5-14-02:


**MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY LEE FREEMAN TO APPROVE THE CITY COUNCIL MINUTES OF 5-14-02**

**VOTE: YES (4) NO (0) ABSENT (1) TODD JACKSON**

AJOURNMENT

**MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY RUSSELL SLY TO ADJOURN THE MEETING**

**VOTE: YES (4) NO (0) ABSENT (1) TODD JACKSON**

  
\_\_\_\_\_  
City Recorder

## **NOTICE & AGENDA**

Notice is hereby given that the City Council of Elk Ridge will hold a regular **City Council Meeting on Tuesday, June 25, 2002, at 7:00 PM, Preceded by a Council Work Session at 6:30 PM**...items to be discussed between Public Hearings; These meetings will be preceded by **Two Public Hearings** for the purpose of hearing public comment about the following: **The First Public Hearing, at 6:00 PM**, is on the Adoption of the Certified Tax Rate for the 2002 Tax Year and to Amend the Adopted Budget for the 2002/2003 Fiscal Year, including the Capital Improvement Plan; **The Second Public Hearing, to be held at 6:10 PM**, is on the Final Amendment to the 2001/2002 Fiscal Year Budget, Including the Capital Improvement Plan. The meetings will be held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

**6:00 PM      1. PUBLIC HEARING/CERTIFIED TAX RATE FOR 2002 TAX YEAR & TO AMEND THE 2002/2003 FISCAL YEAR BUDGET**

Public Hearing to Adopt the Certified Tax Rate for the 2002 Tax Year & to Amend the Adopted 2002/2003 Fiscal Year Budget, including the Capital Improvement Plan, for the Operation of the City of Elk Ridge

**6:10 PM      2. PUBLIC HEARING/FINAL AMENDMENT TO THE 2001/2002 FISCAL YEAR BUDGET**

Public Hearing to Adopt the Final Amended Budget for the 2001/2002 Fiscal Year Budget, including the Capital Improvement Plan, for the Operation of the City of Elk Ridge

**6:30 PM      CITY COUNCIL WORK SESSION**

3. Disposal of Obsolete Office Equipment – Mayor Fritz
4. Jim Clark – Land Use Clarification/Pigeons – Mayor Fritz
5. Strawberry Electric Contract – Mayor Fritz
6. Sewer Fee & Storm Drainage Fee – Mayor Fritz
7. Grandview North Subdivision – Lynn Thompson
8. Award of Drilling Contract/New Well - Mayor
9. Nuisance Ordinance Review
10. 4<sup>th</sup> of July Celebration Update – Todd Jackson


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

Invocation and Pledge of Allegiance  
Approval/Agenda Time Frame

- 7:05 11. Disposal of Obsolete Office Equipment
  - 7:10 12. Jim Clark – Land Use Clarification/Pigeons – Mayor Fritz
  - 7:15 13. Strawberry Electric Contract – Mayor Fritz
  - 7:20 14. Sewer Fee & Storm Drainage Fee – Mayor Fritz
  - 7:25 15. Greenview Estates/Durability Retainer Release
  - 7:30 16. Award of Drilling Contract/New Well - Mayor
  - 7:40 17. Resolutions/Adoption:
    - A. Certified Tax Rate for 2002 Tax Year & Amendment to 2002/2003 Budget & Capital Improvement Plan
    - B. Final Amended Budget for 2001/2002 Fiscal Year, Including Capital Improvement Plan
  - 7:50 18. Ordinance/Compensation of Elected & Statutory Officers & Employees of Elk Ridge City
  - 7:55 19. Set Public Hearings:
    - A. Ordinance/Amending Development Code regarding corrections of Provisions in Section 10-3-1.1, dealing with Conditional & Prohibited Uses
    - B. Ordinance/Amending the Development Code regarding Requirements that must be satisfied before the Issuance of a Permit Regarding Culinary Water Mains
  - 8:00 20. Expenditures:
    - General
    - A. Approval of Repair in Sewer Line – Russell Sly
    - B. Payment of Alex Fisher Invoice/Driveway Tie-ins – Ratify Polled Vote
  - 8:05 21. Approval of Minutes of Previous Meetings
- Adjournment

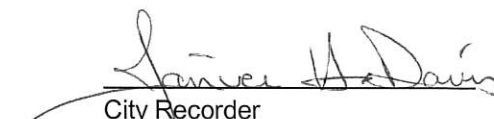
\*Handicap Access, Upon Request. (48 Hours Notice)

The times that appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting. Dated this 20<sup>th</sup> day of June, 2002.

