

AMENDED NOTICE & AGENDA

Notice is hereby given that the City Council of Elk Ridge will hold a regular **City Council Meeting on Tuesday, January 11, 2005, 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. Salem Sewer Purchase Proposal – Mayor Brailsford
- 6:30 2. Citizen Petition/Speeding Concerns – Gary Prestwich
- 6:40 3. Safety Issue of Existing Residence - Corbett Stephens (Building Inspector)
- 6:50 4. ULCT/Local Official's Day at the Legislature – Mayor Fritz

7:00 - PM REGULAR COUNCIL MEETING AGENDA ITEMS:

- Opening Remarks and Pledge of Allegiance Invitation
- Approval/Agenda Time Frame
- 7:05 5. Approval/Ordinance Amending the Official Zoning Map of Elk Ridge City, Utah
Request for Re-Zone/RR-1 to R-1-15,000 – Michael Dubois
- 7:15 6. Mtn. America Credit Union – Mr. Mark Egan
- 7:45 7. Grand View North Subdivision, Plat B – Preliminary Plat Approval
- 7:55 8. Park Safety – Mary Rugg
- 8:00 9. New Well/Review Proposal by Franson/Noble Engineering – Alvin Harward
- 8:10 10. Computer Upgrade – Gary Prestwich
- 8:15 11. Sewer Forecast Proposal (Jones Simkins LLP) – Russell Sly
- 8:20 12. Road Impact Fee/Recommendation from Planning Commission – Ernestine Folks
 - A. Road Impact Fee Study
- 8:30 13. Schedule Public Hearings:
 - A. Ordinance/Amending the Elk Ridge City Code Providing for Subdivision Improvements Regarding Curb & Gutter (January 25, 2004, at 6:00 PM)
 - B. Ordinance/Amending the Elk Ridge City Code Providing for Reimbursement Capabilities for Off-site Improvements Constructed & Associated with Development
- 8:40 14. Approval of Dept. Appointments – Mayor Fritz
- 8:45 15. Approval of 2005 Meeting Schedules for Elk Ridge City Council
- 8:50 16. Re-Appointment of City Recorder & Treasurer – Mayor Fritz
- 8:55 16. Expenditures:
 - General:
 - A. Check Registers for October, November & December, 2004
 - B. New Snow Plow – Gary Prestwich
- 9:05 17. Approval of Minutes of Previous Meeting
- 9:10 Adjournment

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

The items that appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting. Dated this 10th day of January, 2005.


City Recorder

RTIFICATION

d acting City Recorder for the municipality of Elk Ridge, agenda was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, erving Body on January 6, 2005; and an Amended Agenda on


City Recorder

ELK RIDGE
CITY COUNCIL MEETING
January 11, 2005

TIME & PLACE
OF MEETING

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6:00 PM

CITY COUNCIL WORK SESSION

ROLL CALL

Mayor: Vernon L. Fritz; *City Council:* Alvin L. Harward, Russell Sly, Gary Prestwich, Mark Johnson, Mary Rugg; *Administrative Asst.:* Ernestine Folks; *Daily Herald:* Caleb Warnock; *Aqua Engineering:* Bruce Ward; *Building Inspector:* Corbett Stephens; *Mayor (Salem):* Randy Brailsford; *Salem City Council:* Paul Hair; *Public:* Dave Johnson, Mike Pritchett, Jim Nicolet, Lucretia Thayne, Ned Whiting, Steve Nielson, Jolenne & Michael Dubois, Mark Eggan, Rush Bowers, Lynn & Joan Thomsen, Scout: Josh Adamson and the *City Recorder:* Janice H. Davis

SALEM SEWER
PURCHASE
PROPOSAL

Mayor Randy Brailsford (Salem City): Introduced Bruce Ward (Aqua Engineering) to discuss the issues. He was hired by Salem City to perform a study on a possible purchase of the portion of the Sewer Plant owner by Elk Ridge City (18%).

(Elk Ridge has reached near capacity with Salem and has been negotiating with Payson City to obtain a contract to sewer with them, either totally or in part. The option of selling the City's percentage to Salem has been considered.)

