

NOTICE & AGENDA

Notice is hereby given that the City Council of Elk Ridge will hold a regular **City Council Meeting on Tuesday, January 13, 2004, at 7:00 PM, to be preceded by a Council Work Session at 6:00 PM. The Public Hearing scheduled for 6:00 pm is cancelled.**

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

6:00 PM **1. PUBLIC HEARING/STORM DRAINAGE UTILITY FUND & FEE**
Cancelled

2. OATHS OF OFFICE – NEW CITY COUNCIL MEMBERS

3. CITY COUNCIL CLOSED SESSION
Discussion of Personnel

CITY COUNCIL WORK SESSION

4. LEI Engineering – Mike Christianson
 A. Report/Sewering with Payson
 B. Water Rights

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

Invocation and Pledge of Allegiance
Approval/Agenda Time Frame

- 7:05 5. Approval of Dept. Appointments – Mayor Fritz
7:10 6. Approval of 2004 Meeting Schedules/City Council & Planning Commission
7:15 7. Re-Appointment of City Recorder & Treasurer – Mayor Fritz
7:20 8. Utah Atheists/Discussion – Mayor Fritz
7:30 9. Appointment/New Planning Commission Members
7:35 10. Re-Schedule Public Hearing on Storm Drainage Fund & Fee
7:40 11. Public Works Position/wages – Mayor Fritz
7:45 12. Expenditures:

 General:

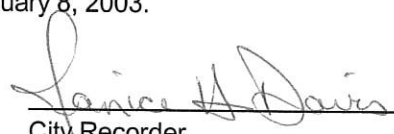
- A. Approval/LEI Work Release #20 (Hourly)/Water Rights – Mayor Fritz
 B. Approval of Minutes of Previous Meeting

(48 hours Notice)

The agenda may be accelerated if time permits. All interested persons are invited to attend on the 8th day of January, 2004.


City Recorder

Recorder for the municipality of Elk Ridge,
to the Payson Chronicle, 145 E Utah Ave, Payson,
January 8, 2003.


City Recorder

**ELK RIDGE
CITY COUNCIL MEETING
January 13, 2004**

**TIME & PLACE
OF MEETING**

The regular Meeting of the Elk Ridge City Council was held on Tuesday, January 13, 2004, at 7:00 PM; it was preceded by a 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 January 8, 2004.

6:00 PM

PUBLIC HEARING/STORM DRAINAGE UTILITY FUND & FEE
Cancelled (Postponed)

OATHS OF OFFICE – NEW CITY COUNCIL MEMBERS

The City Recorder administered the Oath of Office to the newly elected Council members (Mary Rugg & Mark Johnson).

ROLL CALL

Mayor: Vernon Fritz; *City Council:* Gary Prestwich, Russell Sly, Mary Rugg, Mark Johnson (Absent-1: Alvin Harward); *Administrative Asst.:* Ernestine Folks;
LEI Engineering: Mike Christianson; *Sheriff:* Deputy Camille Larsen;
Public: Caleb Warnock (Daily Herald), Joe Jamison, Kade Johnson, Jarom Johnson, Austin Johnson, Cindy Johnson, Jordan Johnson, Sharon Rugg; & *City Recorder:* Janice H. Davis

CITY COUNCIL CLOSED SESSION

ROLL CALL

Mayor: Vernon Fritz; *City Council:* Gary Prestwich, Russell Sly, Mary Rugg, Mark Johnson (Absent-1: Alvin Harward);

Discussion of Personnel

6:00 PM

CITY COUNCIL WORK SESSION

ROLL CALL

Mayor: Vernon Fritz; *City Council:* Gary Prestwich, Russell Sly, Mary Rugg, Mark Johnson (Absent-1: Alvin Harward); *Administrative Asst.:* Ernestine Folks;
LEI Engineering: Mike Christianson; *Sheriff:* Deputy Camille Larsen;
Public: Caleb Warnock (Daily Herald), Joe Jamison; and *City Recorder:* Janice H. Davis

**LEI
ENGINEERING**

Mike Christianson:

1. Report/Sewering with Payson:

Explanation of Work Release #2003-8:

Elk Ridge has nearly reached our capacity within the Salem Lagoon Plant.

The Council is considering either sewerage in part with Salem and part with Payson; or entirely with Payson. This study is under the assumption that Elk Ridge will enter into an agreement with Payson City to utilize its wastewater treatment facility. Necessary expenses for making the transition from delivering sewer flows from Salem sewage lagoons to Payson City's new wastewater treatment plant must be satisfied by fees to the existing citizens and to future citizens via impact fees. The Work Release would be for the purpose of preparing a study, which will recommend a fair impact fee for future connections and a user rate to charge existing citizens.

The breakdown of the phases of the services to be rendered is as follows:

Feasibility: (These things have been accomplished)

- Review and update previous study of the feasibility of delivering sewer flows to Payson City.

This included a study of the impact of Elk Ridge sewerage with Payson; including: inspections of sewer manholes, determining the number of houses in Payson, the size of pipes, how much flow will those pipes handle, how much flow from Payson goes into their own lines, etc.

The result: LEI came up with a proposed alignment of the future sewer line connecting Elk Ridge with Payson:

Proposed route: North on 1600 West to the area of the Highline Canal, then west along the south side of the canal, then north to Salem Canal Rd. and west to tie into the Payson System.

There will be 2 places to bore under: the Highline Canal & under I-15.

(There is a possibility of Woodland Hills joining in on the project to sewer with Payson.) Some of the feasibility work was done in conjunction with a previously proposed subdivision of Don Mecham's ("Whispering Oaks"). LEI has taken that information and built upon it.

Another portion of the report that has been done: Finalized growth projections and other future demands on the system for the next 20 years.

Cost Parameters: (Has not been done yet)

- Review and analyze existing bond and other liability commitments. There must be determinations as to the cost of the lines (pipe diameters), depth of lines, purchase of easements for the line, resolve the path of the line in relationship to existing homes...all of this will make up the total cost of the project. (The original cost projection was done a couple of years ago...that estimate was over 2 million dollars. What would the cost be now?)

Beneficial Use: (Has not been determined yet)

- What is the benefit to Payson and what is the benefit to Elk Ridge? This is when we get into negotiations with Payson.

Cost Assignments (Estimate the transition improvement costs):

- This will require negotiations...who is willing/able to pay what?

Finance (This will include Impact Fees and User Rates):

- Determine a fair impact fee assessment and an equitable user fee to balance existing and future Elk Ridge City liabilities.

Russell Sly: Payson could get a better interest rate on a bond, then Elk Ridge would pay Payson. The other option would be for Elk Ridge to bond separately.

Mike Christianson: The study would cover bonding options.

Payson called Mr. Christianson with the figure of \$20.60/connection = Base line figure (treatment costs) for Elk Ridge to sewer with them. Construction costs would be on top of this.

Russell Sly: Payson & Elk Ridge base their fees off of different criteria. It is Councilmember Sly's understanding that Payson is waiting for Elk Ridge to make a proposal, which they would then respond to. Prior to drafting a proposal, the figures from the Engineering study are necessary.

Gary Prestwich: Payson is supposed to have figures available by January 15, 2004.

The lump sum for Work Release #2003-8 = \$9,600.00

2. Water Rights Update:

Mr. Christianson submitted a list of the water rights within the City to the Council. They are categorized and the list indicates the status of the rights (approved, certified, etc.).

Explanation of "proving up" process for the water rights:

The State assigns the right to use certain water. They designate a period of time to "prove" beneficial use of that water. Periodically, the City receives notices reminding us of the need to either extend the time or to actually prove up on the rights.

Rather than continuing to extend the time on the individual rights, LEI is trying to prove up on the rights and get them certified...the City would then own the rights.

To prove up, a lot of field work is required to locate the old sources of pumping and make sure that those original locations have been abandoned...and certify that this is the case through photos and a great deal of paper work.

This all takes time. There are 30 years of water rights mess that needs to be cleaned up.

Work Release #20 was approved a couple of years ago on an "hourly" basis; so, the work is on going. The bill to date is over \$5,000 to LEI. Mr. Christianson estimated another \$5,000 to \$7,000 to finish the project.

Mayor Fritz: This has been on going since he was on the Council years ago as a Councilmember. He feels this is the closest we have come to knowing where we stand with the Water Rights in the City. He recommends continuing forward to “see it through”.

Mr. Christianson: Suggestion: In the future, when developers bring in water rights, have them go through the process of proving up on the rights they bring to the City; rather than the City going through the process for them.

Springville Irrigation Co.: The City owns 6 shares through Ron Ririe that we have not been able to transfer through the State. It is a “surface” (or “canal”) right and that is difficult to transfer to an underground water right for our wells. This irrigation water is also attached to Strawberry water, which means there would be a significant depletion.

Of the 24 acre-feet of water, only about ½ of that could come back to the City.

Options:

- Proceed with the attempt to transfer the water rights and hope that the Irrigation Company will cooperate (not likely).
- Possibility of trading with a developer in Springville...Springville City will take these water rights.

Russell Sly: Won't the City's membership in SUVMWA assist in this process? One of the services is to assist in trading water rights to the best benefit to the cities.

**ELK RIDGE
CITY COUNCIL MEETING
January 13, 2004**

**TIME & PLACE
OF MEETING**

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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 8, 2004.

CITY COUNCIL REGULAR SESSION AGENDA ITEMS

ROLL CALL

Mayor: Vernon Fritz; *City Council:* Gary Prestwich, Russell Sly, Mary Rugg, Mark Johnson (Absent-1: Alvin Harward); *Administrative Asst.:* Ernestine Folks;
LEI Engineering: Mike Christianson; *Sheriff:* Deputy Camille Larsen;
Public: Caleb Warnock (Daily Herald), Joe Jamison; and *City Recorder:* Janice H. Davis

**INVOCATION
PLEDGE OF
ALLEGIANCE**

Invocation was offered by Russell Sly; after which, Mary Rugg 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 10 MINUTES
VOTE: YES (4) NO (0) ABSENT (1) ALVIN HARWARD**

**CITY
COUNCIL
APPOINTMENTS**

Mayor Fritz: The following recommendations for appointments to the various Departments were made by Mayor Fritz:
Administration: Mayor Fritz
(Includes: General Administration, 3-Step Program, Disaster Planning, Ordinance Enforcement & South Utah County Mayor's Meeting.)
Roads & Mayor Pro-tempore: Gary Prestwich
(Includes attendance at MAG meetings, Substitutes for Mayor in his absence, Roads projects & needs.)
Sewer Dept. & City Newsletter: Russell Sly
(Includes: Salem/Elk Ridge Joint Sewer meetings(s), Sewer Dept. projects & needs.)

Fire Dept. & Sheriff Dept.: Mark Johnson

(Includes: Fire Hazards in open lands [lots] in the City, Fire & Sheriff Dept. needs – current & future.)

Parks/Recreation, Trails & Storm Drainage: Mary Rugg

(Includes: Trails Committee, Parks/Recreation, Trails, Storm Drain Program.)

Water Dept./Water Conservation: Alvin Harward

(Includes: Water Board Director, South Utah Valley Municipal Water Association, Water System – Current & future needs.)

All of the City Councilmembers have accepted their assignments and support the Mayor's recommendation.

2004 CITY
COUNCIL
MEETING
SCHEDULE

Mayor Fritz:

The City Council Meetings will be held on the 2nd & 4th Tuesdays of each month; and the Planning Commission Meetings will be on the 1st & 3rd Thursdays of each month...with the exception of January and the only Meeting will be held on January 22, 2004.

MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY MARK JOHNSON TO APPROVE THE 2004 MEETING SCHEDULE AS FOLLOWS:

CITY COUNCIL: 2ND & 4TH TUESDAYS

PLANNING COMMISSION: 1ST & 3RD THURSDAYS (EXCEPTION: JANUARY MEETING TO BE HELD ON 1-22-04

VOTE: YES (4) NO (0)

ABSENT (1) ALVIN HARWARD

RE-APPOINTMENT
CITY
RECORDER &
TREASURER

MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY RUSSELL SLY TO RE-APPOINT JANICE DAVIS AS THE CITY RECORDER AND LINDA COOPER AS THE CITY TREASURER, FOR ELK RIDGE CITY

VOTE: YES (4) NO (0)

ABSENT (1) ALVIN HARWARD

UTAH
ATHEISTS/
DISCUSSION

Mayor Fritz: A group called the Utah Atheists has written to the City Council concerned with the fact that prayers are offered at the beginning of public meetings.

They pointed out that the Utah Supreme Court found no violation if a religious organization indirectly receives benefit from public money and resources. The Court said for a benefit to be indirect, and therefore permissible, it must satisfy a two (2) pronged test: *"First, the public benefit, money or property must be provided on a non-discriminatory basis. Second, the public benefit, money or property must be equally accessible to all."* The Court found neutrality to be the key factor.

In essence, if one group offers a prayer, equal time should be allowed equal access.

Although the letter requested that the City provide their organization with certain information by January 20, 2004, they failed to include a return address.

The Mayor commented that he would be happy to provide the requested information, but is unable to do so with no address.

The City Attorney was consulted and he is preparing a response and a course of action for the City.

APPOINTMENT/
NEW PLANNING
COMMISSION
MEMBER

There is one position open on the Planning Commission due to the resignation of Sharon Dahlstrom. There was no name to approve as a replacement.

RE-SCHEDULE
PUBLIC HEARING/
STORM DRAIN
FUND & FEE

The Public Hearing on the Storm Drainage Fund/Fees was cancelled because one of the Councilmembers was not present. The Mayor prefers that all Councilmembers be present at the Public Hearing.

MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY GARY PRESTWICH TO RE-SCHEDULE THE PUBLIC HEARING ON AN ORDINANCE ESTABLISHING A STORM WATER UTILITY FOR STORM WATER SERVICES, FOR 1-27-2004, AT 6:00 PM

VOTE: YES (4) NO (0)

ABSENT (1) ALVIN HARWARD

PUBLIC WORKS
ASST./WAGES

Mayor Fritz: It is proposed to increase the wage of the Public Works Assistant, Wayne Frandson, to \$11.50/hour; retroactive to the beginning of the current pay period.

MOTION WAS MADE TO APPROVE AN INCREASE IN WAGES FOR THE PUBLIC WORKS ASSISTANT TO \$11.50/HOUR; RETROACTIVE TO THE BEGINNING OF THE CURRENT PAY PERIOD

VOTE: YES (4) NO (0)

ABSENT (1) ALVIN HARWARD

EXPENDITURES:

A. General:

1. LEI Work Release #20:

The City received a bill from LEI for work completed on water rights, as per Work Release #20, in an amount just over \$5,000. (The bill could not be located.)

MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY MARK JOHNSON TO APPROVE PAYMENT OF AN LEI INVOICE FOR WORK COMPLETED ON THE CITY'S WATER RIGHTS, NOT TO EXCEED \$6,000.00, AS PER WORK RELEASE #20

VOTE: YES (4) NO (0)

ABSENT (1) ALVIN HARWARD

MINUTES

12-23-03:

MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY RUSSELL SLY TO APPROVE THE CITY COUNCIL MINUTES OF 12-23-03

VOTE: YES (4) NO (0)

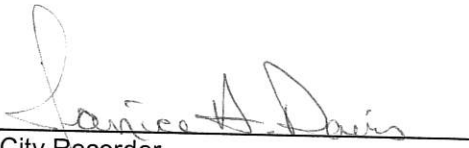
ABSENT (1) ALVIN HARWARD

ADJOURNMENT

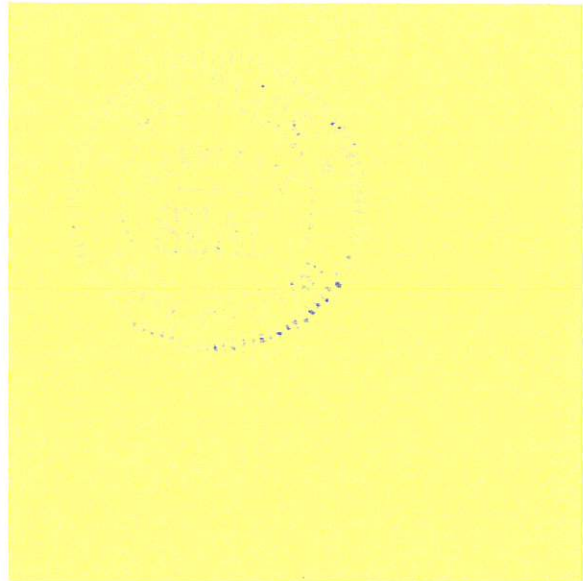
MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY RUSSELL SLY TO ADJOURN THE CITY COUNCIL MEETING

VOTE: YES (4) NO (0)

ABSENT (1) ALVIN HARWARD



City Recorder



NOTICE & AGENDA

Notice is hereby given that the City Council of Elk Ridge will hold a regular City Council Meeting on Tuesday, January 27, 2004, at 7:00 PM, to be preceded by a 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

1. PUBLIC HEARING/ORDINANCE ESTABLISHING STORM WATER UTILITY

A Public Hearing on a Proposed Ordinance Establishing a Storm Water Utility for Storm Water Services

CITY COUNCIL WORK SESSION

2. Discussion/City Engineer Contract – Mayor Fritz
3. Eagle Scout Project Report – Michael Murray
4. Weed Control Management – Mark Johnson
5. Water Impact Fee Study/Discussion
6. Discussion/Responding to Reporters – Gary Prestwich

7:00 - PM

REGULAR COUNCIL MEETING AGENDA ITEMS:

Invocation and Pledge of Allegiance

Approval/Agenda Time Frame

- 7:05 7. Oak Hills Estates Subdivision, Plat A – Allocation of Connections
- 7:15 8. LEI Engineering Contract Extension – Mayor Fritz
- 7:25 9. Council Decision on 10" Water Line/Review of Work Releases – Russell Sly or Mayor Fritz
- 7:55 10. Water Impact Fee Study/Ordinance – Mayor Fritz
- 8:10 11. Storm Drainage Ordinance/Adoption
- 8:20 12. Schedule Public Hearings:
 - A. Amended 2003/2004 Budget/Capital Improvement Plan
 1. Fire Dept. Grant
 2. Addition of Revenue Line Item/Fines
 3. Public Works Purchase
 - B. Ordinance Amending the Elk Ridge City Code Providing for Amendments to and Establishment of the Processes for the Review & Approval of Development Applications Within the City
- 8:40 13. Future Annexation – Mayor Fritz

of Previous Meeting

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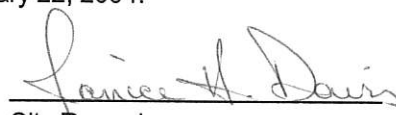
agenda may be accelerated if time permits. All interested persons are
January 22, 2004.