  
City Recorder

CERTIFICATION

I, the undersigned, duly appointed and acting City Recorder for the municipality of Elk Ridge, do hereby certify 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 June 20, 2002.

  
City Recorder

**ELK RIDGE  
CITY COUNCIL MEETING  
June 25, 2002**

**TIME & PLACE  
OF MEETING**

The regular Meeting of the Elk Ridge City Council was held on **Tuesday, June 25, 2002, at 7:00 PM;** it was preceded by **two Public Hearings** for the purpose of receiving public comment on the following: **The first Public Hearing, at 6:00 PM,** was on the Adoption of the Certified Tax Rate for the 2002 Tax Year and to Amend the Adopted Budget for the 2002/2003 Fiscal Year, including the Capital Improvement Plan. **The second Public Hearing, held at 6:10 PM,** was concerning the Final Amendment to the 2001/2002 Fiscal Year Budget, Including the Capital Improvement Plan. The meetings were held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah.

Notice of time, place and Amended Agenda of these meetings was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body by mailing a copy to each on June 20, 2002.

**6:00 PM**

**PUBLIC HEARING/CERTIFIED TAX RATE FOR 2002 TAX YEAR & TO AMEND THE 2002/2003 FISCAL YEAR BUDGET**

**ROLL CALL**

*Mayor* Vernon L. Fritz; *City Council:* Russell Sly, Gary Prestwich, Lee Freeman, Todd Jackson, Sean Nielsen; *Sheriff:* Sgt. Darren Gilbert; *Daily Herald:* Caleb Warnock; *Public:* Lynn Thomson, Cindi Ellis; *City Recorder:* Janice H. Davis

At 6:00 PM, Mayor Fritz opened the Public Hearing on Adopting the Certified Tax Rate for the 2002 Tax Year & to Amend the Adopted 2002/2003 Fiscal Year Budget, including the Capital Improvement Plan.

The suggested Certified Tax Rate was faxed to the City two days after the Council adopted the Budget for 2002/2003. The amount of Revenue generated by the Tax Rate will decrease from the budgeted amount. This requires an amendment to the adopted Budget. The Tax Rate = .002190, which will generate \$124,797.00 in Property Tax. This is less than the budgeted amount of \$135,000.00.

There is a change in the Council salaries...the newly approved salaries were not included in the original budget. This figure changes from \$15,600 to \$24,000 for the year.

Change: General Fund ("Highway & Public Improvement") transferred \$10,000 to Capital Projects Fund/Loafer Canyon Road for repair of the road.

There were no comments by the public or from the Council.

At 6:15 PM, Mayor Fritz closed the Public Hearing on Adopting the Certified Tax Rate and Amending the 2002/2003 Fiscal Year Budget, including the Capital Improvement Plan.

**6:10 PM**

**PUBLIC HEARING/FINAL AMENDMENT TO THE 2001-2002 FISCAL YEAR BUDGET & CAPITAL IMPROVEMENT PLAN**

**ROLL CALL**

*Mayor* Vernon L. Fritz; *City Council:* Russell Sly, Gary Prestwich, Lee Freeman, Todd Jackson, Sean Nielsen; *Sheriff:* Sgt. Darren Gilbert; *Daily Herald:* Caleb Warnock; *Public:* Lynn Thomson, Cindi Ellis; *City Recorder:* Janice H. Davis

At 6:15 PM, Mayor Fritz opened the Public Hearing to Adopt the Final Amended Budget for the 2001/2002 Fiscal Year, including the Capital Improvement Plan.

The Final Budget for the current fiscal year is generally to cover the year-to-date expenditures and to make sure that there is enough money to close out the year's spending.

This Final Budget is not turned into the State Auditor's Office. The Annual Audit is the Final Financial Report for the Fiscal Year and that is submitted to the State, as well as the Original Budget for the year.