Bruce Ward: (Slide presentation summarizing his study)

Mr. Ward considered several factors in arriving at a possible purchase price for Elk Ridge's percentage of the Plant:

1. *Initial Construction Costs of the Plant:*

Funding came from various sources:

- Loan (49%) = \$1,365,000
 - CBDG Grant (9%) = 239,971
 - EPA Grant (42%) = 1,180,000
- Total = \$2,784,971

2. *Bond Structure:*

- Series A Bond (1,365,000)...Refinanced in 1992 in the amount of \$980,000
 - Series B Bond (203,238)...Paid off in about 1987 (Planning or Administrative costs)
- Total Principal = \$1,369,243

(Mr. Ward also submitted copies of a letter from Agua Engineering to Mayor Brailsford dated 12-14-2004, a letter to Mayor Harold Davis from the Utah Dept. of Health dated 6-14-1985 and three amortization schedules....as sources of information. Information at the State level was very difficult to obtain and may be even non-existent after so many years passing.)

Interest is not counted in the figures...it is simply the cost of borrowing money; it does not add to the value. Grant money is not included in Mr. Ward's calculations, either.

3. *Ownership:*

- Salem City = 82% (\$1,122,780)
 - Elk Ridge City = 18% (\$246,463)
- Total = 100% (\$1,369,243)

4. *Depreciation (Life of the Facility):*

- 40 Years (from the Salem City Audit Report)
- 1988 (Facility was finished and on-line)

Straight-line depreciation: 1988 – 2004 = 17 Years of the 40 Years used (17/40)

5. *Value of Elk Ridge City:*

- (17/40) X \$246,463 = \$104,747
- 246,463 – 104,747 = \$141,716

Russell Sly: Asked if other approaches had been used to determine the value?

Mayor Brailsford: (Addressed this question)

Another approach might include the fact that a few years ago Elk Ridge's portion was not 18%; it was less. Elk Ridge wanted to increase the percentage and Salem agreed. Mr. Ward's calculations are off of 18%.

Mr. Ward: He is no accountant; but he did consult with the auditor for his recommendation as to the best approach to determine a fair purchase price. His recommendation was a "straight line depreciation" method.

Mayor Fritz: The figures presented will have to be weighed and considered by the Council before any decision can be made. Studies from differing engineering firms will have to be compared, as well. There is no guarantee that Elk Ridge wishes to sell its percentage of the Plant and there is no guarantee that Salem wishes to purchase it.

Mayor Brailsford: The property where the Plant is located is not included in the joint ownership agreement; it is only the physical Plant.

Brief history/summary of problems in operations:

- The cells have not been cleaned out; they are good for several more years.
- Salem has worked to get their ratings higher with the State
- Problems with infiltration into the sewer system
- South County is working toward a Regional Plant
- Salem needs to leave room in the system to allow for industry to come it and are unwilling to sell Elk Ridge more capacity.

Mayor Brailsford expressed concern over the proposed Page Annexation into Elk Ridge. Controlled growth is a must in our cities.

- CUP Water will be available and he encourages Elk Ridge to take advantage of this and seriously consider a secondary water system.

SPEEDING CONCERNS

Citizen Petition/Speeding on Hillside Drive (new section)

Gary Prestwich: A petition was submitted to the Council by concerned citizens in the area of Mahogany Way & Hillside Drive, specifically the intersection of those two streets. Speeds reaching 50 mph are creating a safety hazard. The citizens are requesting a four-way stop, with signs, at this intersection. Councilmember Prestwich also submitted a map of the streets to demonstrate this area and agrees there is safety problem; but recommends two stop signs facing east and west.

Mary Rugg: Drives this route and agrees with Councilmember Prestwich on these stop signs. She suggested other options for slowing traffic down, such as speed dips or bumps.

Gary Prestwich: Added police enforcement in the area would also be advisable.

(The Sheriff has also not been seen much in Elk Ridge since Camille went on lighter duty until she has her baby.)

*Mark Johnson will check with the Lieutenant and find out what the schedule of Deputy Oliver is.

*This matter has been tabled until the next Council Meeting.

SAFETY ISSUE - EXISTING RESIDENCE

Mayor Fritz: (History) There is a home in Elk Ridge (S. Clark Ln.) with a problem with mold.

The residents moved out of the home due to health problems.

The Building Inspector was asked to discuss this issue with the Council.

Alvin Harward: (Has been acquainted with the situation and the former residents of the home.)

A daughter in the family was ill and tests were conducted for mold in the home. The tests revealed high levels of mold spores in the girl's bedroom. There was also a great deal of moisture in that room. In the very next bedroom in the house, the count was about the same as the count outside. The house is not being condemned. The family opted to move out. He does not feel this should be a City problem.