City Recorder

hereby ce
Utah, and

recorder for the municipality of Elk Ridge,
ed to the Payson Chronicle, 145 E Utah Ave, Payson,
January 22, 2004.



City Recorder

**ELK RIDGE
CITY COUNCIL MEETING
January 27, 2004**

TIME & PLACE
OF MEETING

The regular Meeting of the Elk Ridge City Council, scheduled for Tuesday, January 27, 2004, at 7:00 PM; to be preceded by a City Council Work Session and a Public Hearing at 6:00 PM. The Public Hearing was for the purpose of receiving public comment about a proposed ordinance establishing a Storm Water Utility for Storm Water Services. The meetings were held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah. Notice of the time, place and Agenda of the scheduled meetings & Public Hearing was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on January 23, 2003.

6:00 PM

PUBLIC HEARING/ORDINANCE ESTABLISHING STORM WATER

Public Hearing/Ordinance establishing a Storm Water Utility for Storm Water Services

ROLL CALL

Mayor: Vernon L. Fritz; *City Council:* Alvin L. Harward, Mark Johnson, Gary Prestwich, Mary Rugg; *Administrative Assistant:* Ernestine Folks; *Daily Herald:* Caleb Warnock; *Sheriff:* Deputy Camille Larsen; *Public:* Sean Nielsen, Lucretia Thayne, Joe Jamison, RL Yergensen; & *City Recorder:* Janice H. Davis

At 6:00 PM, Mayor Vernon L. Fritz opened the Public Hearing.

Mayor Fritz: (Brief History)

The Mayor has been (and remains still) absolutely opposed to a citywide storm drainage system; but the City requirement for new development is to install curb & gutter. The runoff from the curb & gutter must be dealt with. The sumps in the City have been somewhat ineffective...however that may be due to the fact that they had not been cleaned out until last year. Drainage currently occurs onto Burke Cloward's property from North Park Drive. The City must contain its own runoff...to do otherwise is not legal.

The City has purchased the "gravel pit" area at Goosenest and 1600 West for a future retention basin. Eventually the storm water will be routed to this basin; currently there are insufficient funds to accomplish this.

There are other expenditures that are in the area of storm drainage: Sump cleanout, any damage caused by runoff to the roads, installation of culverts, etc. The proposed ordinance would actually created the Storm Drainage Fund (an Enterprise Fund) and grant the City authority to charge associated fees to fund these expenses.

In the past, the Fund has been subsidized by transfers from the Sewer Fund.

Within the study from LEI, the recommended user fee for Storm Drainage was \$8 per household; based on the entire cost of a citywide system. The Mayor is recommending \$5.00/household; based on partial installation of the system.

Russell Sly: Developers are required to take care of any water that would run off of their land; but water that runs onto their property is the responsibility of the City or whoever owns the neighboring land.

Mayor Fritz: The property on the north side of Goosenest (at 1600 West) may be annexed into Elk Ridge and developed; should that occur, the natural drainage would collect north of that property to a possible drainage "lagoon".

Joe Jamison: Agrees that developers should be required to cover as much of the costs of new growth as possible.

Marc Rugg: Asked about the difference in responsibility for drainage problems between those with and without curb & gutter.

Ernestine Folks: In subdivisions where curb & gutter are required, the developer is also required to maintain the storm runoff within their own subdivision through sumps (or retention basins). These must be regularly maintained to be effective.

Part of the problem arises with adjacent properties with and without curb & gutter.

Joe Jamison: He feels part of the issue is the design of the roads...example:

Elk Meadows Drive is not crowned properly. There is still a problem even though the sumps were cleaned out last year.

The Public Works Dept. adds to the existing problem when they do not clean up after the repair of lines for the City. Debris and dirt flows into the sumps and fills them up.

Gary Prestwich: Explanation of sump design...eventually, they will fill up and over flow; when they do, the runoff must be dealt with. He does not particularly agree that sumps are the best solution.

Marc Rugg: If developers are responsible for the proper installation of the sumps, why are they not held responsible for any malfunction? (The Mayor responded: After the 2-year durability period expires, the City then inherits any responsibility.)

Mary Rugg:

- Requested a copy of the Storm Drainage Breakdown on costs
- Suggested lowering the tiered structure of the water rates, then charge the additional fee...this would not raise the overall fees to the residents.

Russell Sly: Agrees that the tiered structure portion of the water rate should be re-visited and possibly lowered.

Alvin Harward: Does not feel residents without a runoff problem should be charged for storm drainage.

Mayor Fritz: Feels Councilmember Rugg's suggestion about a decrease in the tiered structure has merit; adding that he would support leaving the water rates exactly as they are currently for another full year, to better build up reserves to pay for the expected improvements in the Water Dept. After the year, he would support the decrease in the tiered structure.

Joe Jamison: Would like to see the Base Rate lowered from \$40 to \$35...that would make up the additional \$5. There are many residents that do not use 12,000 gal. of water per month.

Marc Rugg: Water rates were raised and this last summer there was still as much, if not more water used. Suggested lowering the base rate and the level of consumption for that base rate.

Sean Nielsen: He does not agree with the concept of conservation, as it benefits the Community, itself...the water runs downhill and will benefit those communities. The water is there, and should be used.

Lucretia Thayne: She expressed her frustration with the concept of storm drainage. They moved to Elk Ridge years ago when there was no curb & gutter because it would create a drainage problem. Then curb & gutter installation became a requirement and a drainage problem resulted. Now the residents are expected to pay for it. Why did the requirement change?

Sean Nielsen: That is part of "being a Community". Resident pays for roads they may not use and the repair of those roads as a result of erosion.

Mayor Fritz: Added that part of tax money goes to the Fire Dept. An individual resident may not ever need the personal services of the Fire Dept., yet that resident pays for the protection. Councilmember Prestwich is pursuing an amendment to the current Ordinance, which would eliminate the requirement for curb & gutter in new subdivisions.

City Recorder: The issue with storm drainage is more than curb & gutter; there are operations and maintenance costs to cover and no revenue to cover them.

The Mayor closed the Public Hearing on establishing a Storm Water Utility.

CITY ENGINEER CONTRACT

Mayor Fritz: The contract with LEI Engineering expired about 1 ½ years ago. The contract was extended for 6 months. There is no current contract authorizing LEI as the City's Engineers. They are declining to do some of the pending work on plat reviews until authorized to do so by the City Council. The Mayor is suggesting a 60-day extension at this time; this will give LEI a chance to draft another contract for review by the Council and possible approval. The Council will also consider proposals from other engineering firms. The Mayor's preference at this time is to continue with LEI Engineering for certain functions. This will be discussed further.

Gary Prestwich: The contract needs to be clear in that any work performed by LEI must be approved ahead of time by the Council. (The contract does not obligate Elk Ridge to use LEI exclusively on all projects.)

The City also wants to be fair and pay them for any work done in behalf of Elk Ridge.

Russell Sly: The Council needs to decide if we want City Engineers representing Elk Ridge in negotiations and the review of subdivisions, etc.

EAGLE SCOUT PROJECT

Not present at this time.

WEED CONTROL	<p><u>Mark Johnson</u>: There is a problem with weed control on the sides of the roads and in vacant lots. Councilmember Johnson is gathering information about the cost of mechanical weed abatement.</p> <p><u>Mayor Fritz</u>: Letters are being sent out to property owners of vacant lots to take care of the weed abatement on their lots. If they fail to do so, the City will do it and send them a bill for the service.</p> <p><u>Gary Prestwich</u>: Dale Christofferson has been contacted about the possibility of spraying the sides of the road, as well.</p>
WATER IMPACT FEE STUDY	<p><u>Mayor Fritz</u>: The Public Hearing on the Study has already taken place. This discussion is on the adoption of the impact fee, itself; as well as the study backing it up. The proposed impact fee is to be set at \$3, 350.00 per each new residential connection. (Current fee = \$3,005) The vote on this will take place in the regular session.</p> <p><u>City Recorder</u>: The original study was conducted in 1996 and has been updated in 1998, by Sunrise Engineering. Impact fee studies should be updated regularly. This one should also be reviewed either annually or every two years.</p> <p>The fees are paid at the time of the issuance of building permit.</p> <p>There were no further comments.</p>
RESPONDING TO REPORTERS	<p><u>Gary Prestwich</u>:</p> <p>A handout was submitted to the Councilmembers, giving advise on how best to respond to the news media.</p>

**ELK RIDGE
CITY COUNCIL MEETING
January 27, 2004**

TIME & PLACE OF MEETING	<p>The regular Meeting of the Elk Ridge City Council, scheduled for <u>Tuesday, January 27, 2004, at 7:00 PM</u>; to be preceded by a <u>City Council Work Session and a Public Hearing at 6:00 PM</u>. The Public Hearing was for the purpose of receiving public comment about a proposed ordinance establishing a Storm Water Utility for Storm Water Services. The meetings were held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah. Notice of the time, place and Agenda of the scheduled meetings & Public Hearing was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on January 23, 2003.</p>
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CITY COUNCIL SESSION AGENDA ITEMS

ROLL CALL	<p><i>Mayor</i>: Vernon L. Fritz; <i>City Council</i>: Alvin L. Harward, Mark Johnson, Gary Prestwich, Mary Rugg; <i>Administrative Assistant</i>: Ernestine Folks; <i>Daily Herald</i>: Caleb Warnock; <i>Sheriff</i>: Deputy Camille Larsen; <i>Public</i>: Sean Nielsen, Lucretia Thayne, Joe Jamison, RL Yergensen, Kamile Peterson, Bryan Murray & Bruce Ward (Aqua Engineering); & <i>City Recorder</i>: Janice H. Davis</p>
INVOCATION & PLEDGE OF ALLEGIANCE	<p>The Invocation was offered by Councilmember Gary Prestwich, after which the Pledge of Allegiance was led by Mark Johnson.</p>
AGENDA TIME FRAME	<p>MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY MARK JOHNSON TO APPROVE THE AGENDA TIME FRAME, ADJUSTING THE TIME BY 5 MINUTES AND TO MOVE THE EAGLE SCOUT REPORT TO THE REGULAR SESSION</p> <p>VOTE: YES (5) NO (0)</p>
EAGLE SCOUT PROJECT REPORT	<p><u>Bryan Murray</u>: His Eagle Project was to create a local phone directory for the residents of Elk Ridge. The project is complete. There have been some complaints from people whose privately listed numbers were included. Mr. Murray also commented that the information he took the numbers off of was dated and should have been more current to avoid much of the research.</p> <p>All extra copies of the directory were left at the City Office.</p>

OAK HILLS
ESTATES
SUBDIVISION,
PLAT "A"

Ernestine Folks: The original subdivision plat had 10 lots on it. The Council approved the additional connections for this subdivision. Mr. RL Yergensen is before the Council for approval to amend the preliminary plat to add two more lots; this would require the Council's approval of two more connections.

Mayor Fritz: Recommends approval of the increase to 12 lots on the Plat; but with the understanding that the 2 additional lots may not be built upon until the sewer and water issues are solved. The City is in negotiations with Payson City to increase the sewer capacity for Elk Ridge.

MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY GARY PRESTWICH TO APPROVE OAK HILLS ESTATES, PLAT A FOR TWO MORE CONNECTIONS TO THE WATER AND THE SEWER SYSTEMS, CONDITIONAL UPON 2 WAIVERS OF ENTITLEMENT TO BUILD BE RECORDED ON THE TWO ADDITIONAL LOTS UNTIL SUCH TIME AS THE CITY SOLVES ITS PROBLEMS WITH SEWER & WATER CAPACITY

VOTE: YES (5)

NO (0)

The City Engineers still have to determine if the 2 additional lots are feasible.

LEI ENGINEERING/
CONTRACT
EXTENSION

there were no further comments on the issue.

MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY RUSSELL SLY TO APPROVE THE EXTENSION OF THE CITY'S AGREEMENT WITH LEI ENGINEERING FOR A PERIOD OF 60 DAYS, WHILE A NEW CONTRACT IS BEING NEGOTIATED

VOTE: YES (5)

NO (0)

10" WATER LINE

Mayor Fritz: A proposal from Aqua Engineering was submitted to the Council for consideration. From Aqua Engineering letter, dated 1-21-04:

Option 1: To run a 10" pump line to the tank using the existing sewer line easement up to Goosenest Drive; from there the pipeline could go east or west and utilize existing street easements nearly the entire way to the tank. This option would be very costly and would include significant disruption to current streets.

Option 2: Install the line up to Goosenest Drive & then connect to the existing 10" line.

The existing line is 10" diameter all the way to the tank with the exception of a short section in East Park Dr. There are also pressure reducing valves (PRV's) in the 10" line. These lines are often installed as one-way valves, however, with a minor pilot system modification these can be converted to two-way valves to allow water to flow in both directions. This has been confirmed by the valve manufacturer.

Given the current financial situation of Elk Ridge as well as the current and future water needs, the second alternative appears to be the best solution at this time. Both alternatives include building a line from the lower well up to Goosenest Dr. At some later date, Elk Ridge could choose to extend a dedicated pump line to the existing tank or to a future tank."

Estimated cost of engineering: Approximately \$7,500.

Estimated cost of Project: \$107,250.

The engineering includes making sure the entire easement is clear; then they will proceed with the design. They have discussed "connecting to both the 10" line in Goosenest and valving it off; and then running over and continuing the 6"...and using that until the pump is upgraded. Once the pump is upgraded, it will necessitate having a bigger line and using a different direction.

("Upgrading" the lower well consists of upgrading the pump to a larger size.)

Mayor Fritz: The project will be funded partially by the rest of the 2002 well bond money (over \$60,000) and partially by retained earnings in the Water Fund.

Alvin Harward: Questioned the wisdom in the installation of this line if the anticipated growth is to the north...perhaps the line should be directed elsewhere.

Mayor Fritz: Feels there is a value in "redundancy" in the system; and with the line installed going two directions (east & west), eventually, there would be two ways to feed the storage tank. In a disaster, if one line were lost; there would be a backup line leading to the tank.

Alvin Harward: Question directed to Sean Nielsen:

In the long-range plan, was there another way to accomplish what is being discussed?

Sean Nielsen: This project was not recommended in the Capital Facilities Plan. The recommendation was to bring the source capacity where it is now and we are 2 ½ years away from the necessity to upgrade the well and the water lines. There would be a new tank installed in the Elk Meadows area. where it is now and we are 2 ½ years away from the necessity to upgrade the well and the water lines. There would be a new tank installed in the Elk Meadows area. Except for the 10" line connecting to Goosenest Dr., he is not sure why this project is being proposed. He feels this is an expense that is not necessary at this point.

Mayor Fritz: This Phase 1 of an over-all project. When the size of the pump in the lower well is increased, the flow would increase from about 450 gpm to about 700 gpm.

Bruce Ward (Aqua Engineering): In the future, depending on the installation of different lines, the capacity could be increased up to 1,200 gpm.

Russell Sly: Originally, Councilmember Sly was in favor of bringing the line west rather than east, to the existing 10" line, which would allow water to flow all the way to the tank. There are issues with resulting high pressures in certain sections of the Haskell Development (west end is the lowest point of the line). The pressures would be 250 psi or less. According to the Public Works Superintendent, this is a manageable scenario and the high pressures could be handled through individual regulators at each house (the more substantial, upgraded model of regulator).

Councilmember Sly found that the eastbound line would occur anyway due to future development plans. There is advantage to installing the eastbound line now while the extension of Salem Hills Drive is still a dirt road rather than having to remove/replace asphalt. He agrees that there should be a "T" in the line, with the shut-off valve, so that the water could flow both east and west if the need should arise.

Bruce Ward: The project is not a complicated one and he anticipates that it could be finished within 2 weeks after the State reviews it and grants approval.