Revenue:

The final quarter's payment does not usually come in until July or August. The budgeted amount may not be met.

On Page 2 (10-36-300) "Sundry Revenue"...there is a \$3,442 figure that represents past years' voided checks. As per Curtis Roberts and Caselle, the total amount for these checks should be written-off, counted as "Misc. Revenue" and placed into this account.

Page 2: Records the sale of the Fire Engine for \$3,000.

Page 3..."Salaries & Wages" - The increase is due to 2 issues:

- Previous employee has made two unemployment claims against the City.
- The Staff Christmas Bonuses were not counted into the budgeted amount.

Page 3...About \$118,000 of the \$200,000 available Fund Balance is budgeted to balance the Expenditures in the General Fund with the Revenue. This represents a "short-fall" of approximately \$118,000.

Page 17: If the Storm Drainage Fee is not initiated, what will pay for the projected projects in that Fund?

Water Fund:

- The Loan Money from the State has come out of the current fiscal year and placed in next year's budget and the corresponding New Well Construction.
- Capital Outlay: Previous amount - \$15,000 has increased to \$33,000 (Two pumps have been replaced in two of the wells).

Sewer Fund:

- The City was charged with an "interest only" payment for the bond on the Sewer Plant. This has been charged in the past, since it has been included into the "true-up" at the end of the year.
- Russell Sly: The City owns 18% of the plant and shares in the expenses incurred in operating the plant. Salem has been notified of violations of "discharge water" which need to be corrected. There will be expense associated with the corrections, which Elk Ridge will have to share in.
- There may also be an additional expense in straightening out the lower portion of the main trunk line leading to the plant (in the next 2 or 3 years).
- Payson is planning on bringing their sewer line closer to Elk Ridge; the exact location is not known at this time. Councilmember Sly feels Elk Ridge should attempt to negotiate with Payson to install a line large enough to meet the future needs of Elk Ridge. Our capacity with Salem has been reached and there is no more capacity. Salem is opposed to Elk Ridge purchasing any more capacity at the plant. It is natural to look to Payson for future sewerage. Payson may require a sort-of commitment from Elk Ridge, in order for them to agree to increase the size of their sewer line.

Street Repairs (specifically, Fremont/Oak Ridge/Loafer Canyon Rd. tie-ins): have been costly. The majority of the "over-run" in the Capital Projects Fund/Loafer Canyon Rd. was due to problems incurred while installing the sewer main and laterals. The Sewer Fund is transferring \$23,600 into the Capital Projects Fund to assist in covering the increased costs.

There were no comments by the public.

At 6:45 PM, Mayor Fritz closed the Public Hearing on the Final Amended Budget for 2001/2002.

### **CITY COUNCIL WORK SESSION ITEMS**

#### **ROLL CALL**

*Mayor Vernon L. Fritz; City Council: Russell Sly, Gary Prestwich, Lee Freeman, Todd Jackson, Sean Nielsen; Sheriff: Sgt. Darren Gilbert; Daily Herald: Caleb Warnock; Public: Lynn Thomson, Cindi Ellis; City Recorder: Janice H. Davis*

#### **DISPOSAL OF OBSOLETE OFFICE EQUIPMENT**

Mayor Fritz: There is some equipment no longer in use that the Mayor would like to dispose of and get it out of the storage area.

Items: copier, printer (out-of-date, no one wants it), and an old fax machine

The Mayor would like to either sell them or dispose of them.

The Mayor will advertise for them and if no one answers the ad, he will dispose of them.

#### **LAND USE CLARIFICATION**

Jim Clark:

Jim Clark is a resident on Astor Ln. He has built an "accessory building" on the property owned by Sam Coates (west of Mr. Coates' property), with permission from Mr. Coates.

Mr. Clark received a "Stop Work Order" from the Building Inspector for 2 reasons:

- Initially, Mr. Clark needed to obtain a building permit (he has complied with this).
- As the Zoning Administrator, Corbett Stevens also issued the "Stop Work Order" based on a violation of the portion of the Zoning Ordinance, which deals with "household pets". The Inspector's note indicated that having numerous pigeons (40 to 50) is against the Zoning Ordinance and the definition of "household pets".