Corbett Stephens (Building Inspector):

Although he is not an expert on "mold", the Building Code is specific concerning the safety of structures...regardless whether it is the safety of the structure, itself; or an unseen danger, such as mold spores. The matter if "mold" is still new enough to the industry that there remain a lot of "unknowns". Typically insurance companies do not cover these problems. It is a problem caused by moisture, giving spores a chance to grow. The problem can be corrected if the areas are dried out. He feels that if the City is aware of a problem, the City has a responsibility to see that it is corrected...the Code includes the abatement of dangerous buildings. How can the City not take some responsibility if the City adopts the Code by reference?

It is not a “proven danger”; which is why the Council is willing to talk about it at this time. The bank (Mtn. America Credit Union) has been very cooperative to inform everyone involved of what is going on with this property. They do not want problems with this house either.

Lucretia Thayne: (Elk Ridge resident on S. Clark Ln.) Contacted a professor at BYU that assisted in writing standards for “mold remediation”. She explained the situation to him and asked him if he feels the mold spores could have infiltrated? She also asked if it is true that if you don’t see it, there is no problem? There are always mold spores, but this had reached a level of creating a problem. (Mrs. Thayne was not clear of the professor’s response.) She stated that if spores had infiltrated the entire house, micro-colonies might form throughout the building. She further claimed that she, personally, got sick in that house.

She does not know if the problem is as large as the former residents said it was, but she feels it is bigger than is being indicated presently.

Russell Sly: Asked who is requesting action on the part of the City?

Mayor Fritz: The Mayor and the Building Inspector’s concern is: if there is a significant health problem, that there be full-disclosure to any potential buyer.

The issue was addressed further in the regular session.

ULCT – LOCAL OFFICIAL’S DAY AT THE LEGISLATURE

The Utah League of Cities & Towns annual “Local Official’s Day” with the Legislature will be Wednesday, January 19, 2005. This is an opportunity to meet with State Legislators to discuss concerns. The renovation of the State Capitol has forced a change in the program this year. They will gather at noon at the Salt Lake City Centre (150 W. 500 S.) for lunch. The Mayor feels This is worth the time for the Council to attend. Registration forms were provided to the Councilmembers.

The Mayor closed the Work Session and called for a brief break.

ELK RIDGE CITY COUNCIL MEETING January 11, 2005

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ROLL CALL

Mayor: Vernon L. Fritz; *City Council*: Alvin L. Harward, Russell Sly, Gary Prestwich, Mark Johnson, Mary Rugg; *Administrative Asst.*: Ernestine Folks; *Daily Herald*: Caleb Warnock; *Aqua Engineering*: Bruce Ward; *Building Inspector*: Corbett Stephens; *Mayor (Salem)*: Randy Brailsford; *Salem City Council*: Paul Hair; *Public*: Dave Johnson, Mike Pritchett, Jim Nicolet, Lucretia Thayne, Ned Whiting, Steve Nielson, Jolenne & Michael Dubois, Mark Eggan, Rush Bowers, Lynn & Joan Thomsen, Scout: Josh Adamson and the *City Recorder*: Janice H. Davis

OPENING REMARKS & PLEDGE OF ALLEGIANCE

Opening Remarks (prayer) were offered by Councilmember Mary Rugg, after which the Pledge of Allegiance was led by Scout Josh Adams.

AGENDA TIME FRAME

**MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY ALVIN HARWARD
TO APPROVE THE AGENDA TIME FRAME, ADJUSTING THE START TIME BY 5 MINUTES
VOTE: YES (5) NO (0)**

ORDINANCE TO
AMEND ZONE
MAP –
RR-1 TO R-1-15,000

On November 23, 2004, a Public Hearing was held to consider an amendment to the Zoning Map from RR-1 to R-1-15,000A. The application was submitted by Michael Dubois and was related to the second phase (5 additional acres) of Rocky Mountain Way Subdivision. The members of the Council present deferred action on the request until more of the Council could be present. They had concerns with animal rights being allowed on 1/3-acre lots. Even though the Council had approved a re-zone for the first phase of the development, they did not feel it would be in the best interest of the City to repeat another approval for the additional 5 acres.

On December 14, 2004, the proposed re-zone was on the agenda for re-consideration. The Council denied the request (4-1 vote), based on the stated concern of allowing animal rights in that particular area, designated for higher density; and they felt 1/3-acre is not large enough for animal rights.

The owner, Michael Dubois, after discussion with Mayor Fritz, has re-applied for a zone change from RR-1 to R-1-15,000. The City Attorney advised that an additional public hearing would not be necessary and he need only submit the application and the Council could consider and act upon it.