Ductile iron will probably be used rather than PVC pipe due to the ability to sustain higher pressures.

Russell Sly: There are also changes at the well head that the Public Works Superintendent would like to see made that this project would involve.

*Councilmember Rugg had some areas of concern about the valves in the system, which needed clarification.

Mayor Fritz: (To summarize)

There will not be 100% agreement on some of the issues that come before the Council; yet the Council is charged with the responsibility of arriving at a decision. The Mayor asked that the Council put the matter to a vote.

MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY GARY PRESTWICH TO APPROVE THE WORK RELEASE FOR THE DESIGN FOR THE 10" WATER LINE, AS PROPOSED IN THE WORK RELEASE FROM AQUA ENGINEERING

**VOTE (POLL): MARY RUGG-AYE, GARY PRESTWICH-AYE, MARK JOHNSON-AYE, ALVIN HARWARD-AYE, RUSSELL SLY-AYE
PASSES 5-0**

WATER IMPACT
FEE STUDY

There were no further comments.

The Ordinance will take effect 20 days after posting; which would be February 16, 2004.

MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY GARY PRESTWICH TO APPROVE THE ORDINANCE ENACTING WATER IMPACT FEE STUDY, PERFORMED BY LEI ENGINEERING, SETTING THE WATER IMPACT FEE AT \$3,350 FOR THE CITY OF ELK RIDGE

**VOTE (POLL): MARY RUGG-AYE, GARY PRESTWICH-AYE, MARK JOHNSON-AYE, ALVIN HARWARD-AYE, RUSSELL SLY-AYE
PASSES 5-0**

STORM
DRAINAGE
ORDINANCE

Mayor Fritz: The Resolution setting the actual fee to be charged to the residents will be on the Agenda for the next Council Meeting. This proposed ordinance establishes the Storm Drainage Fund and allows the fee to be charged.

The City's attorney, David Church, using other sample ordinances as the model, drafted the ordinance. Section 8-5-3 is not applicable to Elk Ridge and needs to be deleted. Otherwise, the Mayor recommends approval.

Gary Prestwich: This is a "stand alone" ordinance...not associated with the water system. If the Council were to consider decreasing the water rates, he would not be in favor of decreasing the base rate. He would be in favor of reviewing the tiered structure of the water rates and possibly reducing that portion of the rates.

Russell Sly: Agrees that a Storm Drainage Fund needs to be established to create revenue to pay for the expenditures incurred.

MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY RUSSELL SLY TO ADOPT AN ORDINANCE ESTABLISHING A STORM WATER UTILITY

**VOTE (POLL): MARY RUGG-AYE, GARY PRESTWICH-AYE, MARK JOHNSON-AYE, ALVIN HARWARD-AYE, RUSSELL SLY-AYE
PASSES 5-0**

SCHEDULE
PUBLIC HEARING

City Recorder: The Budget for the current fiscal year, 2003/2004, needs to be amended. There are several items that need to be added.

1. A Grant for the EMT's has been awarded to the City in the amount of \$7,422.

The Revenues and the corresponding Expenditures need to be amended to allow for this Grant.

2. The Mayor would like to utilize money that comes in from various fines and would like to add an account to specify this.

3. Eventually the older pick-up truck used by the Public Works Dept. will have to be replaced. The Mayor suggests transferring money from the General Fund to Capital Projects to accrue funding for a new truck. (Possibly \$10,000 per year)

4. Councilmember Sly would also like the Council to consider the purchase of a jet truck to clean out the sewer lines & a tractor for weed control. The price of contracting the work out is to be compared with the purchase price.

MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY GARY PRESTWICH TO SCHEDULE A PUBLIC HEARING ON FEBRUARY 24, 2004, AT 6:00 PM, TO CONSIDER AMENDING THE 2003/2004 FISCAL YEAR BUDGET

VOTE: YES (5)

NO (0)

*Agenda item 12-B is to be stricken from the Agenda.

FUTURE
ANNEXATION

Mayor Fritz: Area north of the City is currently considered part of Utah County land; It is also part of the Elk Ridge's Annexation Declaration. This would be from Loafer Canyon to Goosenest, north to the canal. The choice is to wait for landowners to seek annexation; or for the City to be proactive and seek to annex the various properties.

Letters have been sent to property owners to determine their feelings on the issue. Most were interested in having more information and were willing to entertain the concept.

The area will develop. The question is does the City wish to be in control of the Zoning and how the land develops?

The Mayor would like authorization to gather more information to present to the Council.

The Council was in agreement that the mayor should gather the information to present to the Council at a later time.

Kmile Peterson: Feels it would be a good thing to have the possibility of a commercial tax base and this area would be the likely place to be zoned Commercial".

EXPENDITURES:

The Panasonic Maintenance Agreement is up for renewal in the amount of \$858.22, based on the number of copies per year (41,500/yr).

MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY MARK JOHNSON TO APPROVE THE PANASONIC COPIER MAINTENANCE AGREEMENT IN THE AMOUNT OF \$858.22.

VOTE: YES (5)

NO (0)

MINUTES

Minutes of 1-13-04:

MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY GARY PRESTWICH TO APPROVE THE CITY COUNCIL MINUTES OF 1-13-2004

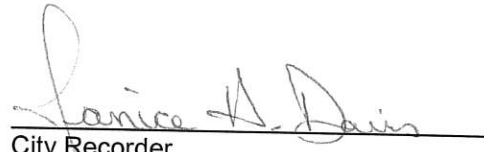
VOTE: YES (5)

NO (0)

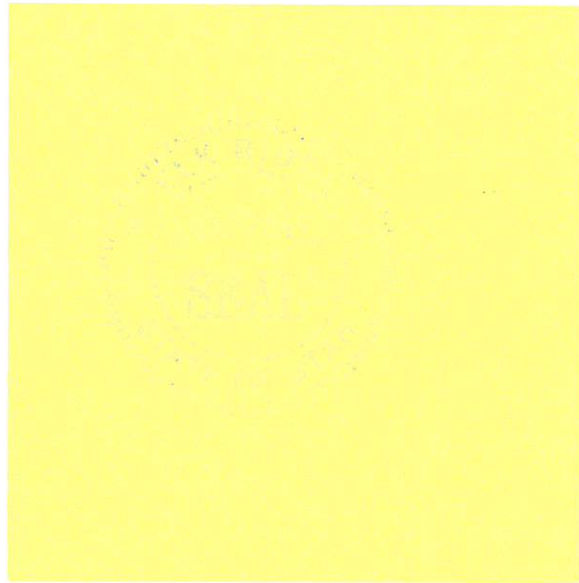
ADJOURNMENT

**MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY GARY PRESTWICH TO
ADJOURN THE MEETING
VOTE: YES (5)**

NO (0)



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, February 10, 2004, at 7:03 PM, to be preceded by a 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

1. Utah County Division of Substance Abuse
2. State of the City – Mayor Fritz

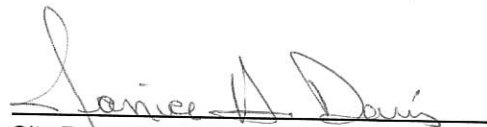
7:30 - PM REGULAR COUNCIL MEETING AGENDA ITEMS:

Invocation and Pledge of Allegiance
Approval/Agenda Time Frame

- | | |
|------|---|
| 7:35 | 3. Resolution/Storm Drain Fee – Mayor Fritz |
| 7:50 | 4. 4 th of July Celebration – Mary Rugg |
| 7:55 | 5. Park Drive/Elk Meadows Drive – Mary Rugg |
| 8:00 | 6. Newsletter/Website – Mary Rugg |
| 8:05 | 7. Review of City Ordinances – Gary Prestwich |
| 8:15 | 8. Salem Hills Circle Water Line – Alvin Harward |
| 8:20 | 9. Amended Budget Discussion/Capital Improvement Plan
Water Dept. Projection Study/Prioritize Capital Projects |
| 8:55 | 10. Schedule Public Hearing/Zone Map Amendment – Michael Dubois |
| 9:00 | 11. Appoint Planning Commission Member |
| 9:05 | 12. Expenditures:
General: |
| 9:10 | 13. Approval of Minutes of Previous Meeting |
| 9:15 | Adjournment |

*Handicap Access: Upon Request (48 Hours Notice)

The agenda may be accelerated if time permits. All interested persons are invited to attend the meeting on February 6, 2004.


City Recorder

for the municipality of Elk Ridge,
Payson Chronicle, 145 E Utah Ave, Payson,
the Payson Chronicle and mailed to each


yRecorder

**ELK RIDGE
CITY COUNCIL MEETING
February 10, 2004**

TIME & PLACE
OF MEETING

The regular Meeting of the Elk Ridge City Council, scheduled for **Tuesday, February 10, 2004, at 7:30 PM;** to be preceded by a **City Council Work Session and a Public Hearing at 6:00 PM.**

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

Notice of the time, place and Agenda of the scheduled meetings was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on February 4, 2004; and an Amended Agenda on February 6, 2004.

6:00 PM

CITY COUNCIL WORK SESSION

Public Hearing/Ordinance establishing a Storm Water Utility for Storm Water Services

ROLL CALL

Mayor: Vernon L. Fritz; *City Council:* Alvin L. Harward, Mark Johnson, Gary Prestwich, Mary Rugg (Absent-Russell Sly); *Administrative Assistant:* Ernestine Folks; *Daily Herald:* Caleb Warnock; *Sheriff:* Deputy Camille Larsen; *Public:* Sean Nielsen, Joe Jamison, Brittany Haskell, Jared Sommers (Utah County Division of Substance Abuse; & *City Recorder:* Janice H. Davis

UTAH COUNTY
DIVISION OF
SUBSTANCE
ABUSE

Mayor Fritz: Introduced Mr. Jared Sommers (Utah Division of Substance Abuse)...

Jared Sommers: (Submitted a hand-out to those present for review.)

"Eliminate Alcohol Sales to Youth" is a program of the County' and is known as E.A.S.Y.

This program was first implemented by the Cedar City Police Dept. in response to a high number of minor consumption of alcohol arrests. The program required all individuals employed in a position where they sell alcohol for off-premise consumption to obtain a "Beer Handler's Permit" from the Police Dept. It was necessary for these applicants to attend a training session and pass an exam. This program has had a dramatic effect in Cedar City, reducing the number of Minor Consumption of Alcohol arrests by 50% in the first year of implementation.

Utah County's EASY Program will be similar to that of Cedar City; however, the Program will be administered by the Utah County Health Dept. Besides the other requirements, each individual will have to pass a background check and continue to maintain their status.

The overall goal of the EASY Program is to make our communities a safer place to live and work.

The Utah County Division of Substance Abuse will be presenting the EASY Program to each city Council in the County during February and March. They are asking for support in the various cities and for a person to be designated to work with UCDSA to draft a city ordinance implementing EASY in the communities.

STATE OF THE
CITY/MAYOR
FRITZ

Mayor Fritz:

Topics Discussed:

Water System (Brief Update/History):

- Upper Loafer Canyon Well
Supplies upper 500,00 gal. tank & supplements the lower tank. During Winter months, this well provides nearly all of the water used by the City, with an occasional contribution from the Cloward Well.
- Cloward Well
This is considered a "replacement well" that came online in 2003. It has the ability to pump 1,800 gpm, but the State limits its use to 1,200 gpm.
The Well currently pumps 450 gpm, due to the size of the pump. The water from this Well feeds into the lower storage tank & is a major source of water in the summer months.
When development occurs (north of town) this Well will become the primary source of water for new development; but because of the distribution system, will also represent a backup source for the remainder of the City.

- **Loafer Well**
This Well is located I Loafer Canyon within the fenced-off area below the dugway. It is low volume well that is generally used only during the summer.
- **Goosenest Water Company**
This is a spring-fed system that is considered a “private” system and is separate from the City Water System. When Goosenest annexed into Elk Ridge, it brought with it it's own water supply and distribution system.
Due to the limited volume & pressure from this system it is unable to meet fire suppression requirements so as to sustain fire hydrants in the area.
- **Upper Storage Tank**
Located in the foothills above the City. Water from the Upper Loafer Canyon Well feeds directly into this tank. Water flows from this tank to gravity feed the lower tank
- **Lower Storage Tank**
Located off Oak Lane in the upper section of the City. This tank receives water from the Cloward Well and the upper storage tank.
- **Distribution System**
Lines vary from 4”, 6”, 8” up to 10” in diameter. The City is upgrading the lines as possible.
- **Fire Hydrants**
4” pipe does not provide sufficient volume or pressure to effectively fight fires. Those areas in the system are being upgraded.
- **Redundancy**
A system is being installed between the 2 500,00 gal. tanks that will permit the lower tank to feed up to the upper tank.
- **CUP Water**
Studies have shown that this water:
 1. May not be available
 2. May be too expensive to pump up the hill
 3. If it were available, what would treatment costs be?
 4. The system itself would be expensive to install
- There may be a combined effort with Payson City to build a 1 million gal. storage tank & a possible shared well.

Parks/Recreation:

- **Trails**
There is a plan for trails throughout the City, made prior to the election of the new Council. It involves a walking trail from the City Park eastward to Salem Hills Drive and then south.
A further consideration has been to go east from the City Park to N. Park Drive.
- **Beautification**
Consideration by the previous Councilmember included planting trees from the Park east to Elk Meadows Drive. The Mayor strongly recommends this be done.
-
-
-

Roads:

- **Curb & Gutter**
Consideration is being given to the current requirement of curb/gutter in all new subdivisions. There is the feeling that in certain cases gravel shoulders may be the more reasonable and cost effective approach.
The Mayor feels that certain road standards associated with the Development Code do not necessarily have to be applied to existing roads undergoing major repair. The City Attorney states that two different standards can apply.
Curb & gutters create a runoff problem and with that, comes increased costs. The damage from 6 or 7 major storms/year is minimal.

- **Bus Turn-around**
The Council is considering the building of a turn-around in the Loafer Canyon area so school buses can pick up the children living in that area.
- **Overlay vs. Chip/Seal**
Councilmember Gary Prestwich has a planned approach to the maintenance of all road surfaces in Elk Ridge. This includes a combination of overlay and chip/seal treatment.

Sewer System:

- **Current Capacity**
The City owns 18% of the Salem Sewer System capacity. 3 more years remain of Bond payments. The City has more committed connections than we have remaining capacity in the system. The Council's estimation (based off of studies performed by a couple of engineering firms) is that there is enough capacity to allow 50 new connections without denying services to existing property owners.
- **Future**
Elk Ridge needs to look at other options to meet sewerage needs. We are in discussions with Payson City to connect some or all of our sewer system to their remodeled plant. They have excess capacity and are paying for the entire cost of the renovation and maintenance. If we are able to negotiate an acceptable agreement, it could be mutually beneficial.

Woodland Hills is currently on septic systems. There may be motivation for them to connect to Payson's sewer with Elk Ridge; or they may consider sewerage with Salem City through the purchase of some or all of Elk Ridge's 18% of the plant.

A 3rd option: New development would connect onto Payson's system. Existing portions of the City would continue to sewer with Salem.

Comments:

Sean Nielsen: He expressed disappointment that the decision had been made to install the 10" water line leading from the Cloward Well. He spoke with Kent Haskell about the new line and Mr. Haskell does not feel the line is necessarily a priority. He agrees with Mr. Nielsen that there is really no benefit to installing the line at this time. Mr. Nielsen encouraged the Council to talk to Mr. Haskell about the issue.

Mary Rugg: Stated further her feeling that the vote that was taken on the 10" water line at the previous Council Meeting was done without the new Councilmembers being fully informed on all of the issues surrounding the matter. She feels the information on the proposed new developments in the area would have been helpful in making a better-informed decision. There is a question in her mind as to whether the information was withheld or simply forgotten.

Mayor Fritz: That is one of the problems with transition from one Council to the next, some information does not get communicated. Any shortage of information being supplied to the new Councilmembers would not be intentional.

City Recorder: The actual construction of the project has not been approved yet; only the Work Release for Aqua Engineering to do the engineering on the project. Will there be bids to do the work or will the City do most of the work?

Joe Jamison: Should the proposed developments in the area be paying for part of that line? (They will be through impact fees.)

Sean Nielsen: The engineer, in his presentation, was unsure how much of the project would be subject to impact fees. This information should be provided by the engineer.

How will the Council lower water rates if we keep spending money on projects that be not budgeted for?

**ELK RIDGE
CITY COUNCIL MEETING
February 10, 2004**

**TIME & PLACE
OF MEETING**

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CITY COUNCIL SESSION AGENDA ITEMS

ROLL CALL

Mayor: Vernon L. Fritz; *City Council:* Alvin L. Harward, Mark Johnson, Gary Prestwich, Mary Rugg (Absent: Russell Sly); *Administrative Assistant:* Ernestine Folks; *Daily Herald:* Caleb Warnock; *Sheriff:* Deputy Camille Larsen; *Public:* Joe Jamison, Kamile Peterson, Ray Brown & Bruce Ward (Aqua Engineering);
& *City Recorder:* Janice H. Davis

**INVOCATION &
PLEDGE OF
ALLEGIANCE**

The Invocation was offered by Councilmember Mary Rugg, after which the Pledge of Allegiance was led by Mark Johnson.