Mr. Clark was given a packet of information also referencing several parts of the Nuisance Ordinances. There have been complaints about the pigeons from three other residents; however, none of these complaints were in writing. He has since had a document signed by nearly all of his neighbors that says they are not opposed to his pigeons, as long as they are cared for properly. One neighbor would not sign the document for unstated reasons, but may in the future.

The question remains about the interpretation of "household pets".

\*(Question: Does the Council have the authority to "interpret" the Zoning Ordinance, or is that a duty of the Board of Adjustments.

Mr. Clark submitted a memo to the Councilmembers present stating his issues.

His points to consider:

- The nature of Racing Homing Pigeons  
His bird would be kept for competitive racing, along with thousands of other birds in Utah.
  1. They are trained to come home into the loft after exercise, training or racing.
  2. They are not allowed to roost or loaf on other buildings, only in their loft.
  3. By design, the birds cause no neighborhood problem to anyone.
- Homing Pigeon lofts exist in cities & small towns all over Utah, the USA and the world.
- Neighbors are not adversely affected.

After listening to Mr. Clark's appeal, the Council determined that they are not the proper body to issue a "clarification" or an interpretation of the Zoning Ordinance. They felt the Board of Adjustments would be the appropriate body to hear his appeal.

Mayor Fritz feels the \$150 fee to apply to appear before the Board of Adjustments is too high and should be changed.

STRAWBERRY  
ELECTRIC  
CONTRACT

Mayor Fritz: The Public Works Forman was to go back to Strawberry Electric to see if the contract could be changed from a 50-year contract to a 30-year contract. He has been in Lake Powell and the information is not available at this time.

SEWER FEE &  
STORM  
DRAINAGE FEE

Mayor Fritz: Fees have been discussed. Water rates have been increased; but, the Sewer Fee charged to residents has not changed and the Storm Drainage Fee has not been implemented. Does the Council want to proceed with these Fees?

Russell Sly: Feels that the City needs to generate revenue in these areas and "at least this much" should be done.

Sean Nielsen: Concerned that the water rate increase, he feels the timing is not good to approve more increases.

Lee Freeman: Agrees with Councilmember Nielsen; however, he is also concerned that money will need to be available to meet the needs of the City in these areas. The reaction of the residents could be very negative at this point.

Todd Jackson: Feels it is important to build a "reserve" in all of the Enterprise Funds for the upgrades that are needed in the corresponding systems.

Sean Nielsen: Advised that the Council charge fees high enough to realistically cover expected and non-expected replacements and needs, so that the City will not have to raise the rates again for quite a while.

GRANDVIEW  
NORTH  
SUBDIVISION

Lynn Thomson: Mr. Thomson, developer of Grandview North Subdivision, came before the City Council for approval of the concept of developing three lots on the south side of Gladstan Dr., accomplished with the transfer of development rights from three lots in the approved Subdivision, Greenview Estates (Mr. Thomson and Mr. Ririe were the developers of this Subdivision, as well). At the time, the Council had no problem with this concept. Since that time, one of the lots in the Greenview Estates Subdivision has sold and those development rights are no longer available.

Mr. Thomson would like to have the Council's approval to proceed with the transfer of two of the development rights from Greenview Estates. The third lot would be recorded with a "lien" or a waiver of entitlement to build attached to it.

Jim Bolser (City Planner) has no objection to the concept.

The general consensus of the Council is that he can proceed with the Planning Commission

Mr. Thomson offered Lot #4, Greenview Estates, to the City, as access to the open space in the Subdivision. The Council will consider the offer at a future date.

WELL DRILLING  
CONTRACT

Mayor: Mr. Beemer turned in a bid for the drilling the New Well. His bid is good for 45 days. The 45 days will expire on Friday of the 28<sup>th</sup> of June, 2002. His bid was the lowest one, at \$274,300. The well was to be a 22" well; but the Council is considering installing a smaller well, about 18" width, due to the smaller water lines servicing the well and in an attempt to reduce the cost. The Mayor is still of the opinion that the larger well is still the better choice. Even though the lines will restrict the amount of water going into the system; eventually, the lines can be replaced.