R-1-15,000 does not include animal rights in the Zone. A change would simply reduce the size of the lots from a minimum 1/2-acre to a minimum 1/3-acre.

There were no comments.

MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY GARY PRESTWICH TO APPROVE THE REQUESTED ZONE CHANGE FROM RR-1 TO R-1-15,000 ZONE; FOR PHASE TWO OF THE ROCKY MOUNTAIN WAY SUBDIVISION, TO INCLUDE THE 5 ACRES NORTH OF THE ORIGINAL PLAT. THIS ACTION APPROVES THESE FUTURE LOTS AS 1/3-ACRE, WITHOUT ANIMAL RIGHTS

VOTE: YES (5)

NO (0)

MOUNTAIN
AMERICA CREDIT
UNION

RE: Safety of House on S. Clark Ln./Mold Spoons:

Mr. Mark Egan (Mtn. America Credit Union)

Updated the Council as to the improvements to the house:

- New Roof (with "Ice Shields" on the edges)
- Remove Swamp Cooler
They determined the water was coming from a leak in the cooler or leaks in the roof, which may have caused the collection of moisture resulting in the mold.
He has not seen any water inside the house, whatsoever; even prior to the roof replacement.
- They opened up a couple of walls to determine the level of damage. There was very little sign of mold inside the walls.

There was the reported elevated count in the one bedroom; but how bad is even that count compared to other tests.

Mayor Fritz: Clarified why he is involving the Council: He would always prefer to err on the side of safety. If there is any ambiguity, he would like this clarified. If there is a potential problem for a new homeowner, he wants that disclosed to them. He would not want any new residents to feel that the City failed to protect them. Awareness of a problem should result in an attempt to mitigate it.

Mr. Egan: His license requires him (also Mtn. America's policy) to fully disclose all information, reports, etc. to the buyer. The buyer would sign-off on this information provided to him/her.

Another report will be done on the house, once cleanup is completed.

Mr. Rush Bowers (Manager of Industrial Hygiene at IHI Environmental Consulting Co.; employed since about 1985.)

Mr. Bowers has a B.A. Degree in Biology & a Master's Degree in Public Health. One of their employees conducted the air sampling at this home. The former residents hired their company; not Mtn. America.

Samples were taken in several areas of the house. The only elevated result occurred in the one bedroom mentioned before. Two different types of air samples were taken ("viable & non-viable"). All of the mold spores in the home that were elevated were penicillium, which is the exact same type of mold that grows on bread. It is not a toxic mold.

The count in this one room was approximately 5,000; outside at the same time the count was about 800 on one and 173 on the other sample. A count of 5,000, while elevated above the outside, is not what he would refer to as unusually high. He just finished working on a project where the count was almost 1,000,000. In that house, he would recommend that the people leave while the home is cleaned up. 5,000 is typical of the count found in the mid-west...outside...all the time. This particular situation on S. Clark Ln. needs to be put into perspective in terms of a human-health issue; it is not something that would cause illness, infection or a toxic effect. There could be an allergic reaction to the mold in this home, if one were allergic to mold.

The leaks seem to have been associated with the swamp cooler; but those are being addressed by Mountain America.

Mayor Fritz: According to the information provided to the Mayor, the Balls (former residents of the home) were quoted a figure of about \$35,000 to mitigate the problems in the home. Was there a second opinion?

Mr. Egan: They feel the corrective actions will be somewhat minimal; it is more of a "cleanup" effort. They will remove all the carpet/install all-new carpet, clean all the walls, repair leaks and cut out any stained areas in floors and walls & replace with new particleboard and paint the walls. It is their opinion that the water damage came from the roof, not ground water.

Mr. Bowers: He has a great deal of experience in this area of public health and although he is not a medical doctor, it is his opinion that if someone were hypersensitive to mold, one could have had an allergic reaction to the mold in that one bedroom. The health data does not support any toxic levels.

Corbett Stephens (Building Inspector was asked for his opinion, in light of what had been said in the Meeting.) He agrees with the Mayor, that the City should err on the side of safety; but the bank has been cooperative. It is best to dry out the moisture and the bank has done this. The swamp cooler has been removed and they need to have the ductwork cleaned.

The Mayor thanked Mountain America for coming to the Meeting and recommends that the Council allows the bank to go forward.

The Council took no action on this issue.

GRAND VIEW
NORTH
SUBDIVISION,
PLAT B –
PRELIMINARY
APPROVAL

(Located on the north side of Gladstan Drive, across from Grand View North, Plat A)
On December 16, 2004, the Planning Commission reviewed and discussed the proposed preliminary plat. The Planning Commission recommends approval of the Preliminary Plat, with changes made on the Plat as reviewed by the Planning Commission. Connections have been allocated by the Council.