**AGENDA TIME
FRAME**

MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY MARK JOHNSON TO APPROVE THE AGENDA TIME FRAME, ADJUSTING THE START TIME TO 7:38 PM; AND TO ADVANCE AGENDA ITEM #11 TO THE BEGINNEING OF THE MEETING
VOTE: YES (4) NO (0) ABSENT (1) RUSSELL SLY

**APPOINT
PLANNING
COMMISSION
MEMBER**

MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY MARY RUGG TO APPOINT RAYMOND BROWN AS A PLANNING COMMISSION MEMBER, TO REPLACE MARC RUGG
VOTE: YES (4) NO (0) ABSENT (1) RUSSELL SLY

**RESOLUTION/
STORM DRAIN
FEE**

Mayor Fritz: The resolution that sets the Storm Drainage Fee was not available at the time. He still wanted to discuss the matter of how much to charge as a fee.

LEI Engineering's recommendation, based on a citywide system, was \$8 per household each month. The Mayor feels it is agreed that there will not be a citywide storm drainage system, but there are expenses that need to be funded; therefore, his recommendation is \$5/household per month.

This fee would accumulate and eventually help pay for a drainage system from the junction of Oak Ridge Drive & Park Drive north, then west on Goosenest Drive to the site of the future Retention Basin. The projected cost was approximately \$330,000 to 340,000.

The Council has voted to adopt the Ordinance establishing the Storm Drainage Utility Fund.

Discussion:

Alvin Harward: Of 20 citizens in the Community, only one was in favor of any type of storm drainage system. They do not feel it is fair to assess all the citizens in the City to take care of a problem that developers were allowed to create, particularly when the City continues to require curb & gutter as a development standard.

Mayor Fritz: The issues must be addressed. The run-off will occur and has to go some place, and cannot continue to flow onto private property. The problem exists and must be dealt with in some way.

Mary Rugg: We do not know the true capacity of the sumps in town, given the way they are functioning. Wouldn't it be more reasonable to wait until we have more information about the effectiveness of the sumps, now that they are cleaned out?

She feels the Council should consider other options to fund the expenses.

Example: (As mentioned in the last Council Meeting...) Lower the Water Rate to allow for the additional charge on the bills.

Mayor Fritz: The Mayor agrees that it is a good suggestion. He feels the timing is not good due to the amount of major projects, which need to be covered in the Water Dept. Lowering the rates at this point in time may be premature. He would prefer to allow the money to accrue in the Water Dept.

Mary Rugg: The City will still accrue money, even with the rate decreased.

Mayor Fritz: The Mayor's position will aid in identifying problems that the Council should address, then the Council will come up with solutions to those problems. The Mayor will advise and present issues; but the vote is with the Council.

There is a problem with storm drainage. The Council is going to work toward resolution.

City Recorder: The Auditor's perspective must be kept in mind; that it is not wise accounting to continue to provide revenue to an Enterprise Fund through transfers from other Funds. It is like a business, whose financial health should stand on its own.

Discussion: Effectiveness of sumps...Various suggestions were reviewed concerning keeping the streets cleaner through enforcement of regulations with builders and through street sweeping by the City.

*The Building Inspector is to be reminded that he should not grant final occupancy nor should there be a refund the cleaning deposit until the site is left clean.

Joe Jamison: Russell Sly would like to purchase a "jet truck". This would allow the City to perform the work on the lines and the sumps.

MOTION WAS MADE BY MARY RUGG AND SECONDED BY ALVIN HARWARD TO NOT SET THE RATE FOR THE STORM DRAINAGE FEE AT THIS MEETING UNTIL MORE INFORMATION ABOUT ALTERNATE WAYS TO CREATE THE NECESSARY REVENUE IS AVAILABLE, TO MAKE A BETTER DECISION

VOTE: YES (3)

NO (1) GARY PRESTWICH

ABSENT (1) RUSSELL SLY

Gary Prestwich: Commented that he believes things should be called what it is.

It is a Storm Drainage Utility and should be proposed in that way. A problem exists and should be addressed.

Mary Rugg: The timing in how an increase is proposed makes a difference to the citizens. Would it make a difference to know how the citizens feel...whether they would rather have their taxes increased or be charged another fee on their utility bills?

Mayor Fritz:

1. Does it matter what the citizens feel? Yes.

2. Are Council decisions made on the basis of popular vote? No.

We have "representative government". All the decisions made will not be popular with all of the citizens. There are always differences of opinion, and there will be unpopular decisions made.

City Recorder: If the Council decides against moving forward with the storm drainage system, perhaps there would be other options available; for instance, moving the operating expenses into the General Fund under an added Department.

*The Recorder will check with the CPA's on this.

Ernestine Folks: Decide what Capital Improvements will be done and set the budget to those costs.

Mayor Fritz: Asked that the Council think about the information and come to the next Council Meeting ready to reconsider the issue of a fee being charged. The Council should recognize some decisions will not be popular.

4th of JULY
CELEBRATION

Mary Rugg: The dates for the City Celebration will be: June 25 & 26, 2004 (Friday & Saturday).

Partyland has been contacted and they were booked on the 4th of July.
The dates were agreeable to the Council.

PARK DRIVE &
ELK MEADOWS DR

Mary Rugg: Councilmember Rugg appreciates the effort to address safety at the intersection of Elk Meadow Dr. & Park Dr.; however, she feels the positioning of the lines at the intersection, is dangerous. Even though the lines have been moved back, she recommends a change to accommodate the curve in the road.
The bus drivers are not happy with the lines as they are.

Gary Prestwich: The company hired to do the striping job assured Councilmember Prestwich that they were done according to UDOT standards. There are plans to move the lines further back.

Mary Rugg: Since the workers are not employed by UDOT, UDOT cannot certify the work.

Joe Jamison: He has witnessed cars unable to make the turn at the speed limit. If a child is injured, where does the City stand on the issue of liability?

Alvin Harward: Suggested removing the lines altogether.

Deputy Camille Larsen: (Was asked for her opinion) She agreed that the lines were not positioned well. She recommends removal of the lines.

Gary Prestwich: Agreed to have the lines removed, but it will have to be after the weather warms up a bit.

NEWSLETTER/
WEBSITE

Mary Rugg:

1. She would like to have a reminder in each of the Newsletters that information is posted on the Website. The minutes are now being posted.

2. She would like the headings for the minutes to be separate.

Thank you to Jim Nicolet for all his work on the City's Website.

REVIEW OF
CITY
ORDINANCES

Gray Prestwich: RE: Excavation Permits

There are three separate places in the current Code which address excavation permits and the required bonding. He recommends consolidating the references and to modify the bonding requirement to having the contractor provide to the City a \$1,000 "Surety Bond" for a two-year time period (the normal time period for the installation of Improvements).

No further discussion.

SALEM HILLS CR.
WATER LINE

Alvin Harward: the existing 4" water line in Salem Hills Cr. Is not adequate for the fire hydrant. This upgrade is already budgeted for in the current year.

1. Question: Ductile pipe or PVC? Ductile pipe will withstand higher pressure. If bedded properly, PVC pipe will outlast ductile pipe, is easier to work with and is less expensive. Kent Haskell recommends the PVC pipe in this location.

2. Size of the line.

LEI Engineering recommends an 8" line to replace the existing 4" line.

Councilmember Harward suggests running a 6" line to the fire hydrant, leaving the 4" lines connected to the homes. (Kent Haskell agrees that the 4" line will adequately supply 6 homes, and the 6" line will provide the fire flow.)

MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY GARY PRESTWICH TO APPROVE THE INSTALLATION OF A 6" PVC LINE, TO CONNECT ONTO THE 10" MAIN, TO THE FIRE HYDRANT; AT A COST OF APPROXIMATELY \$5,500

VOTE: YES (4)

NO (0)

ABSENT (1) RUSSELL SLY

AMENDED BUDGET
DISCUSSION

City Recorder: The suggested amendment has been incorporated into the draft of the Amended Budget. The Public Hearing is set for 2-24-04.

Changes:

1. EMT Grant in Revenue & Expenditures.

2. \$10,000 to go toward the eventual purchase of a new vehicle for Public Works. (4-way split between Roads, Parks, Water & Sewer...\$2,500 each)

3. Line item for "Fines"

4. Snowplow Repair...about \$4,000.

5. LEI Engineering for work done on the sewer line (to date \$11,200) between Payson & Elk Ridge. The amount was not available.

6. Engineering for 10" water line.

Reminder: The CPA was authorized to conduct a 5-year projection study for the Water Dept. They have gone as far as they can go with the information they have. They need for the Council to designate which of the recommended projects will be done and at what cost to the City...and in which year.

The Budget will reflect whatever projects are listed in the Capital Improvement Plan.

EXPENDITURES: Snowplow Repair:
The smaller snowplow broke down and needs to be repaired. The cost will be about \$3,000 - \$4,000.


**MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY MARK JOHNSON TO
APPROVE THE REPAIR OF THE SNOWPLOW AT A COST OF ABOUT \$3,000 TO \$4,000**
VOTE: YES (4) NO (0) ABSENT (1) RUSSELL SLY

MINUTES Minutes of 1-27-04:

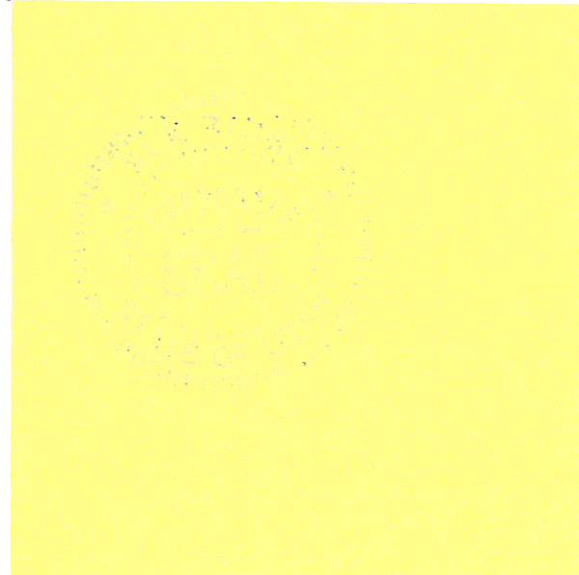
**MOTION WAS MADE BY MRK JOHNSON AND SECONDED BY GARY PRESTWICH TO
APPROVE THE CITY COUNCIL MINUTES OF 1-27-2004**
VOTE: YES (4) NO (0) ABSENT (1) RUSSELL SLY

ADJOURNMENT

**MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY MARK JOHNSON TO
ADJOURN THE MEETING**
VOTE: YES (4) NO (0) ABSENT (1) 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 24, 2004, at 7:00 PM, to be preceded by a Council Work Session and a Public Hearing at 6:00 PM for the purpose of hearing public comment regarding a proposed Amendment to the Elk Ridge City Budget for the 2003/2004 Fiscal Year, including the Capital Improvement Plan.

All interested persons shall be given an opportunity to be heard.

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

6:00 PM

1. PUBLIC HEARING/2003-2004 FISCAL YEAR BUDGET & CAPITAL IMPROVEMENT PLAN

Public Hearing/proposed Budget Amendment for the 2003/2004 Fiscal Year, Including the Capital Improvement Plan.

CITY COUNCIL WORK SESSION

2. Discussion/Storm Drainage Fund & Fee – Mary Rugg
3. Planning Commission Update – Ernestine Folks
4. City Council Conference with CPA/Government Accounting – Mayor Fritz
5. Joint Meeting/City Councils – Elk Ridge, Payson, Woodland Hills – Mayor Fritz
6. Firearms within City/Discussion – Mayor Fritz

7:00 - PM

REGULAR COUNCIL MEETING AGENDA ITEMS:

- Invocation and Pledge of Allegiance
Approval/Agenda Time Frame
- 7:05 7. Henry Lyn/Water & Sewer Connections
- 7:15 8. Adoption/Amended 2003-2004 Budget & Capital Improvement Plan
- 7:25 9. Resolution/Amending the Elk Ridge City Development & Construction Standards,
Section 02.08.066, "Temporary Turnarounds" – Ernestine Folks
- 7:35 10. Adoption/Storm Drainage Fee – Mary Rugg
- 7:45 11. Interlocal Agreement/Operation & Maintenance of 911 Emergency Telephone System
Utah County & Elk Ridge City
- 7:50 12. Expenditures:

13. Approval/Amendment of Previous Meetings

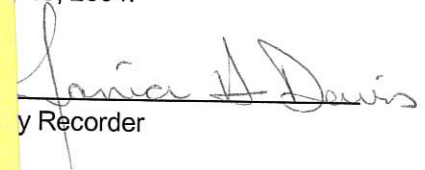
14. Resolution/Amendment (48 Hours Notice)

15. Resolution/Amendment (This agenda may be accelerated if time permits. All interested persons are hereby notified that this meeting will be held on this 19th day of February, 2004.


City Recorder

hereby certify that
Utah, and mailed to

for the municipality of Elk Ridge,
Payson Chronicle, 145 E Utah Ave, Payson,
UT 84057, February 19, 2004.


City Recorder

**ELK RIDGE
CITY COUNCIL MEETING
February 24, 2004**

TIME & PLACE
OF MEETING

The regular Meeting of the Elk Ridge City Council, scheduled for **Tuesday, February 24, 2004, at 7:00 PM;** to be preceded by a **City Council Work Session and a Public Hearing at 6:00 PM.** The Public Hearing was for the purpose of receiving public comment about a proposed Amendment to the 2003/2004 Fiscal Year Budget & Capital Improvement Plan.

The meetings were held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah. Notice of the time, place and Agenda of the scheduled meetings & Public Hearing was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on February 19, 2004.

6:00 PM

PUBLIC HEARING/ORDINANCE ESTABLISHING STORM WATER

Public Hearing/Ordinance establishing a Storm Water Utility for Storm Water Services

ROLL CALL

Mayor: Vernon L. Fritz; *City Council:* Alvin L. Harward, Mark Johnson, Gary Prestwich, Mary Rugg (Absent: Russell Sly); *Administrative Assistant:* Ernestine Folks; *Daily Herald:* Caleb Warnock; *Public:* Scouts: Troy Shipp, Colby Clark Ryan Shumway, Nate Shumway; Boyce Weber, Nick Callor, Dylan McFarland, Devin McFarland, Neal Watters; Kevin Clark, William Callor, Jolen Watters & *City Recorder:* Janice H. Davis

At 6:00 PM, Mayor Vernon L. Fritz opened the Public Hearing.

City Recorder: Review of the proposed Amended Budget:
General Fund:

Revenue

Parks Grants: \$250 Arbor (tree) Grant

EMT Grant: \$7,422

Expenditures

New Accounts to track the EMT Grant money:

- EMT Supplies: \$800
- EMT Training: \$6,000
- (Not new) Purchase of EMT Equipment

Roads

Equipment Maintenance: Increase by \$4,000 to cover snowplow repair

Parks

Special Projects: the \$2,000 already in the Budget will cover the purchase and installation of the trees.

(Recommendation: work with the Public Works Dept. to get the sprinkling system in prior to planting the trees. Determine where the planned walking path will be and plan the location of the trees to accommodate the path.)

Enterprise Funds:

Storm Drainage

- Leave as an Enterprise Fund (Discussion of other options, as per Auditor)
- A \$3 Storm Drainage Fee was adopted
- Transfers will have to make up the difference in covering budgeted expenditures for this year. The question remains: From which Fund?

Water Fund

Capital Outlay: increased from \$30,000 to \$135,000 for proposed projects...

- Booster Station: \$25,000
- Roof on Well House: \$2,500
- 10" Water Line: \$108,000 (Discussed: various reasons for proposed line)

To be split between various sources of revenue:

1. Impact Fees: \$38,500
2. 2002 Cloward Well Loan: \$64,000
3. Retained Earnings: \$12,500

Sewer Fund

(Will the Sewer Fund cover any shortfall in revenue in the Storm Drainage Fund through a transfer?)

Capital Improvement Plan:

Ernestine Folks: Reviewed the Capital Projects planned, as modified from the Water Impact Fee Study.

*Trails & Open Space...has \$30,000 budget for the next phase of the plan for a walking path; will there be changes this fiscal year? Will the plan remain as it was or will there be changes? (Councilmember Rugg has not been able to meet with the former Councilmember of this Dept., Todd Jackson.)

Mayor Fritz closed the Public Hearing on the Amended 2003/2004 Budget & Capital Improvement Plan.

STORM
DRAINAGE FEE

Mary Rugg: The Council agrees that there is a problem with run-off flowing onto private property at the north end of N. Park Drive. This area needs to be addressed. The question is, how to fund this project.

Operations & Maintenance costs, such as cleaning out sumps & culverts must also be covered. Councilmember Rugg would like to see how effective the cleaned out sumps are before investing in further storm drainage projects.

She still recommends lowering the water rates to off-set any additional fee to be charged to the residents.

Recommendation: Storm Drainage Fee: \$5/household and at the same time, lower the Water Base Rate from \$40 to \$35/month for the first 12,000 gals. (Based on the assumption the 10" water line would not be approved.)

Discussion:

Alvin Harward: He feels this is simply borrowing against one account to pay another.