The Mayor has contacted Mr. Beemer to determine the latest date for drilling the new well. His response was about October 1, 2002, though he would prefer Sept. 15<sup>th</sup>.

Mayor Fritz advises the use of the City Engineer on this project.

Gary Prestwich: What are the consequences if the Council decides not to award the bid at this point? (The bid would have to be opened again and there would be costs associated with this. What those costs would be is unknown.)

Mayor Fritz: Development will likely occur north of the City. There needs to be water to supply this area; but the installation of a new well in the vicinity of Well #5 is to serve the current Community. When new development happens, the developers will be given assessments to pay for the future well to be located around the Elk Meadows area.

Russell Sly: Feels the size of the well should be downsized to a more affordable size well and to fit the capacity of the existing lines. It may be a long time before those lines could be upgraded to fit a large well.

Sean Nielsen: Agrees that it should be determined if the extra cost for a larger well (interest, up-front money) could be deferred and partially “absorbed” by the cost of an additional well in the Elk Meadow area. The City would not be getting the capacity of a larger well.

Gary Prestwich: Asked the Council to consider I size in between the 22” well and the smaller (16”) well.

Todd Jackson: The aquifer is known at the lower site. Nothing is known about the Elk Meadow site. He would not like to look back and wish a larger well had been installed to take advantage of the aquifer.

Sean Nielsen: Brought up the point that Mr. Beemer commented that the aquifer produces very well at 600 gpm. If the City goes to a 22” well, there is no guarantee that the aquifer will support the additional demand.

Mayor Fritz: If the main Loafer Well went down, the community must be supplied with water! There must be the capacity in the new well to do this.

Lee Freeman: Thinks more information is needed to make the decision about awarding the bid to Mr. Beemer.

- Should the Council consider an alternated size of well? The costs associated with these various sizes should be available.

Long-term results should be examined, as opposed to short-term. The increased capacity of a larger well may not be accessible right away; but, it would be good to have at a later date.

Mayor Fritz: The Mayor will poll the Council prior to Friday. He will try to obtain the information requested by the Council. The Mayor will poll the Council on Wednesday. He will try to obtain the information requested by the Council.

#### NUISANCE ORDINANCE REVIEW

The proposed Ordinance has been reviewed by David Church. The Mayor has gone over the Attorney's changes and has no problem. The changes were discussed with the Council and approved. The corrections should be made and presented to the Council at the next Council Meeting.

#### 4<sup>th</sup> OF JULY CELEBRATION

Todd Jackson: The Golf Tournament was changed to 7-3-02.  
Will the Council please be available for the Parade and Council dinner after the Parade?  
Bar-B-Ques are needed + utensils (Mayor's and Russell Sly's).  
Councilmember Jackson – tables & chairs  
Councilmember Prestwich – Set up sound system  
Councilmember Sly – Assist in lining up Parade  
Payson Market will donate the hot dogs...free to the City.

**ELK RIDGE  
CITY COUNCIL MEETING  
June 25, 2002**

**TIME & PLACE  
OF MEETING**

The regular Meeting of the Elk Ridge City Council was held on **Tuesday, June 25, 2002, at 7:00 PM;** it was preceded by **two Public Hearings** for the purpose of receiving public comment on the following: **The first Public Hearing, at 6:00 PM,** was on the Adoption of the Certified Tax Rate for the 2002 Tax Year and to Amend the Adopted Budget for the 2002/2003 Fiscal Year, including the Capital Improvement Plan. **The second Public Hearing, held at 6:10 PM,** was concerning the Final Amendment to the 2001/2002 Fiscal Year Budget, Including the Capital Improvement Plan. The meetings were held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah.

Notice of time, place and Amended Agenda of these meetings was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body by mailing a copy to each on June 20, 2002.

**ROLL CALL**

*Mayor* Vernon L. Fritz; *City Council:* Russell Sly, Gary Prestwich, Lee Freeman, Todd Jackson, Sean Nielsen; *Sheriff:* Sgt. Darren Gilbert; *Daily Herald:* Caleb Warnock; *Public:* Lynn Thomson, Cindi Ellis; *City Recorder:* Janice H. Davis

**INVOCATION  
& PLEDGE OF  
ALLEGIANCE**

Invocation was offered by Lee Freeman, followed by the Pledge of Allegiance led by Todd Jackson.