Aqua Engineering recommended approval with minor modifications to be addressed for Final, as Listed in their review letter dated December 3, 2004.

MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY ALVIN HARWARD TO GRANT PRELIMINARY PLAT APPROVAL TO GRAND VIEW NORTH SUBDIVISION, PLAT B, AS RECOMMENDED BY THE PLANNING COMMISSION; WITH NOTED CHANGES AS LISTED ON AQUA ENGINEERING LETTER, DATED DECEMBER 3, 2004

VOTE: YES (5) NO (0)

PARK SAFETY

Mary Rugg: The cost to install "safety bumps" on the railings for the stairs leading down to the ball Field area will be \$474.00. Since this is under \$500, the Mayor approved the project.

NEW WELL –
ENGINEERING
PROPOSAL

Mayor Fritz: Received a proposal for Administrative Engineering to submit to the State to apply for a permit to drill a new well, from Franson/Noble Engineering. This item will be deferred until other proposals are also received from Sunrise Engineering and Aqua Engineering.

COMPUTER
UPGRADE

Gary Prestwich: Scantron (the company the City uses to service the computers in the office) was asked to give a bid to upgrade the Office computers to Windows XP; their bid was high (about \$4,500). The employees are not sufficiently inconvenienced with the current system to warrant the change. Jim Nicolet did some research into a possible upgrade and discovered that Microsoft will soon not offer any support to Windows ME (the software the City uses). He suggested simply purchasing new computers...this would cost less than the upgrade. Example: DELL is selling computers for about \$300. He advised that after three years most computers are outdated. Councilmember Prestwich recommends waiting for a while to replace the computers.

SEWER FORECAST
PROPOSAL –
JONES SIMKINS, INC.

Scott Swensen (Jones Simkins, Inc.) was asked by the Council to submit a proposal on the cost of conducting a five-year financial forecast for the Sewer Fund, as was done for the Water Fund. (This would require our plans for Capital Improvements be solidified, because the figures would be based on the cost of these improvements.)

Jones Simkins has submitted a proposal to do the forecast at a projected cost of between \$1,500 - \$2,000.

Russell Sly: The Council is considering raising sewer rates to better cover the costs incurred in the Sewer Dept. The Council questioned if this report is necessary to determine sewer rate. The Councilmembers can simply use the Audit Report to create a rate that will cover the deficit.

Alvin Harward: He feels the forecast would be a waste of money at this time. It is known that the "shortfall" in the Sewer Fund is about \$43,000; the Council needs to raise the fee to cover the shortfall.

Mayor Fritz: A \$5.00 raise in the sewer user fee/month would result in about \$35,000 more annually.

Alvin Harward: Proposes lowering the water rate enough to allow an increase in the sewer rates.

*The discussion on water rates will be on the next Council Agenda.

Russell Sly: Suggested the Council consider tying the sewer rate and possibly the water rates to the "cost of living index". He feels this would eliminate periodic jumps in the fees.

Alvin Harward: The Council needs to be able to justify the changes in the rates. He feels that the cost of living index has nothing to do directly with the expenses in the Sewer Fund. The rates should be re-evaluated every year.

Mary Rugg: She feels action on this should be deferred. Are the City's costs with Salem legitimate? Could Salem maintain the Plant better? She would also like to hear what Councilmember Harward has to say about the water rates.

Russell Sly: Explained: the Government changes regulations, Salem gets fined for being out of compliance and the City shares in a portion of those fines.

Taking into consideration the age of the Plant and all the electrical problems incurred, he feels Salem has done an excellent job in trying to correct problems and maintain the Plant.

*Mayor Fritz postponed any action on this issue until the next Council Meeting.

ROAD IMPACT
FEE

(Recommendation from the Planning Commission:)

Ernestine Folks: (Memo) "On December 2, 2004, the Planning Commission discussed how to Ensure roads are built to the full width, through development agreements and/or road impact fees and get away from the problems associated with partial roads.

On December 17, 2004, the Planning Commission reviewed the information provided by Jim Bolser regarding communities in Utah County that have adopted a Roads Impact Fee.

Jim Bolser explained Road Impact Fees are assessed on lots at the time of construction of the dwelling on every new construction. Impact Fees are not imposed on developers, but are imposed on lots at building permit time. The funds could be used to improve roads and road rights of way, but could not be used for tails. The amount of impact fee is determined through an impact fee study."