He recommends leaving the Base Rate at \$40; and that it would be a mistake to lower it with all of the planned water projects coming up. He is also opposed to a \$5 Storm Drainage Fee at this time.

He is going to investigate a drainage system that does not require any underground installation. He will bring details back to the Council.

Mary Rugg: Agrees that she would support not charging anything to the residents for storm drainage.

Gary Prestwich: There will be on-going storm drainage costs and the problem at the north end of Park Drive needs to be fixed. He feels the Fund should be called what it is...a utility fund. He objects to changing the Base Rate; but does feel the tiered structure should be reduced.

Mayor Fritz: In considering a fee for storm drainage, perhaps a "sunset clause" could be a part of that. (When the projects are completed, decrease the fee)

One of the costs to consider is the current loan in place to pay for the planned retention basin on Goosenest Drive. It is split with Parks and Storm Drain.

Decreasing a fee is easier than raising it.

Waiting to charge a fee would result in the loss of the revenue for those months.

PLANNING
COMMISSION
UPDATE

Ernestine Folks:

1. The Planning Commission elected a new Chairman: Dennis Dunn
2. Sharon Dahlstrom still needs to be replaced as a member
3. The Planning Commission approved a Conditional Use permit for the LDS Church. The next step is for the Church to provide a site plan for approval.
4. Currently, the Planning Commission is working on some ordinance amendments:
 - A. One is concerned with "conditional & permitted uses" in all of the zones. The final draft will go to the City Attorney and to the Council.
 - B. There is also a proposed amendment on the process for approval for developments. This will be sent to the attorney, as well.
 - C. They are also considering an amendment to the section on "Off-site Reimbursements. The Council referred this to the Planning Commission.
5. Resolution to amend the requirements for Temporary Turnarounds is on the Agenda for approval.
6. Oak Hills Subdivision, Plat A & C are in the process of re-drafting their plats.

7. Ryan & Lee Haskell are looking into the possibilities of a retirement development on their property located at Goosenest and N. Park Drive. It is currently zoned "Commercial" and would require a re-zone.
8. Henry Lyn is to come before the Council with a request for allocation of water/sewer connections.

CPA/COUNCIL Mayor Fritz: In the past, the City has hired the City CPA to come to the conduct a training session for the City Council on Government Accounting. It was very useful. The Mayor proposes doing this again. It is under \$1,000. It would be much more costly to send the Council to this type of Conference. The Council agreed.
*Contact Curtis Roberts to arrange the session.

JOINT COUNCIL MEETING Mayor Fritz:
There will be a joint City Council Meeting on March 2, 2004, at 6:30 PM, at the City Council Chambers located at the Payson City Hall. The purpose is to discuss inter-local agreements between Elk Ridge, Payson and Woodland Hills. The Meeting will be noticed as a Council Meeting.

FIREARMS WITHIN CITY Mayor Fritz: It has been brought to the Mayor's attention that there is a growing problem with bee-bee guns and paint-ball guns causing damage. It is currently against the law and should be enforced. The Deputy added that the intent and where they are being discharged would be taken into consideration.
*There should be an article in the newsletter informing residents of the current laws.

**ELK RIDGE
CITY COUNCIL MEETING
February 24, 2004**

TIME & PLACE OF MEETING The regular Meeting of the Elk Ridge City Council, scheduled for Tuesday, February 24, 2004, at 7:00 PM; to be preceded by a City Council Work Session and a Public Hearing at 6:00 PM. The Public Hearing was for the purpose of receiving public comment about a proposed Amendment to the 2003/2004 Fiscal Year Budget & Capital Improvement Plan.
The meetings were held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah. Notice of the time, place and Agenda of the scheduled meetings & Public Hearing was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on February 19, 2004.

CITY COUNCIL SESSION AGENDA ITEMS

ROLL CALL Mayor: Vernon L. Fritz; City Council: Alvin L. Harward, Mark Johnson, Gary Prestwich, Mary Rugg (Absent: Russell Sly); Administrative Assistant: Ernestine Folks; Daily Herald: Caleb Warnock; Sheriff: Deputy Camille Larsen; Public: Scouts: Adam Merrill, Kacey Gunnerson, Stuart Spencer; Melissa Shuler; & City Recorder: Janice H. Davis

INVOCATION & PLEDGE OF ALLEGIANCE The Invocation was offered by Scout Stuart Spencer, after which the Pledge of Allegiance was led by Adam Merrill.

AGENDA TIME FRAME **MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY GARY PRESTWICH TO APPROVE THE AGENDA TIME FRAME, ADJUSTING THE TIME BY 17 MINUTES**
VOTE: YES (4) NO (0) ABSENT (1) RUSSELL SLY

HENRY LYN/ WATER & SEWER CONNECTIONS Mr. Lyn was ill and has postponed this issue until the 1st Meeting in April, 2004.

AMENDED
BUDGET
2003/2004 &
C.I.P.

Adoption of Amended Budget for Fiscal Year 2003/2004 + Capital Improvement Plan:
MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY ALVIN L. HARWARD TO APPROVE THE BUDGET AMENDMENT FOR THE 2003/2004 FISCAL YEAR AND THE CAPITAL IMPROVEMENT PLAN
VOTE: YES (4) NO (0) ABSENT (1) RUSSELL SLY

RESOLUTION/
AMENDING
DEVELOPMENT &
CONSTRUCTION
STANDARDS

Temporary Turnarounds:
Changes being made to the existing section are amending the requirement from a 100' diameter to 80' diameter. The details of the asphalt surface will be 2 ½", overlaying 6" of approved road base material. The recommendation from the Planning Commission is to approve the Resolution.
MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY MARK JOHNSON TO APPROVE THE RESOLUTION AMENDING SECTION 02.08.066 OF THE ELK RIDGE CITY DEVELOPMENT AND CONSTRUCTION STANDARDS REGARDING TEMPORARY TURNAROUNDS
VOTE: YES (4) NO (0) ABSENT (1) RUSSELL SLY

STORM
DRAINAGE FEE

Mary Rugg:
1. Storm Drainage will be left as an Enterprise Fund Utility.
2. The Mayor asked for an opinion poll to determine if the Council feels a fee should be charged at this time.
(If there were no new growth in the City, there would still be drainage issues all over town that must be addressed.)
Mary Rugg – no, Gary Prestwich – Yes, Alvin L. Harward – Yes (small amount), Mark Johnson – Yes (small amount).
How much?
Mary Rugg - \$0, Alvin L. Harward - \$1, Mark Johnson - \$3, Gary Prestwich - \$2
Mayor Fritz: Asked if it is easier to establish a lower figure and increase it...or establishing a fee that is a bit higher and learning to live with it (it could always be lowered)?
He asked if \$3/month would be supported by the Council? (This would generate about \$5,700 for the remainder of the fiscal year. (There would still need to be a transfer to cover the rest of the budgeted expenditures...from where?)
Both Councilmembers Rugg and Harward agree the problems must be addressed; the question remains...how?
MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY MARK JOHNSON TO SET A STORM DRAINAGE FEE AT \$3.00 PER HOUSEHOLD PER MONTH FOR THREE YEARS, AT WHICH POINT THE CITY COUNCIL WILL REVIEW CURRENT INFORMATION REGARDING THE APPLICABILITY OF THE \$3.00 AMOUNT
VOTE: YES (2) NO (2) ABSENT (1) RUSSELL SLY
TIE VOTE: MAYOR VOTED YES
PASSES 3-2

INTER-LOCAL
AGREEMENT-
O & M OF 911
EMERGENCY
TELEPHONE
SYSTEM

Mayor Fritz: Currently each phone line is charged \$.53/line. This money collected goes to the phone company and they send it on to the County. The County sends the revenue to the State and the State disburses the money.
A proposed Agreement from the County Sheriff's Office would have the \$.53 collected by the phone company and they would send it directly to the State for disbursement. There were no objections.
MOTION WAS MADE BY ALVIN L. HARWARD AND SECONDED BY MARK JOHNSON TO APPROVE AN INTER-LOCAL AGREEMENT FOR THE OPERATION AND MAINTENANCE OF A 911 EMERGENCY TELEPHONE SYSTEM BETWEEN UTAH COUNTY AND ELK RIDGE
VOTE: YES (4) NO (0) ABSENT (1) RUSSELL SLY

EXPENDITURES:

General: None

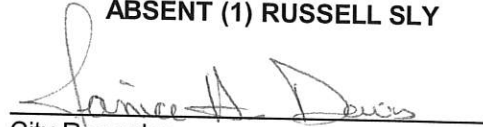
MINUTES

Minutes of 2-10-04:
MOTION WAS MADE BY ALVIN L. HARWARD AND SECONDED BY MARY RUGG TO APPROVE THE CITY COUNCIL MINUTES OF 2-10-2004
VOTE: YES (4) NO (0) ABSENT (1) RUSSELL SLY

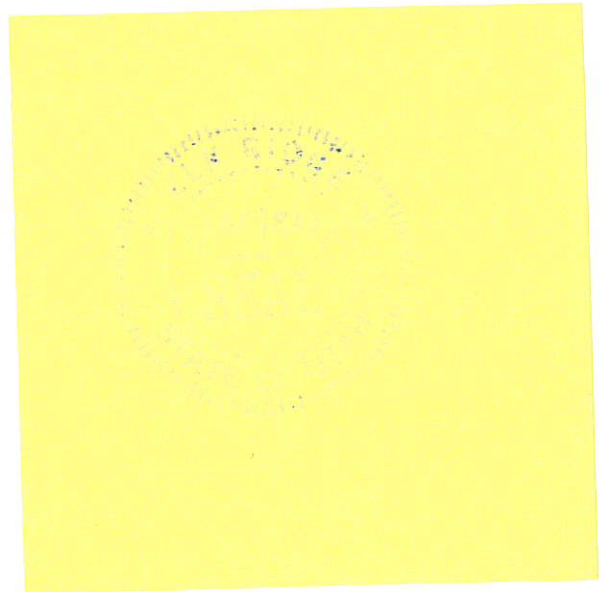
ADJOURNMENT

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

ABSENT (1) RUSSELL SLY



City Recorder



NOTICE & AGENDA

Notice is hereby given that the City Council of Elk Ridge will attend a Special Joint City Council Meeting on Tuesday, March 2, 2004, at 6:30 PM, with the City Councils of Woodland Hills and Payson City. The meetings will be held at the Payson City Hall, 439 West Utah Avenue, Payson, Utah.

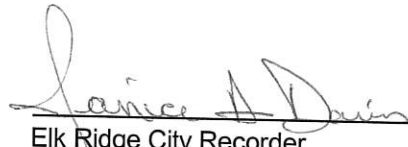
6:30 – PM

SPECIAL JOINT CITY COUNCIL MEETING

Inter-local Agreements

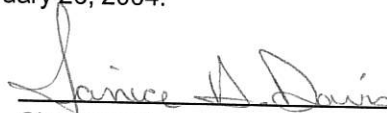
*Handicap Access, Upon Request. (48 Hours Notice)

meeting.


Elk Ridge City Recorder

IFICATION

acting City Recorder for the municipality of Elk Ridge, was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, Utah and mailed to each member of the Governing Body on February 26, 2004.


City Recorder

Joint City Council Minutes
Payson, Elk Ridge, Salem, Woodland Hills
March 2, 2004

Minutes of the Joint Meeting held with Payson City Council, Elk Ridge City Council, Salem City Council, and Woodland Hills City Council on Tuesday, March 2, 2004 at 6:30 p.m.

Mayor Bernell Evans presiding.

ROLL CALL: Payson City Mayor Bernell Evans; Councilmembers: Burtis Bills, Brent Burdick, Brad Daley, and Larry Skinner. Elk Ridge Mayor Vernon Fritz; Councilmembers: Dary Prestwich, Alvin Harward, and Mark Johnson; Woodland Hills Mayor Toby Harding; Councilmembers: Jody Stones, and Todd Ruper; Salem City Mayor Randy Brailsford; Councilmembers: Dale Wills, Terry Ficklin, and Paul Hair; Payson City Manager Andy Hall, Payson City Attorney Dave Tuckett, Payson City Recorder Jeanette Curtis, Payson City Sewer Superintendent Dave Herbert, and Payson City Engineer Glade Robbins.

Mayor Evans opened the meeting and welcomed everyone in attendance. Introductions were made.

Engineer Glade Robbins presented a topographical picture with a proposed sewer trunk outlined. He said that the proposed line would help provide wastewater service to the outlying unincorporated areas, Woodland Hills, and Elk Ridge. He showed where the current line in Payson ends and said that part of it would have to be upsized. A new trunk line would have to be placed along the Salem Canal road and then up through the orchard property to the south side of Highline Canal. There would be a branch on 1600 West to Elk Ridge and continue on east on 11200 S to a branch to Woodland Hills. This layout would all be gravity flow to the Payson plant. The total length of a new line would be about 3 ½ miles. He explained that Payson just upgraded our sewer facility and we are at about ½ capacity.

Councilmember Bills said that there was some talk about a line from Salem to Payson along Arrowhead Trail with a pump station lifting to Payson Sewer Plant and wondered if it would be more useful to bring the area that would have serviced to this new truck line.

Mr. Robbins explained that anything south of this new line would be gravity fed, but anything north would still have to be lifted.

Mayor Harding wondered about an estimated cost and time.

Mr. Robbins stated that the contractor gave him some costs for pipe and the installation costs, but the cost of easements, boring under the canals, and restoration of improvements are the unknown factors.

Mayor Brailsford noted that along with the 2002 Agreement that Salem, Spanish Fork and Payson signed regarding the annexation and sewerage of that commercial area next to the freeway, that Payson would still have enough capacity in the plant for this new proposal.

Mr. Robbins said that the agreement with the three cities was that the sewer would be lifted for that improved area and agreed that even if Payson provided treatment for Elk Ridge and Woodland Hills, the plant would last another 10 years. Then we still have the availability to double our capacity again.

Manager Hall said that Mr. Robbins calculated that a reasonable cost for connection would be around \$20.60 per month per household for Elk Ridge and Woodland Hills. These figures were derived from what it would cost to treat the wastewater. He said that the agreement that Mapleton has with Spanish Fork is the effluent is metered, along with Mapleton purchasing a portion of the Spanish Fork Sewer Plant. The particulars of an agreement and how it is worked out is something the three cities would have to work on and agree with.

Mayor Brailsford stated that all of the mayors are still working on a regional sewer facility, but all of the existing plants would still be used as a pretreatment facility.

Joint City Council Minutes
Payson, Elk Ridge, Salem, Woodland Hills
March 2, 2004

It was suggested that a Special Improvement District might work better in order for the masses to help get the funding.

Mayor Harding stated that Woodland Hills would not be buying a portion of the Payson plant, but would be paying for capacity, so it would be different than what is happening with Spanish Fork. Upgrades might be adjusted in the monthly fees, but it is nothing that Woodland Hills themselves would have to budget for. He asked how it would be funded, and who would have the over all bond and obligation.

Manager Hall stated that Payson City could just have a capacity reserved for that community and the cost paid for monthly. He explained that because of some of the businesses in our City, we had to upgrade our B.O.D demand. Overall we are at ½ capacity and have a new 20-year bond for those upgrades, which seems to be the life of a sewer plant so it would have to be upgraded again in 20 years. Therefore, it makes sense to us to include treating additional sewer and run at 100%, and get additional income to pay for that upgrade we had to do. It seems logical for Payson City to be the debtor, and the other cities buy some of the capacity from us.

Mayor Brailsford noted that this line is less for Woodland Hills and Elk Ridge than it would be to put in the line all the way to the regional plant location, so it would be more logical for them to buy into this rather than wait for the regional one.

Manager Hall stated that though we are all here to talk about sewer, the communities surrounding the area between Salem and Payson and north of Elk Ridge should work together on land use patterns and services for that area. He fears that when the sewerage is available for this area, it will explode with development.

Councilmember Burdick asked which sections of Payson's current line are inadequate, and wondered why we wouldn't take that pipe straight rather than wind it back and forth.

Mr. Robbins explained that he has more detailed information of which sections are inadequate on another map that he will give to the Councilmembers, but said that the layout all has to do with elevation and the gravity flow. He said that we are anticipating that a 24" pipe would be needed through the whole area.

Woodland Hills wondered what decisions their City would have to make within the next year, and figured impact fees, letters of intent, or SID.

Mr. Robbins said that all the funding options mentioned could be considered.

Manager Hall said that Woodland Hills is already requiring all development to put in sewer lines, which is a good thing. He said that our engineer has worked out what it costs to treat the sewer effluent in our plant, we could then decide how to get the physical infrastructure installed, and how our cities could pay us back for that if we bond for it.

Woodland Hills discussed that they have several plats that have septic but all should be developed on sewer. They only have 5 – 10 lines right now that could be on sewer but with the potential build out it would work. Maybe they just need to look at the cost of the line. Mayor Harding stated that Payson would carry the initial funding of the line.

Manager Hall agreed that Payson could do a revenue bond with the monthly or annual payments coming from the other cities and those cities getting it from their users and their monthly utility bills.

Mayor Fritz said that the reason for all the concern lies partly in that growth is going to occur and we need to take care of the sewer issue. Elk Ridge has approximately 240 proposed homes to be built on the Mechem property and they don't want to wait for two years until Woodland Hills is able to come on board. He wondered if Elk Ridge could do it now with Woodland Hills coming in at a later time.