**AGENDA TIME  
FRAME**

**MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY GARY PRESTWICH TO APPROVE THE AMENDED AGENDA TIME FRAME, ADJUSTING THE TIME BY 1 HOUR & 16 MINUTES**

**VOTE: YES (5)**

**NO (0)**

**DISPOSAL OF  
OBSOLETE  
OFFICE  
EQUIPMENT**

**MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY SEAN NIELSEN TO AUTHORIZE MAYOR FRITZ TO DISPOSE OF THE OBSOLETE CITY OFFICE EQUIPMENT**

**VOTE: YES (5)**

**NO (0)**

**JIM CLARK/  
LAND USE**

This issue was settled in the Work Session. Mr. Clark should appeal to the Board of Adjustments.

**STRAWBERRY  
ELECTRIC  
CONTRACT**

Kent Haskell was out of town and unavailable to present the matter to the Council.

**SEWER FEE/  
STORM  
DRAINAGE  
FEE**

**MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY GARY PRESTWICH TO SET A PUBLIC HEARING TO CONSIDER SEWER FEES AND STORM DRAINAGE FEES FOR JULY 23, 2002, AT 6:00 PM**

**VOTE: YES (5)**

**NO (0)**

**GREENVIEW  
ESTATES  
SUBDIVISION,  
PLAT A/  
DURABILITY  
RETAINER  
RELEASE**

**MOTION WAS MADE BY LEE FREEMAN AND SECONDED BY GARY PRESTWICH TO ACCEPT THE IMPROVEMENTS AS COMPLETE FOR THE GREENVIEW ESTATES SUBDIVISION, PLAT A, AND TO AUTHORIZER RELEASE OF THE REMAINDER OF THE DURABILITY RETAINER, AS PER ENGINEERING RECOMMENDATION IN A LETTER DATED JUNE 25, 2002**

**VOTE: YES (5)**

**NO (0)**

AWARD OF  
DRILLING  
CONTRACT

It was decided in the Work Session that more information is needed to make a good decision. The Councilmembers will be polled by the Mayor for their decision.

Issues:

- Size of the well with the differences in cost?
- What expenses would be incurred if the bid were let again & cancel current bid?
- Can the size of the bid be altered after the bids have already been let?

The Mayor will gather the information for the Council.

RESOLUTIONS/  
ADOPTION

1. Certified Tax Rate for 2002 Tax Year & Amendment to 2002/2003 Budget & Capital Improvement Plan:

**MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY SEAN NIELSEN TO ADOPT THE CERTIFIED TAX RATE IN THE AMOUNT OF .002190, FOR THE 2002 TAX YEAR; AND THE AMENDED BUDGET FOR THE 2002/2003 FISCAL YEAR, INCLUDING THE CAPITAL IMPROVEMENT PLAN**

**VOTE: YES (5)**

**NO (0)**

2. Final Amended Budget for 2002/2002 Fiscal Year, Including the Capital Improvement Plan:

**MOTION WAS MADE BY SEAN NIELSEN AND SECONDED BY RUSSELL SLY TO ADOPT THE FINAL AMENDED BUDGET FOR THE 2001/2002 FISCAL YEAR, INCLUDING THE CAPITAL IMPROVEMENT PLAN**

**VOTE: YES (5)**

**NO (0)**

ORDINANCE/  
COMPENSATION  
OF ELECTED &  
STATUTORY  
OFFICERS &

The Mayor suggested adding a clause of accountability for the Councilmembers.

They must attend at least 75% of their assigned meetings to collect full pay, as measured over a 6-month period of time. The Council was in agreement. The point was made that Councilmember Freeman has 2 additional meetings per month (Planning Commission). What would the consequence be if 75% attendance were not met?

EMPLOYEES

Suggestion: loss of 1-month's pay.

Gary Prestwich: The pay should match the percentage. If there is 50% attendance, then the pay should be 50%, etc. The full 100% pay would continue as long as attendance remains over 75%, or absences are excused.