The Planning Commission recommends the Council consider authorizing a Road Impact Fee Study for future Road Impact Fees in the City.

(Also submitted to the Council was a breakdown of road impact fees being charged by some other communities.)

Mayor Fritz: An example of an unfinished road in town would be the north side of Goosenest, across from the Haskell developments. He feels consideration of an impact fee has merit.

A study would address the areas to be considered.

Alvin Harward: He does not feel it is appropriate to require developers to build a full-width road if they do not own the land on the other side of the road. Currently they are required to build ½ + 9' of road, which he feels is a proper road, in conjunction with their development; upon completion of the development, the roads are then given to the City. He feels to impose an additional cost on builders is "out of line".

*Councilmember Prestwich will contact MAG to see if they would be available to conduct the study for the City. It was also suggested that Councilmember Prestwich contact some of the cities that have impact fees. It will be on the next Council Agenda.

SCHEDULE
PUBLIC
HEARINGS

1. Ordinance/Amending the Elk Ridge Code Providing for Subdivision Improvements Regarding Curb & Gutter
MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY RUSSELL SLY TO SCHEDULE A PUBLIC HEARING FOR JANUARY 25, 2005, AT 6:00 PM, TO CONSIDER AN ORDINANCE AMENDING THE ELK RIDGE CODE PROVIDING FOR SUBDIVISION IMPROVEMENTS REGARDING CURB & GUTTER
VOTE: YES (5) NO (0)

2. Ordinance/Amending the Elk Ridge City Code Providing for Reimbursement Capabilities for Off-site Improvements
MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY GARY PRESTWICH TO SCHEDULE A PUBLIC HEARING FOR FEBRUARY 8, 2005, AT 6:00 PM, TO CONSIDER AN ORDINANCE PROVIDING FOR REIMBURSEMENT CAPABILITIES FOR OFF-SITE IMPROVMENTS CONSTRUCTED & ASSOCIATED WITH DEVELOPMENT
VOTE: YES (4) NO (1) ALVIN HARWARD

COUNCIL
APPOINTMENTS

Mayor Fritz: The Council assignments will continue as is. Councilmember Prestwich will be assigned to the Planning Commission for the months of January through March, 2005. The assignment will rotate with the other Councilmembers. (Councilmember Rugg is not available on Thursdays; she teaches piano lessons.)
Councilmember Prestwich will continue as the Mayor Pro-tempore.
The Council was in agreement.

2005 COUNCIL
MEETING SCHEDULE

Mayor Fritz: The City Council Meetings will continue to be on the 2nd & 4th Tuesdays of each month for 2005.

RE-APPOINTMENTS –
CITY RECORDER
& TREASURER

MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY MARK JOHNSON TO RE-APPOINT JANICE DAVIS AS THE CITY RECORDER AND LINDA COOPER AS THE CITY TREASURER FOR ELK RIDGE CITY
VOTE: YES (5) NO (0)

EXPENDITURES:

General: None
*Ask LEI Engineering for a list of water rights that have been proven-on.
A.
MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY RUSSELL SLY TO APPROVE THE CHECK REGISTERS FOR OCTOBER, NOVEMBER & DECEMBER, 2004
VOTE: YES (5) NO (0)
B. New Snowplow:
Mark Johnson: The larger 1988 snowplow is wearing out: it is hard to maneuver and is due for some major repairs.
Suggestion: to begin saving money annually for the eventual replacement of the snowplow.
The Council decided \$10,000 annually would be appropriate. This amount would be transferred into the existing Capital Projects Fund for Municipal Equipment.

MINUTES

Minutes of 12-14-04:

MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY ALVIN HARWARD TO APPROVE THE CITY COUNCIL MINUTES OF 12-14-04
VOTE: YES (5) NO (0)

ADJOURNMENT

MAYOR FRITZ ADJOURNED THE CITY COUNCIL MEETING AT 8:20 PM.



Janice H. Davis
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, January 25, 2005, at 7:00 PM, to be preceded by a Council Work Session and a Public Hearing, at 6:00 PM,** for the purpose of considering a proposed Ordinance Amending the Elk Ridge City Code providing for Subdivision Improvements Related to Curb & Gutter.