Joint City Council Minutes
Payson, Elk Ridge, Salem, Woodland Hills
March 2, 2004

He noted that part of the reason for this meeting is to go over the benefits of the cities cooperating with each other. In the future there will be requirements for additional water, and Elk Ridge has talked to Payson about jointly drilling a well with some storage, and Payson could connect to Elk Ridge water for fire suppression in that area. He said that Elk Ridge plans to build out in 10 years and double their population.

Woodland Hills mentioned that one of the things that come to mind is the Fire District at the north end of the county. They relate that with this area trying to support a huge line and feels it is not the number of homes, but the number of acres to service, like the fire district. If there was an SID, and through the tax levy the line could be built in a short time rather than wait for development to occur and assess the cost through a monthly service fee.

Manager Hall explained that in order for an SID to be approved 50% of the landowners would have to be willing, and if we can't get that percentage it wouldn't go. Maybe we could contact BYU to see if they could do a survey regarding and SID, but looking at the undeveloped lands he is not sure that they are ready to develop and be willing to pay for the sewer line. He feels that revenue bonds would be a better process.

Woodland Hills wondered why a Payson City Councilmember would vote to go in debt to put a line out to Woodland Hills.

Manager Hall stated that simply the capacity used would increase and help us pay off our debt on the plant upgrade.

It was asked what would happen to the fees if a regional plant were built.

Manager Hall explained that the mayors have put together a study for a regional sewer plant, but they all plan to use the existing plants as pretreatment plants, so they wouldn't be obsolete they would be part of the regional system.

Mayor Fritz noted that with projects in the past we have tried to set dates and things just keep going on, but he would like to target this at 6 months.

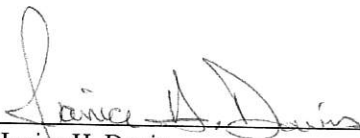
Mayor Harding stated that one connection point hasn't been brought up, which is the Mecham development. There are 200 potential homes and some of his property in Elk Ridge through the Mecham property going to Salem.

Manager Hall stated that Payson just wanted to introduce this concept tonight and then each city can go back and discuss the feasibility. There is absolutely no pressure, we have bonded to upgrade our plant and we are going to pay it off, but we can benefit other cities and get some additional revenue to help pay it off would be great.

Payson City invited the others to dinner that was prepared at 7:30 p.m.

(Prepared by Payson City)




Janice H. Davis
Elk Ridge 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 9, 2004, at 7:00 PM, to be preceded by a Council Work Session and a Public Hearing at 6:00 PM** for the purpose of hearing public comment regarding a proposed Rezoning of property associated with the Rocky Mountain Subdivision, Plat A.

All interested persons shall be given an opportunity to be heard.

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

6:00 PM

1. PUBLIC HEARING/REZONING FROM RR-1 TO R1-15,000A

Public Hearing/Proposed Rezoning of property associated with the Rocky Mountain Subdivision, Plat A, from a RR-1 to R1-15,000A Zone. The property is located approximately in the southeast corner of the Burke Cloward property, north of East Goosenest Drive.

CITY COUNCIL WORK SESSION

2. Road Projects Update – Gary Prestwich
3. Discussion/Planning Commission Update – Ernestine Folks
 - A. Oak Hills Estates, Plats A & C/Preliminary & Final Plat Approval
 - B. Iron Oaks, Plat B/Final Approval
 - C. LDS Chapel/Water Rights
4. Elk Ridge Heights, Plat A/Release of Durability Retainer
5. Joint City Council Meeting Update – Mayor Fritz
6. Meter Reader System – Alvin L. Harward

7:00 - PM

REGULAR COUNCIL MEETING AGENDA ITEMS:

- Invocation and Pledge of Allegiance
Approval/Agenda Time Frame
- 7:05 7. Planning Commission Approvals:
 - A. Oak Hills Estates, Plats A & C/Preliminary & Final Plat Approval
 - B. Iron Oaks, Plat B/Final Approval
 - C. LDS Chapel/Water Rights Allocation
 - D. Ordinance/Rezoning RR-1 to R1-15,000A, for property associated with Rocky Mountain Subdivision, Plat A
- 7:20 8. Elk Ridge Heights, Plat A/Release of Durability Retainer
- 7:20 9. Expenditures:
General
- 7:25 10. Approval of Minutes of Previous Meetings
Adjournment

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

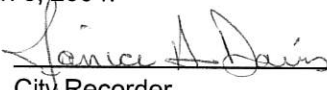
The times that appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting. Dated this 5th day of March, 2004.



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 March 5, 2004.



City Recorder

Alvin Harward: The current zoning is for 20,000 sq. ft. lots. This would be a 5,000 sq. ft. reduction. He feels this is too small for animal rights; but it is zoned with that allowance.

Russell Sly: The Planning Commission has studied this and approved it. He lives next to a lot with animal rights and he has no problem with it.

(A copy of the current regulations for animal rights was provided to the Council.)

Gary Prestwich: He felt the general consensus of the Council is that they would rather not have animal rights on 1/3 acre. Even though the Planning Commission has given their approval, he is still concerned about granting final approval. Could the Ordinance be re-written? Could the Plat be sent back to the Planning Commission?

Ernestine Folks: To re-write the Ordinance would take time and this Subdivision falls under the current Code. This Zone is in the current Code and it does allow for animal rights.

Alvin Harward: If they have complied with the current Ordinance, the Council does not have any choice.

*(The Rezone Ordinance and Amending Map were not prepared by the City Planner for this meeting. Any action will have to be postponed until the next Council Meeting on 3-23-04.)
There will be through-streets rather than cul-de-sacs on the Final Plat.

Mayor Pro-tempore Gary Prestwich closed the Public Hearing.

ROAD PROJECTS UPDATE

Gary Prestwich: \$125,000 has been budgeted for Road Repairs for this fiscal year. The City will spend up to this amount by June 30, 2004 (end of fiscal year).

There will be two more projects this year:

1. Salem Hills Circle: Rebuilt after the water line is replaced.
2. Oak Ridge Drive: The section of road abutting the LDS Chapel on the corner. This section of road will be rebuilt.

These jobs were bid on by Staker Paving and will be done in May, 2004.

DISCUSSION/ PLANNING COMMISSION APPROVALS

A. Oak Hills Estates, Plat A:

Ernestine Folks: (Memo) On March 4, 2004, the Planning Commission recommended to the City Council to approve Preliminary and Final Plat for Oak Hills Estates Subdivision, Plat A, with the exceptions as noted by the staff to be in place prior to the recordation of the Plat.

"Capacity in the systems has been allocated by the Council for this development for 10 lots. Waivers of Entitlement will need to be recorded for two of the lots.

Mr. Yergensen will need to specify which two lots will have the Waivers of Entitlement, prior to the Council's motion to approve."

The Council reviewed the Plat map. The proposed subdivision will connect Hillside Drive from Alexander Drive northwest to Oak Hills Estates, Plat B. The Council already approved the two additional lots with waivers recorded on them until such time that the Council releases more water and sewer connections.

Copies of letters from the City Engineer and the City Planner were provided to the Council.

LEI Letter (Mike Christianson), dated March 4, 2004:

Mr. Christianson stated that his "primary concern with the subdivision is with the management of storm run-off from the watershed above the proposed development. Before recommending that the subdivision be approved, it was necessary for the developers' engineer to analyze the watershed and determine if the previously installed culvert beneath Salem Hills Drive could pass the anticipated run-off flows. A stamped report letter was prepared by Trane Engineering, P.C. wherein it was determined the culvert will pass the anticipated flows and effectively route the water to the previously constructed retention basin."

With this problem addressed, Mr. Christianson recommended acceptance of the conclusion of the report and approval of the subdivision, "provided the concerns of the City Planner are satisfied."

Letter from Jim Bolser (City Planner), dated March 4, 2004:

Findings:

1. The buildable area of each lot needs to be noted on the plat (Completed)
2. Notation needs to be added to declare all lots as "Single-Family Residential"
3. Notation on the Plat should declare that the buildable area shall not be less than 4000 ft², not 400 ft², for each lot.

4. The plans call for the filling in of the natural ravine through the subdivision. The applicant, subject to City Engineer's approval, shall submit geotechnical calculations and information to certify that the elimination of the ravine will not cause damage to homes to be built within the subdivision due to compaction and other issues, and that no damage could result from the elimination of the natural drainage channel.

Mr. Bolser felt the 1st three issues are "cosmetic" in nature. He recommended approval following the City Engineer's review and approval of #4.

Also submitted to the Council: A Preliminary & Final Review from the Staff:

Many conditions were noted that must be addressed prior to recording the Plat.

The Council expressed concern that the natural drainage ravine might be damaged.

Mark Johnson: The engineering includes a pipeline (15" pipe) directing the run-off to the existing large retention basin.

Ernestine Folks: The City should not set the engineering calculations aside; and they are satisfied that the design will handle the run-off.

Where the slopes are more than 20% grade, the current Code does not allow building.

Russell Sly: There are no assurances that the engineering designs will work. If these engineered projects don't work, what recourse does the City have when problems arise? He expressed great concern that the ravine may be partially filled in.

Ernestine Folks: There is only one small section on the upper part of the Plat where the ravine would be partially filled in, but it will be piped and the run-off routed to catch basins. The homes must be built within the buildable area, which is very sensitive to the ravine.

The engineers are responsible for their work and would be liable for any repairs. They "stand behind" any work that has been stamped/sealed by them.

Alvin Harward: Agreed. As a former Bank Manager, he has experience in loaning money to an engineering firm in that very situation.

Mary Rugg: When individuals incur damage, they will come to the City.

Alvin Harward: They would be directed to the City engineers. The Council cannot second-guess the engineers. They are paid for their expertise.

Ernestine Folks: Pointed out that there are no CC&R's (Restrictive Covenants) to be recorded with the Subdivision.

No further comment.

B. Oak Hills Estates, Plat C:

Ernestine Folks: (Memo)

On March 4, 2004, the Planning Commission made the recommendation that the City Council approve the Preliminary and Final Plat for the Oak Hills Estates, Plat B, with the exceptions as noted by the staff to be in place prior to recordation of the Plat.

This is a two-lot subdivision at the south end of the proposed Oak Hills Estates, Plat A.

They were not included in Plat A because they are undersized. The City Code allows for undersized lots, but the subdivision must not be more than two lots.

These two developments will be good for the City in that they will connect Hillside Drive.

Letters from LEI Engineering and Jim Bolser recommend approval, contingent upon the items listed in the letters be addressed prior to recording the Plat.

A Preliminary & Final Review from the staff was also submitted to the Council.

*(It was decided to postpone discussion on Iron Oaks, Plat B and the LDS Chapel water rights until the regular session.)

ELK RIDGE
HEIGHTS, PLAT A
DURABILITY BOND
RELEASE

Due to snow still being on the roads and ground in Elk Ridge, the Engineer could not conduct the final inspection of the development. This is postponed until the next City Council Meeting.

JOINT CITY
COUNCIL
MEETING

Update: (Meeting with Payson, Salem, Woodland Hills & Elk Ridge)

Alvin Harward: (Was present at the Joint Meeting)

Payson has contributed about 6 or 7 million dollars upgrading their sewer facility.

They are willing to allow Elk Ridge to connect to their system for the price of treating the water.

They are only at about 50% of their capacity. They would like to connect other entities on to assist in paying for these upgrades.

Russell Sly: Payson has been very positive in their response to the proposed connection. It is his understanding that we are waiting on the City Engineer, Glade Robins, to come up with some numbers to be used in Elk Ridge's proposal.

Alvin Harward: One of the biggest advantages is that Payson will run the lines to Elk Ridge and then we would have to connect to their line.

Russell Sly: Payson is also willing to bond for the project.

Gary Prestwich: The Mayor is trying to arrange a meeting in two weeks. Woodland Hills is also interested in joining in the project.

Another topic of discussion was concerning phosphorous deposits in Utah Lake. The estimated cost to clean this up is high. This new electric plant (to be located beside the sewer plant) will use a huge amount of the "gray" water from the sewer plant. So this source of phosphorous would be eliminated from then traveling down to Utah Lake. This would be advantageous to the entire County.

METER READER
SYSTEM

Postponed until next Council Meeting.

**ELK RIDGE
CITY COUNCIL MEETING
March 9, 2004**

TIME & PLACE
OF MEETING

The regular Meeting of the Elk Ridge City Council, scheduled for **Tuesday, March 9, 2004, at 7:00 PM;** to be preceded by a **City Council Work Session and a Public Hearing at 6:00 PM.** The Public Hearing was for the purpose of receiving public comment about a proposed Rezoning of property associated with the Rocky Mountain Subdivision, Plat A, from RR-1 to R1-15,000A Zone.

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

Notice of the time, place and Agenda of the scheduled meetings & Public Hearing was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on March 5, 2004.

ROLL CALL

Mayor Pro-tempore: Gary Prestwich; *City Council*: Alvin L. Harward, Mark Johnson, Mary Rugg & Russell Sly (Absent: Mayor Fritz); *Administrative Assistant*: Ernestine Folks; *Sheriff*: Deputy Camille Larsen; *Public*: RL Yergensen, Mike Dubois, Justin Dubois, Jason Dubois, JoAnn Bigler & Lester Van Nosedol; & *City Recorder*: Janice H. Davis

INVOCATION &
PLEDGE OF
ALLEGIANCE

The Invocation was offered by Councilmember Russell Sly, after which the Pledge of Allegiance was led by Alvin Harward.

AGENDA TIME
FRAME

**MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY ALVIN HARWARD
TO APPROVE THE AGENDA TIME FRAME, ADJUSTING THE TIME FRAME BY
20 MINUTES**

VOTE: YES (5)

NO (0)

ABSENT (1) MAYOR FRITZ

NON-AGENDA
ITEM

City Recorder: Informed the Council that the City received a letter from the Utah Atheists. They inquired about the reason no response was sent to their 1st letter. The 1st letter had no return address. The information has been faxed to the City Attorney for follow up. The matter may be placed on the next City Council Meeting agenda, pending Mayor Fritz's approval.

PLANNING
COMMISSION
APPROVALS

A. Oak Hills Estates, Plat A – Preliminary & Final:

RL Yergensen: He designated Lots 1 & 12 to be recorded with waivers.

When the Council releases more connections, he would like the Council to consider these two lots first in priority.

The Council said they would consider these lots as being at the top of the list, but could not say when that would be.

MOTION WAS MADE ALVIN HARWARD AND SECONDED BY MARK JOHNSON TO APPROVE OAK HILLS ESTATES, PLAT A, GRANTING PRELIMINARY AND FINAL PLAT; SUBJECT TO ALL REQUIREMENTS BEING METN (AS PER STAFF) BEFORE RECORDING OF THE PLAT AND WITH WAIVERS OF ENTITLEMENT TO BUILD ASSIGNED TO LOTS 1 & 12

VOTE: YES (5) NO (0) ABSENT (1) MAYOR FRITZ

Oak Hills Estates, Plat C – Preliminary & Final:

MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY MARK JOHNSON TO APPROVE OAK HILLS ESTATES, PLAT C, GRANTING PRELIMINARY AND FINAL PLAT; SUBJECT TO ALL REQUIREMENTS BEING MET (AS PER STAFF) PRIOR TO RECORDING THE PLAT

VOTE: YES (5) NO (0) ABSENT (1) MAYOR FRITZ

B. Iron Oaks Subdivision, Plat B – Final:

Ernestine Folks: (Memo)

On March 4, 2004, the Planning Commission made the recommendation for the City Council to approve the Preliminary and Final Plat for the Iron Oaks Subdivision, Plat C, with the exceptions as noted by the staff to be in place prior to the recordation of the Plat.

Some of the improvements will be installed; for some the City will accept cash in lieu of installation.

Cost estimates still need to be approved for the project and the bonding taken care of.

The problem with the turnaround was solved by the Council passing an amendment to the Standards requiring an 80' temporary turnaround, with road base.

Alvin Harward:

1. He has been asked to install another fire hydrant for his lot. There is already one about 100' away. The Technical Review Committee is interpreting the distance requirement to be no more than 250' from any home. Mr. Harward says the Code states that no lot shall be more than 250' away from a hydrant. That makes a difference. The existing hydrant is close enough by that standard.
 2. The existing water line leading to his property is a 6" line. The requirement is 8". He does not feel it would be prudent to connect an 8" line to a 6" line for one lot. As construction continues up the hill, the line would be 8".
(The difference in cost form a 6" line to a an 8" line would be about \$200.)
 3. Curb & gutter is being required of him. There is no curb & gutter in any of the surrounding area. He feels it would be unnecessary and would be out of place to install it for just his lot.
- Mr. Harward would like for the Council to grant exceptions to the existing Code for curb & gutter and for the size of the line.

Ernestine Folks: Exceptions to the Subdivision Ordinance can be granted by the City Council; however the exception does result in changing the requirement for everyone else.

Alvin Harward: Does not agree with this interpretation.

Russell Sly: Suggested referring the issue of exceptions to the City Attorney.

MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY MARK JOHNSON TO GRANT PREIMINARY AND FINAL PLAT APPROVAL TO THE IRON OAKS SUBDIVISION, PLAT B; WITH THE NOTATION THAT THE ISSUE OF THE ABILITY OF THE CITY COUNCIL TO GRANT EXCEPTIONS TO THE CODE ON AN INDIVIDUAL BASIS, BE REVIEWED BY THE CITY ATTORNEY AND HIS OPINION BE CONSIDERED; AS WELL AS REQUIREMENTS LISTED BY STAFF BE COMPLETED PRIOR TO RECORDING THE PLAT

VOTE: YES (4) NO (0) ABSENT (1) MAYOR FRITZ
ABSTAIN (1) ALVIN HARWARD (Is the developer of Subdivision)

C. LDS Chapel/Water Rights: (Lester Van Nosedol was present from the LDS Church)
From LEI Engineering Letter, dated 3-3-04:

The issue has come up as to the amount of water rights the proposed Payson East Stake Center should deliver to the City for their proportionate share of water consumption. By the current ordinance, Section 10-15F-11: the amount required would be 2.6 acre-feet per acre of land, which in this case would be X 4.55 acres to get 11.83 acre-ft. of water right. LEI feels this

is "excessive" given the past history of water consumption by the other of the two LDS Churches.

Based on actual consumption and comparisons with the other two chapels, Mr. Christianson (LEI) recommends 6.8 acre-feet of water right be conveyed to the City for this project.

Alvin Harward: He is not opposed to the recommendation of 6.8 acre-ft. of water right; but this is the same concept as the issue with granting exceptions for his development. The ordinance requires 2.6 acre-ft. of water right for each acre of land. To deviate from this would be to grant an exception. There is no difference.

Ernestine Folks: The Code states that in no case should the amount of water right be less than 1/3 acre-ft. of water right per dwelling. In this case, there is the idea that it is not more than one building and using a reasonable calculation, 6.8 acre-ft. seems "reasonable" to the engineer.

Russell Sly: A Stake Center gets heavier usage than a Ward House. Has this been taken into consideration?

Ernestine Folks: The Landscaping Plan will be included on the Site Plan.
The Council

*The City Council wants the issue of "exceptions" resolved prior to a vote on this matter.
(Councilmember Prestwich will contact David Church.)

ELK RIDGE
HEIGHTS,
PLAT A

Release of Durability Retainer:
Letter from LEI not available. Postponed.

EXPENDITURES:

Check Registers for January and February, 2004:

There were questions on some of the checks to one vendor with several various invoices to different accounts. Can these be listed on the Check Register?

**MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY ALVIN HARWARD TO
APPROVE THE CHECK REGISTERS FOR JANUARY AND FEBRUARY, 2004.**

VOTE: YES (5) NO (0) ABSENT (1) MAYOR FRITZ

MINUTES

Minutes of 2-24-04:

**MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY MARY RUGG TO
APPROVE THE CITY COUNCIL MINUTES OF 1-13-2004**

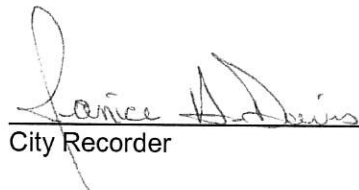
VOTE: YES (5) NO (0) ABSENT (1) MAYOR FRITZ

*Next Council Agenda: Discussion/Who is billed for Storm Drainage.

ADJOURNMENT

**MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY MARK JOHNSON TO
ADJOURN THE MEETING**

VOTE: YES (5) NO (0) ABSENT (1) MAYOR FRITZ



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, March 23, 2004, at 7:00 PM, to be preceded by a 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


1. Water Rights Prices – Mayor Fritz
2. Boyd Hanks/Loafer Recreation Association – Septic Tanks
3. Subdivision Code/Adjustments to Standards Procedure - Gary Prestwich
4. Storm Drainage Billing/Discussion – Mayor Fritz
5. Utah Atheists/Prayer in Public Meetings – Mayor Fritz
6. Water Rates & Capacity/Review – Russell Sly
7. Mowing Equipment – Russell Sly
8. Sump & Sewer Clean-out – Russell Sly

7:00 - PM REGULAR COUNCIL MEETING AGENDA ITEMS:

- Invocation and Pledge of Allegiance
Approval/Agenda Time Frame
- 7:05 9. Planning Commission Member Appointment
- 7:10 10. Loafer Recreation Association/Septic Tanks – Mayor Fritz
- 7:20 11. Elk Ridge Heights Subdivision, Plat A – Durability Retainer Release
- 7:25 12. Subdivision Code/Adjustments to Standards Procedure – Gary Prestwich
- 7:40 13. LDS Chapel/Water Rights Conveyance – Mayor Fritz
- 7:45 14. Approval – Rocky Mountain Subdivision, Plat A – Re-Zone RR-1 to R-1-15,000A
- 7:55 15. Iron Oaks Subdivision, Plat B/Final Plat
- 8:10 16. Storm Drainage Billing – Mayor Fritz
- 8:10 17. Expenditures:
General:
A. Utah County Book Mobile/Approval of Contract
B. Salem Sewer Treatment Improvements/Payment – Russell Sly
- 8:15 18. Approval of Minutes of Previous Meeting
- 8:20 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 March 19, 2004.



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 March 18, 2004; and an Amended Agenda on March 19, 2004.



City Recorder

**ELK RIDGE
CITY COUNCIL MEETING
March 23, 2004**

**TIME & PLACE
OF MEETING**

The regular Meeting of the Elk Ridge City Council, scheduled for **Tuesday, March 23, 2004, at 7:00 PM;** to be preceded by a **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 the time, place and Agenda of the scheduled meetings was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on March 18, 2004; and an Amended Agenda on March 19, 2004.

6:00 PM

CITY COUNCIL WORK SESSION

ROLL CALL

Mayor: Vernon L. Fritz; *City Council:* Alvin L. Harward, Mark Johnson, Gary Prestwich, Russell Sly (Absent - Mary Rugg); *Administrative Assistant:* Ernestine Folks;
Sheriff: Deputy Camille Larsen; *Public:* Chad Christensen, Boyd Hanks, Nick Hanks, Grant Moore, Russell Wilson, Linda Goodwin, Dennis L. Roberts, Mike Dubois;
& *City Recorder:* Janice H. Davis

**WATER RIGHTS
PRICES**

Mayor Fritz: It was brought to the attention of the Mayor that other cities may be charging considerably more than Elk Ridge charges for city-owned water rights. Mayor Fritz contacted John Mabey (Water Rights Attorney) and Dallas Young (retired Water Rights Attorney) to find out what the market is for the purchase of water rights. Mr. Mabey said that the market is "pushing" the price up; however he did not have an amount at this time.
The Mayor will investigate further.

**LOAFER
RECREATION
ASSOC.**

Mayor Fritz: This discussion is for the purpose of hopefully reaching a conclusion to the issue of septic tanks either being allowed (or not) within the Loafer Recreation Association area. The Well-Head Protection Plan does not allow septic systems within the Protection Zone. Enforcing the current standard disallows the issuance of building permits in the area, if the intent is to use a septic system.
Holding tanks have been suggested as an alternative; however, the State and the County will not approve them.

A packet of history/information regarding the matter was submitted to the Council to review with the Mayor.

Brief History:

The Association has every intention of continuing to build cabins on their property. Elk Ridge purchased land and drilled a well (1993) within the Associations property.

Some years later, the State mandated a well-head protection study be conducted and a plan submitted, which was done. The plan indicates various "zones" based around the wells in the City; including certain conditions required within these "zones".

Zone 1: 100' radius around the Loafer Well-head (margin of the collection area)

("No future pollution sources will be allowed to be located in this area.")

Zones 2, 3 & 4: Indicate that there are certain time frames to be considered as to how long it would take ground water to travel ("TOT"...time to travel) to the well-head or margin of the collection area.

Letter from LEI Engineering: (2nd paragraph, 5th line down) states, "...in other words, ground water within this zone is expected to travel to the well within this time period." All off the zones are expected to have the ability to travel to the well-head within 250 days, 3 years or 15 years. The conditions for each vary a little.

(Same letter, continued in last paragraph on the 1st page)

"The Management Program for Future Potential Contamination Sources section of the plan does not specifically restrict the installation of septic tanks in this zone, but recommended a Drinking Water Source Protection Ordinance be enacted which the City approved Feb. 8, 2002."

There is the indication that septic tanks may be acceptable if the control can be mitigated by design standards; yet the engineering letter states they cannot be controlled through design standards.

There is no way to get a 100% guarantee that there would be no contamination from a septic tank. At what point does one differentiate between a “reasonable risk” and the absolute absence of risk?

The question to the Council, in part, will be...how great a risk is perceived?

Geological data:

Elk Ridge is located in the “ochre” formation, which varies from 67’ to 15,000’ in depth (67’ at the well-head). The Loafer Well draws water from this formation.

Wasatch Thrust Fault is located approximately 1,000’ southeast of the Well.

The Well-head document goes on to say that although they have not done a “soils evaluation” to determine whether all of the ground water that seeps into the soil will travel down to the well or not, they believe that it probably will, based on the structure of the valley and the surrounding hills.

Woodland Hills has approved 200+ homes to go into the area just above part of the same aquifer. The Mayor expressed his understanding that the Association is upset at not being able to build within their property.

What is the solution?

Boyd Hanks: Asked why the Engineering letter is contradictory to the County’s opinion? The County Health Dept. is the City’s regulatory agency. The County is of the opinion that the ground water is not going to move more than 6 or 8 feet into that drain field.

Mr. Hanks commended the Mayor for the research done in preparation for this meeting; but expressed the frustration the Association feels. “We need a little ‘wiggle room’ here for a few years. I think 3 to 5 years there would be a sewer line down that road, and we would connect to it.”

Perhaps Don Mecham would be bringing the line through this area, since he is the developer of the proposed 250 homes in Woodland Hills.

Mayor Fritz:

Possible solutions:

The Mayor spoke with Mr. Mecham and Woodland Hills about the interest in bringing that sewer line down from his proposed development and Mr. Mecham is very interested in doing so. This is no commitment, but he is interested.

The immediate issue still remains.

- Would it be unreasonable to permit a small number of septic tanks?
- The Mayor also provided information about other systems: “Mound Systems”, “Gravel & Sand”, etc. There are other options.

If the sewer line is brought to the area, is the Association willing to commit to bringing a line to the sewer main from their property to connect to the sewer...if they get some temporary approvals? If the line is brought to the area of the gate, is the Association willing to do this?

Boyd Hanks: Said that they know it is going to come and he does not think there is any question that they would do that.

There was a Plat approved a year or a year & ½ ago in the Recreation area. In that Plat there are 23 lots; 5 of those have been build on in the last 10-12 years.

He requested having just a few lots approved until the sewer line is available (perhaps 4 to 8 lots over the next 6 to 8 years). The members of the Association are not there for much of the year and would not be adding much waste to the septic tanks. The members feel they are caught in the middle of this situation and would like to work out a solution.

Russell Sly: Recommends having the County put down in writing their opinion about the safety of septic tanks. If they would do that, then Councilmember Sly would be able to support approving building permits in the area. Without that assurance, he would be hesitant to support the request.

Mayor Fritz: The County and the State are both against “holding tanks” for new construction. The Mayor asked the City Attorney for a legal opinion regarding having holding tanks installed anyway, without approval; his response was that although it probably happens often, in case of contamination, it is the *approving authority* that is responsible for cleaning the aquifer.

More testing on the well would not benefit in that the contamination would already be occurring.

Russell Sly: He feels it would be more effective to test the soil around the drain field to determine if “migration” is going on.

Mayor Fritz: The State says no holding tanks for *new construction*, but holding tank permits could be issued to mitigate circumstances that could not otherwise be handled by a sewer or a septic system.

Boyd Hanks: The Association could live with that. Salem City has agreed to pump the tanks. They do feel there are discrepancies in the advice being given the City.

The Association would like to avoid litigation, but the situation is frustrating.

Mayor Fritz: Reminded Mr. Hanks that it was the State that originated the Well Head Protection Act and required the study and Plan to be submitted, not the City.

Russell Sly:

1. Would still like to have some written assurance from the County regarding the safety of septic systems to water supplies.

2. He would also like to see a system of soil testing.

Mayor Fritz: Proposed that he and Mr. Hanks go to the County together to speak to them about options available. The Council cannot simply vote on granting a certain number of permits to the Association. He would like to arrive at a point of solution for all concerned.

The Mayor personally feels the approval of 8 or 10 permits over a 10-year period would be reasonable, based on:

1. Short period of time of actual occupancy

2. There is a high probability of sewer coming to that area within 2 to 3 years

3. He feels septic systems are "safe"

Council Poll:

Russell Sly: Generally in favor of granting approval for a certain number of building permits, under the conditions he stated.

Gary Prestwich: Agrees with Councilmember Sly. He added the question, if something goes wrong, will the Association drill the City a new well? Once contaminated, the system will also be contaminated.

(The Association could not do this.)

What specifically is the Council voting on? Septic Systems...holding tanks...or other options? He would like to have some assurance.

What are options other places have tried?

Alvin Harward: There are no guarantees about the safety of septic tanks. Any number of things could contaminate the wells.

Mark Johnson: He would feel comfortable with some type of testing.

SUBDIVISION
CODE/
ADJUSTMENTS

Gary Prestwich: As a result of requests for exceptions to the Subdivision Standards to be granted by the Council, Councilmember Prestwich was to contact David Church for his legal opinion. The City Council needs to know: if an exception (adjustment) is granted, does that exception affect all other developments on the particular section wherein an exception was granted? In other words does the Code then change permanently as a result of the exception granted?

Both Councilmember Prestwich and Ernestine Folks spoke to David Church and his response was:

There are two parts to this issue:

1. If it is an exception to a development standard, the City Council can grant an exception and it does not change the existing ordinance; and the ordinance still applies generally to everyone else.

2. If it is a zoning issue, and an exception is granted, the ordinance is destroyed. "Variances" to the Zoning Ordinance are granted by the Board of Adjustments, not the Council.

Mr. Church was to have faxed or emailed his written opinion before the Meeting this night. It has not been received.

The City Ordinance does state that, Adjustments to Standards "may be authorized by the City Council *after* recommendation from the Planning Commission". There are also conditions listed for granting an adjustment.

Councilmember Prestwich also addressed the Council about amending the current Standards that require curb & gutter in all zones. He submitted two drawings for cross sections of roads in the City that would not require curb & gutter. Some roads would have curb & gutter and some would not.

Mayor Fritz: There would have to be some order to the requirement of curb & gutter. Decisions could not be capricious.

Gary Prestwich: We would not want to force someone with a lot surrounded by no curb & gutter, to have to install it. He recommends a master plan for roads installed by new development.

The cross-section drawings also indicate that 1" of asphalt overlay will be added to the 2 ½" of asphalt after 90% of the development is completed. This repairs any damage occurring during the construction of the improvements.

He also favors the use of retention basins rather than sumps to control run-off. Sumps eventually fill up and must be cleaned out frequently to maintain their effectiveness. (The Standards would have to be amended to reflect these suggestions.)

STORM
DRAINAGE
BILLING

Mayor Fritz: A Storm Drainage Fee is being charged to the residents of Elk Ridge.

A question has come up pertaining to billing certain sections of the City:

Loafer Recreation area, Goosenest area, Ken Hall property south of the City, Gary Hansen (in the County, but is billed for the other utilities).

The Mayor was under the impression that Loafer Recreation would not be charged for storm drainage. The Goosenest area was to be charged because they are residents of Elk Ridge and they may have curb & gutter in the future, as development occurs.

There may be a retention basin down further on Goosenest Drive, whether there is curb & gutter or not.

Loafer Recreation area:

The valley below the area does have run-off at times.

Russell Sly:

1. Is there the potential for damage?
2. What kind of mitigation could be installed?

Mark Johnson: The City maintains the culverts and the ditches in Loafer Canyon.

City Recorder: The City does not maintain anything inside the Recreation area.

Alvin Harward: There are homes in that area; there are homes in the other areas of the City; there is no difference.

Ernestine Folks: The basis for assessing the fee was not whether there is curb & gutter. Much of the City would argue that because they do not have curb & gutter, they should not be assessed a fee. So, what is the basis for assessing the fee?

Gary Prestwich: He feels there is a difference in that any damage resulting from storm drainage would be repaired by Loafer Recreation Association.

Mayor Fritz: Another piece of property once belonging to Ken Hall that is above Canyon View Drive. They are on their own well and septic system. They are part of Elk Ridge.

Alvin Harward: Feels if property is within the City boundaries, they should be assessed a fee.

UTAH ATHEISTS/
PRAYER IN
PUBLIC
MEETINGS

Mayor Fritz: The City has received a 2nd letter from the Utah Atheists regarding the issue of Prayer in Public Meetings. They also requested certain documents to be sent to them. This is a second notice from them. They expressed concern that there was no response to the 1st letter sent to Elk Ridge. (There was no return address included with their 1st letter.)

The request has been made for a copy of all replies from the City, copy of the 1st letter sent to Elk Ridge, a current policy for Prayer/Remarks in the meetings & pages of the minutes wherein letters were discussed.

Excerpts from an article written by David Church for the Utah League of Cities & Towns was included with their 2nd letter.

All of the information, including the entire article by Mr. Church, was provided to each member of the City Council for review.