**MOTION WAS MADE BY LEE FREEMAN AND SECONDED BY GARY PRESTWICH TO APPROVE AN ORDINANCE REGARDING THE COMPENSATION OF ELECTED & STATUTORY OFFICERS & EMPLOYEES OF ELK RIDGE CITY, TO INCLUDE THE FOLLOWING CONDITIONS OF PAYMENT FOR THE ELECTED OFFICIALS:**

- 75% ATTENDANCE AT REQUIRED MEETINGS/MEASURED OVER A 6-MONTH PERIOD (JANUARY – JUNE, JULY – DECEMBER OF EACH YEAR)
- COUNCIL MEMBERS WILL BE PAID ON A PRORATA BASIS FOR MEETINGS ATTENDED (EXAMPLE: 50% ATTENDANCE = 50% PAY)
- THIS WILL BE AT THE DISCRETION OF THE MAYOR, WITH CITY COUNCIL CONCURRENCE

**VOTE (POLL): SEAN NIELSEN-AYE, RUSSELL SLY-AYE, LEE FREEMAN-AYE, GARY PRESTWICH-AYE, TODD JACKSON-AYE  
PASSES 5-0**

SET PUBLIC  
HEARINGS/  
ORDINANCES

1. Ordinance/Conditional & Prohibited Uses:

**MOTION WAS MADE TO SET A PUBLIC HEARING ON A PROPOSED ORDINANCE AMENDING THE DEVELOPMENT CODE REGARDING CORRECTIONS OF PROVISIONS IN SECTION 10-3-1.1, DEALING WITH CONDITIONAL & PROHIBITED USES, FOR 7-23-02, AT 6:30 PM**

**VOTE: YES (5)**

**NO (0)**

2. Ordinance/Issuance of Building Permits Regarding Culinary Water Mains:  
**MOTION WAS MADE BY LEE FREEMAN AND SECONDED BY TODD JACKSON TO SET A PUBLIC HEARING ON A PROPOSED ORDINANCE AMENDING THE DEVELOPMENT CODE REGARDING REQUIREMENTS THAT MUST BE SATISFIED BEFORE THE ISSUANCE OF A PERMIT REGARDING CULINARY WATER MAINS, FOR 7-23-02 AT 6:40 PM**

**VOTE: YES (5)**

**NO (0)**

EXPENDITURES

General:

1. Repair in Sewer Line:

The sewer line in Powell Circle has a slow leak in it. The excavation will include having to avoid many utility lines. The water line should also be replaced at the same time. The cost should be about \$2,500 - \$4,000 for the repairs. Mr. Haskell will not be doing the work, as the project will require a track-hoe.

Mayor Fritz suggested a meeting between himself, Russell Sly & Gary Prestwich in the Next couple of weeks.

NON-AGENDA  
ITEM

2. Eagle Scout Project Report:

Christopher Haskell was present to report on the Eagle Scout Project.

Project: Build two block retaining walls in the playground area and install cement steps to the tennis court. He and the other Scouts were under the supervision of the Public Works Forman. The project has been completed.

The Council complimented Christopher on a job well done! A plaque with his name will be presented to Christopher and placed in the playground area.

3. Payment of Alex Fisher Invoice/Driveway Tie-ins:

(This vote is to ratify a Council poll taken by the Mayor on payment of this invoice. They all agreed to pay it.)

**MOTION WAS MADE TO RATIFY THE COUNCIL POLL TAKEN IN FAVOR OF PAYING THE REMAINDER OF THE INVOICE TO ALEX FISHER FOR DRIVEWAY TIE-IN WORK**

**VOTE: YES (5)**

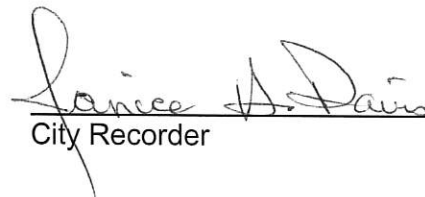
**NO (0)**

AJOURNMENT

**MOTION WAS MADE BY SEAN NIELSEN AND SECONDED BY RUSSELL SLY TO ADJOURN THE MEETING**

**VOTE: YES (5)**

**NO (0)**

  
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City Recorder