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/ORDINANCE RELATED TO CURB & GUTTER

Public Hearing/Proposed Ordinance Amending the El Ridge City Code Providing for Subdivision Improvements Related to Curb & Gutter

6:15 PM

CITY COUNCIL WORK SESSION

2. Leash Laws in the City – Mary Rugg
3. Police Protection Update - Mark Johnson
4. Secondary Water Infrastructure – Mayor Fritz & Alvin Harward
5. Minimum Landscaping Requirements/New Construction – Mayor Fritz

7:00 - PM

REGULAR COUNCIL MEETING AGENDA ITEMS:

Opening Remarks and Pledge of Allegiance

Approval/Agenda Time Frame

7:05

6. Appoint Planning Commission Member – Mayor Fritz

7. Action on Public Hearing (Ordinance Regarding Curb & Gutter):

Ordinance/Amending the Elk Ridge City Code Providing for Subdivision Improvements, Codification, Inclusion in the Code, Correction of Scrivener's Errors, Severability & Providing an Effective Date

7:10

8. Resolution/Declaring Elk Ridge City is Considering Annexation of Certain Property

(This does not constitute an action to annex...it is simply meeting Utah Code to declare Intent.)

7:15

9. Water & Sewer Rates – Alvin Harward

7:30

10. Sewer Forecast Proposal (Jones Simkins, Inc.) – Mayor Fritz

7:35

11. Schedule Public Hearings:

A. Amended 2004/2005 Budget

1. Use of Water Impact Fees

2. New Snowplow/Funding form Designated Depts.

B. Ordinance/Amending the Elk Ridge Code Providing for an Alternate Member of the Planning Commission

C. Ordinance/Amending the Elk Ridge City Code Providing for Reimbursement Capabilities for Off-site Improvements Constructed & Associated with Development

7:50

12. Spring Soccer League – Mary Rugg

7:55

13. Schedule City Celebration – Mary Rugg

8:00

14. Expenditures:

General

8:05

15. Minutes of Previous City Council Meetings

8:10

16. Approval of the 2003/2004 Audit

Adjournment

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

The times listed appear on this Agenda may be accelerated if time permits. All interested persons are invited to attend this meeting. Dated this 21 day of January, 2005.



City Recorder

CERTIFICATION

I, _____, acting City Recorder for the municipality of Elk Ridge, do hereby certify that this is a true and correct copy of the agenda as faxed to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and the Payson Body on January 20, 2005; and an Amended Agenda on



City Recorder



**ELK RIDGE
CITY COUNCIL MEETING
January 25, 2005**

**TIME & PLACE
OF MEETING**

This Regular Meeting of the Elk Ridge City Council, was scheduled for Tuesday, January 25, 2005, at 7:00 PM. It was preceded by a **Council Work Session at 6:15 PM**, and a **Public Hearing scheduled for 6:00 PM**, for the purpose of hearing public comment regarding a proposed

Ordinance amending the Elk Ridge City Code Providing for Subdivision Improvements Related to Curb & Gutter.

All interested persons were invited to be heard.

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 Council Meetings & Public Hearings, was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on January 20, 2005; and an Amended Agenda on 1-24-05.

6:00 PM

PUBLIC HEARING/ORDINANCE RELATED TO CURB & GUTTER

Public Hearing/Proposed Ordinance Amending the Elk Ridge City Code Providing for Subdivision Improvements Related to Curb & Gutter

ROLL CALL

Mayor: Vernon L. Fritz; *City Council:* Alvin Harward (Absent: Mary Rugg, Mark Johnson, Russell Sly & Gary Prestwich); *Sheriff:* Deputy Dave Oliver; *Administrative Assistant:* Ernestine Folks; *Daily Herald:* Caleb Warnock; *Planning Commission:* Chad Christensen; *Public:* Ryan Barras and *City Recorder:* Janice H. Davis

Mayor Fritz opened the Public Hearing at 6:00 PM.

There were no comments and no public present for the Public Hearing.

Mayor Fritz closed the Public Hearing at 6:15 PM.

6:15 PM

CITY COUNCIL WORK SESSION

ROLL CALL

Mayor: Vernon L. Fritz; *City Council:* Alvin Harward, Mark Johnson & Mary Rugg (Absent: Russell Sly & Gary Prestwich); *Sheriff:* Deputy Dave Oliver; *Administrative Assistant:* Ernestine Folks; *Daily Herald:* Caleb Warnock; *Planning Commission:* Chad Christensen; *Public:* Ryan Barras and *City Recorder:* Janice H. Davis

**LEASH LAWS IN
THE CITY**

Mary Rugg: There have been complaints about dogs being allowed to make messes in the Park. Councilmember Rugg feels that enforcement of current leash laws is the answer; rather than "banning" dogs from the City Park. The Council agreed.