Mr. Church (also the City Attorney for Elk Ridge) gives the following suggestions:

1. Carefully decide whether prayer adds enough to your meetings to justify the effort.
2. If you decide that prayer is an important part of the council meeting, then adopt a formal policy on how this will be carried out.
3. Allow your staff the time and resources to comply with your own policy.
4. Provide for participation by the non-religious as well as the religious.
5. Do not ask, at the meeting, for volunteers from your staff, the audience, or council members to offer the prayer.
6. The agenda should reflect what is going to happen at the meeting. If you just want to have the same thing on every agenda for convenience sake, then use a generic term like 'reverence' 'opening ceremony' or 'invocation/thought/reading'.

Finally with regard to the notice from the Utah Atheists, they have asked for an opportunity to present in your meeting. While the law may not require a response, good manners do. I suggest that you respond with the information they have requested and be prepared to schedule their presentation."

The Mayor felt the closing statement on the 1st letter was included for the purpose of offending the recipient. If prayer is offensive to this group, then so was their statement that, *"There are no gods, no devils, no angels, nor heaven or hell. There is only our natural world. Religion is but a myth and superstition that hardens hearts and enslaves minds."*

The second letter demands a response by April 1, 2004. The stated, "If we again have no written reply from you, we will interpret it as a Final Denial of our requests under Utah law and will proceed to enforce your compliance through whatever means legally required."

Mayor Fritz went on to state that these people are citizens of the State of Utah and are not asking something that violates the law. He spoke to various Mayors of surrounding areas and some replied they were simply going to ignore the letters. Mayor Fritz does not agree with this and reviewed Mr. Church's recommendations.

The request for documents will be met.

Gary Prestwich: Also agreed with the idea of a formal policy that would include having a pre-determined list of assigned speakers to address the opening portion of the meetings. (An announcement could go out in the City's monthly newsletter requesting speakers to add to the list.)

Mayor Fritz: Added that there should be the stipulation in the policy adopted, that any person wishing to address the Council during this period of time could not exceed 1 to 2 minutes.

Russell Sly: Agrees with these suggestions and added that any comments should be of an uplifting nature....not derogatory to anyone in any way.

(Mr. Church included a sample of Salt Lake City's policy, which has been upheld in the Utah Supreme Court.)

WATER RATES & CAPACITY

Russell Sly: The current water rates were set for 2 specific reasons:

1. To conserve water
2. To increase revenue to offset the declining financial situation in the Water Dept.

He feels the 1st reason has been eliminated....there is water available.

He also feels the financial health of the Water Fund is in better shape now.

Suggestion:

- Keep the Base Rate at \$40, but to increase the amount of water that would purchase from 12,000 gallons to 16,000 or 17,000 gals.

Mayor Fritz: Curtis Roberts (CPA/Auditor) will be coming for Council Training and to present the 5-Year Projection Study for the Water Fund. He will be coming in the next month or month & 1/2. It might be wise to postpone any action on the water rates until after his presentation.

Gary Prestwich: Would like the Council to consider reducing the tiered rates:

- \$1.80/1,000 gals. to \$1.40
- \$2.00/1,000gals. to \$1.80

He feels this would make a difference in the bills for the residents.

Alvin Harward: Suggestion to consider raising the amount of water for the Base Rate to 15,000 gals. The rates cannot change too much due to the amount of future improvements planned.

Gary Prestwich: That would not amount to much of a decrease...perhaps an average of \$60/year.

Mayor Fritz: Recommends a conservative attitude as far as lowering the water rates, due to the major expenditures planned.

The Mayor feels strongly the City needs to consider an additional well sooner than planned. He was in contact with the City's Water Rights Attorney (John Mabey) and he indicated that the State is preparing to start a study, taking about 18 months, to consider limiting the amount of water that could be pumped out of the ground (Utah County and Salt Lake County). As this valley fills in with growth, there will be a huge demand on ground water. He wants to "push" towards drilling a 3rd well. The more cash there is to accomplish this, the better.

Mark Johnson: Agrees that the Council should postpone any action until after the presentation by the CPA.

There was no disagreement.

MOWING EQUIPMENT

Russell Sly: He feels the City needs mowing equipment to control the weeds, mainly for fire suppression reasons (primarily to be used on vacant lots and roadsides).

Last year there were 5 brush fires.

Councilmember Johnson has been trying to locate equipment and it appears the best source is through the State Surplus. There is a possibility of acquiring a tractor/mower

For about \$10,000 to \$12,000. They would have to be inspected and checked out.

He would like to request approval for up to \$12,000 for the purchase of this equipment, for this fiscal year.

Question: What is the cost of leasing comparable equipment? Is there not an inter-local agreement to lease equipment through other cities? (This will be check out by the Mayor.)

The City has hired Dale Christofferson to cut weeds in the past; however he is afraid that the debris hidden in the weeds on the vacant lots would break his equipment.

This is a problem for any machinery used to cut the weeds.

Mayor Fritz: Letters have gone out to vacant lot owners asking that their lots be cleared. If the City does the work, the property owners will be billed. The owners have been generally agreeable to the request.

The Mayor asked Ernestine Folks to send out letters to 5 lawn-care companies to gather information about costs associated with this type of service. The Mayor does not wish to enter into the lawn-care business nor the payment collecting business. He would rather the owners themselves hire the contractors to do the work.

SUMP/SEWER CLEAN-OUT

Russell Sly: The City must have a way to clean out the sewers and the sumps.

What is the best way to accomplish this? Should the City hire out the work?

The last time the cost was about \$6,000.

Gary Prestwich: These sumps had not been cleaned out and were difficult to clean. If this were done annually, perhaps the cost would be much less.

Russell Sly: The sewer lines in the City also need to be cleaned out. Kent Haskell (Public Works Superintendent) recommends the purchase of a jet-truck.

Mayor Fritz commented that this type of equipment is listed on the inter-local agreement between cities; the problem is timing.

Councilmember Sly pointed out that there is an opportunity to purchase a used jet/vacuum truck, previously owned by Orem City. A private contractor purchased the truck to use on a project and now he wants to sell it. This contractor is to contact Councilmember Sly with a price...possibly about \$25,000. This would be a good deal since these types of trucks typically cost 2 or 3 hundred thousand dollars.

Mark Johnson: He has a problem with purchasing equipment with no place to store it.

Russell Sly: Mr. Haskell said that a good place to store it would be the enclosed area down by the new well (Cloward Well). There is no cover in that area.

City Recorder: Cautioned the Council about spending an excess of money when the General Fund is already drawing considerably on prior years' Fund Balance.

The next couple of years will be addressing road projects and much of the accumulated Fund Balance will be spent on these projects.

Russell Sly: Proposes paying for the jet-truck out of the Sewer Fund over the next few years. (This does not cover the expense for a mower or a new Public Works' pickup.)

Mayor Fritz: The Council will consider all of these recommendations.

**ELK RIDGE
CITY COUNCIL MEETING
March 23, 2004**

**TIME & PLACE
OF MEETING**

The regular Meeting of the Elk Ridge City Council, scheduled for **Tuesday, March 23, 2004, at 7:00 PM;** to be preceded by a **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 the time, place and Agenda of the scheduled meetings was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on March 18, 2004; and an Amended Agenda on March 19, 2004.

ROLL CALL

Mayor: Vernon L. Fritz; *City Council:* Alvin L. Harward, Mark Johnson, Gary Prestwich, Russell Sly (Absent - Mary Rugg); *Administrative Assistant:* Ernestine Folks; *Sheriff:* Deputy Camille Larsen; *Public:* Chad Christensen, Linda Goodwin, Dennis L. Roberts, Mike Dubois; & *City Recorder:* Janice H. Davis

**INVOCATION &
PLEDGE OF
ALLEGIANCE**

The Invocation was offered by Councilmember Russell Sly, after which the Pledge of Allegiance was led by Mark Johnson.

**AGENDA TIME
FRAME**

MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY RUSSELL SLY TO APPROVE THE AGENDA TIME FRAME, ADJUSTING THE START TIME BY 50 MINUTES

VOTE: YES (4) NO (0) ABSENT (1) MARY RUGG

**APPOINT
PLANNING
COMMISSION
MEMBER**

MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY MARK JOHNSON TO APPOINT CHAD CHRISTENSEN AS A PLANNING COMMISSION MEMBER, TO REPLACE SHARON DAHLSTROM FOR THE REMAINDER OF HER TERM, WHICH EXPIRES IN FEBRUARY, 2005

VOTE: YES (4) NO (0) ABSENT (1) MARY RUGG

**LOAFER
RECREATION
ASSOCIATION/
SEPTIC TANKS**

Mayor Fritz: Will contact the County Health Dept. to determine what options are available.

Council Opinion Poll:

Alvin Harward: Would like to have the members provide a written statement regarding the safety of septic system.

Gary Prestwich: Wants a signed document from the County Health Dept.

Mark Johnson: Agrees to a sign document from the County; but he would also like to require periodic soil sampling.

Russell Sly: Agrees:

- Signed assurance from the County
- Soil testing or monitoring system for early warning against migration problems

Mayor Fritz: Will gather information from the County. He also feels the Association should provide assurance of what action would be taken if contamination is detected in the soil.

**ELK RIDGE
HEIGHTS, PLAT A
DURABILITY
RETAINER**

Postponed. Final Inspection not completed and developer still needs to submit "as-builts" to the engineer.

**SUBDIVISION
CODE/
ADJUSTMENTS
TO STANDARDS
PROCEDURE**

Gary Prestwich:

It was decided to send this back to the Planning Commission for recommendation. The letter from the Attorney is also necessary for any decision. The letter will be needed for the Planning Commission.

*The Mayor will contact Mr. Church.

NON-AGENDA
ITEM

Gary Prestwich: He met with Geneva Asphalt on Monday to discuss the "Crack - Seal" process. They have a machine that cleans out the cracks first. This is the best time of year because in the heat, the asphalt will expand. Cracks also occur between curb & gutter and the edge of the asphalt. The price given was no more than \$4,000. He will need to increase his budget for "Asphalt Repair"

LDS CHAPEL -
WATER RIGHTS
CONVEYANCE

Mayor Fritz: This is also postponed to obtain Planning Commission recommendation. According to the formula used by the City for the water right requirement, it is 2.6 acre-feet of water right per acre. Using this standard, the LDS Chapel would have to provide 11.83 acre-feet. Their recommendation is less than that...at 6.8 acre-feet of water right, based on the usage of the other Chapels. The deviation from the established standard would also require an exception to the Development Code. This matter will be included in the information sent back to the Planning Commission for recommendation.

ROCKY
MOUNTAIN
SUBDIVISION,
PLAT A –
RE-ZONE

The Public Hearing for this proposed re-zone from RR-1 to R-1, 15,000A Zone was held on 3-9-04. Neither the Re-zone Map nor the Ordinance were available at that time. Both of these documents are prepared and ready.

MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY GARY PRESTWICH TO APPROVE THE RECOMMENDED ZONE CHANGE FOR THE ROCKY MOUNTAIN SUBDIVISION, PLAT A; FROM RR-1 TO R-1-15,000A AND TO ADOPT THE AMENDING ORDINANCE AMENDING THE OFFICIAL ZONE MAP OF ELK RIDGE CITY, UTAH

VOTE (POLL): MARK JOHNSON-AYE, ALVIN HARWARD-AYE, GARY PRESTWICH-AYE, RUSSELL SLY-AYE NO (0)

**ABSENT (1) MARY RUGG
PASSES 4-0**

IRON OAKS
SUBDIVISION,
PLAT B –
FINAL PLAT

Ernestine Folks: The Council needs to delineate specifically what the Planning Commission is top make a recommendation on.

(The Council, as per legal counsel, has determined that they may grant certain adjustments to the Subdivision Ordinance and the City Development and Construction Standards, *after a recommendation from the Planning Commission.*)

(6" Water Line)

Mr. Harward had requested to install a 6" water line rather than meet the Standard of an 8" line; however, the Mayor asked if he would mind installing the 8" line. Although Mr. Harward does not feel connecting an 8" line onto a 6" line makes sense, he agreed to do so.

Mark Johnson: If the line continues on for future development, and is "looped", then it makes sense to have an 8" line there.

(Curb & Gutter)

Mr. Harward feels isolated curb & gutter in the area would not be appropriate.

Mayor Fritz: The Mayor feels gravel edges to the road would be preferable to curb & gutter. (Asphalting a small triangular piece of property)

Due to Mr. Harward agreeing to install the required improvements now rather than paying cash in lieu of installation, he does not feel he should have to pay for this one possible future improvement (small piece of property that could be developed at a later time). He would like to have this payment of cash to the City waived.

Mayor Fritz recommends waiving the payment.

Ernestine Folks: Mr. Harward will need to redraw his plans to show t exactly what improvements will be constructed and the costs will be calculated off of this.

(Mr. Harward agreed.)

The City Council heard Mr. Harward's request for waivers to the strict application of the Standards, and asked the Planning Commission for their recommendation on the following:

1. Waive requirement of the additional fire hydrant, as was originally shown on the Plat drawing.
2. Waive the curb & gutter requirement.

3. Waive construction of, and/or payment of cash in lieu of construction for the "small strip/little triangular piece" of asphalt.

STORM DRAINAGE
BILLING

Mayor Fritz:

To summarize, the Council felt that if a resident/property owner owns a lot within the Elk Ridge boundaries, then each should be billed the same as the majority of the residents are currently being billed.

MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY ALVIN HARWARD TO INCLUDE THE FOLLOWING THREE AREAS IN THE REGULAR BILLING PROCESS OF THE \$3.00/MONTH STORM DRAINAGE FEE:

1. LOAFER RECREATION ASSOCIATION
2. GOOSENEST AREA
3. KEN HALL PROPERTY SOUTH OF CANYON VIEW DRIVE

VOTE: YES (4) NO (0) ABSENT (1) MARY RUGG

EXPENDITURES:

General:

Auto-Read Meter Reading:

Alvin Harward:

1. A hand-held radio for reading meters would be much more time efficient. The Public Works Employees simply drive by and the "hand-held" device reads the meters automatically. The only problem is that the exact route needs to be followed each time the meters are read.
2. Vehicle Mounted: The route does not matter and this would be the eventual way to go; but it is going to take about 4-5 years to get all the meters to a point that auto-read is possible. Mountainland Supply has a "package deal" normally worth \$28,700, that they will sell the City for \$13,500...including 50 meters (which we would buy anyway). This would be for the hand-held system.

There is software that comes with the program, but there is more software from Caselle to tie it all into the City's financial program. The cost of the Caselle software is unknown at this time. The bid from Mountainland Supply ends at the end of March, 2004.

The City Recorder will call Caselle to find out the cost of the software.

Councilmember Harward will poll the Council to determine if the system will be purchased at the bid price.

A. Utah County Bookmobile/Approval of Contract:

Utah County was under the mistaken impression that Elk Ridge no longer wanted bookmobile services. It is not known where that opinion came from. The Mayor has contacted the County and they have sent out a draft contract to continue the service in Elk Ridge.

Changes to Agreement:

1. Location in Elk Ridge to change from Maple Lane to the City Hall.
2. Typographical error corrected from Alpine to Elk Ridge.

MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY MARK JOHNSON TO APPROVE THE RESOLUTION FOR THE FUNDING OF THE UTAH COUNTY BOOKMOBILE SERVICES FOR THE CONTRACT AMOUNT OF \$2,880.00/YEAR

VOTE: YES (4) NO (0) ABSENT (1) MARY RUGG

B. Salem Sewer Plant/Treatment Improvements:

Russell Sly: There are two bills from Salem for improvements to the Plant:

1. \$37,717.96 for Improvements to the Plant due to non-compliance issues.
2. 18% of 14,341.66 for 2 "grinders"
Salem was going to buy one grinder for less (about \$12,000), but got a deal on two for \$14,341.66.

MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY GARY PRESTWICH TO APPROVE PAYMENT TO SALEM CITY OF THE TWO BILS FOR IMPROVMENTS TO THE SEWER PLANT:

1. \$37,717.96 – IMPROVEMENTS DUE TO NON-COMPLIANCE
2. 18% OF 14,341.66 (\$2,581.50) FIR 2 GRINDERS

VOTE: YES (4) NO (0) ABSENT (1) MARY RUGG

MINUTES

Minutes of 3-2-04 (Joint Meeting at Payson):

**MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY MARK JOHNSON TO
APPROVE THE JOINT CITY COUNCIL MEETING MINUTES OF 3-2-2004**

VOTE: YES (4) NO (0) ABSENT (1) MARY RUGG

Minutes of 3-9-04:

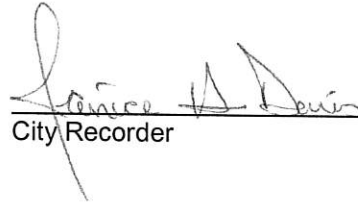
**MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY ALVIN HARWARD TO
APPROVE THE CITY COUNCIL MEETING MINUTES OF 3-9-2004**

VOTE: YES (4) NO (0) ABSENT (1) MARY RUGG

ADJOURNMENT

**MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY RUSSELL SLY TO
ADJOURN THE MEETING**

VOTE: YES (4) NO (0) ABSENT (1) MARY RUGG



City Recorder