**POLICE
PROTECTION
UPDATE**

Mark Johnson: Deputy Oliver was present to answer some questions. He currently has the nighttime shift for Elk Ridge. Deputy Robert Jones has the day-shift and is mostly in Woodland Hills. He asked if there is anything the Council would like him to concentrate on in town. He notices that speeding seems to be the main problem. His policy is to not issue citations until the driver is 15 miles over the posted speed limit. He takes into consideration the particular area and conditions to make the judgment. He maintains that if he issues tickets to everyone breaking the speed limit within 5 or 10 miles over the speed limit, he would be issuing tickets to nearly everyone in the City. If the Council wants him to be stricter with the law, he will assist with that. He suggested notifying the citizens in the newsletter before any proactive action is taken regarding issuing citations.

Various speed control options were discussed. Deputy Oliver likes feels speed bumps are effective. He does not see the City as having increased liability, as long as a warning sign is installed within 50 to 75 feet of the bump (both sides).

**SECONDARY
WATER
INFRASTRUCTURE**

Mayor Fritz: The Mayor understands that there is money available to assist in secondary water systems. Since the City is currently considering annexation, he feels this would be a good time to look into the possibility of secondary water from CUP (Central Utah Project). It may be beneficial to require the infrastructure of developers now, rather than tearing up existing roads. He would like the Council to consider this concept and be prepared to discuss this at the next Meeting. Councilmember Harward is to research this matter and present further information to the Council.

Ernestine Folks: In the current Code, there is a section that refers to irrigation systems in new developments. They are to be installed "according to the City's plans"; however there is no plan at this time.

*She is to make copies of this section for the Councilmembers.

MINIMUM LANDSCAPING REQUIREMENTS

Mayor Fritz: The Mayor would like for the Council to also consider having the Code amended to require new homeowners to landscape their property within a certain period of time.

Suggestions:

1. At the time of Final Inspection of the home.
2. Within one year of Final Inspection...as in a Temporary Occupancy Permit until the requirement is met. (The homeowner would bond for the amount of work to be done.)

Mary Rugg: Feels it would be too stringent to expect homeowners to landscape prior to occupancy, but could consider a longer period, if the requirements could be enforced.

Mayor Fritz: Pointed out that the definition of "landscaping" should be clarified, as well. There are many interpretations.

ELK RIDGE CITY COUNCIL MEETING January 25, 2004

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ROLL CALL

Mayor: Vernon L. Fritz; *City Council*: Alvin Harward (Absent: Mary Rugg, Mark Johnson, Russell Sly & Gary Prestwich); *Sheriff*: Deputy Dave Oliver; *Administrative Assistant*: Ernestine Folks; *Daily Herald*: Caleb Warnock; *Planning Commission*: Chad Christensen; *Public*: Ryan Barras and *City Recorder*: Janice H. Davis

7:00 PM

REGULAR CITY COUNCIL AGENDA ITEMS:

OPENING REMARKS & PLEDGE OF ALLEGIANCE

An Invocation was offered by Mary Rugg and Mark Johnson led those present in the Pledge of Allegiance, for those willing to participate.

AGENDA TIME FRAME

The Meeting began on time and there were no changes to the Agenda or the time frame.

APPOINT PLANNING COMMISSION MEMBER

**MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY ALVIN HARWARD
TO RE-APPOINT CHAD CHRISTENSEN AS A PLANNING COMMISSION MEMBER FOR A
FIVE YEAR TERM**

VOTE: YES (3)

NO (0)

ADOPTION –
ORDINANCE ON
CURB & GUTTER

Mayor Fritz: The Public Hearing was held earlier, prior to the Work Session. There were no comments on the proposed adoption.

The Ordinance allows the City Council to grant an exception to the curb & gutter requirement To consider other alternatives for drainage for any specific development, if the members feel the change would be in the best interest of the Community.

Mary Rugg: Clarified that the Planning Commission would still review and recommend to the Council, offering their guidance. (The Mayor agreed that the Council would not act without Planning Commission recommendation. In most instances, the Council would respond according to the recommendation; but the Council is not obligated to do so.)

She feels the Council should give the Planning Commission's recommendations careful consideration.

MOTION WAS MADE BY ALVIN HARWARD ANDS SECONDED BY MARK JOHNSON TO ADOPT AN ORDINANCE AMENDING THE ELK RIDGE CITY CODE PROVIDING FOR SUBDIVISION IMPROVEMENTS, CODIFICATION, INCLUSION IN THE CODE, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING AN EFFECTIVE DATE

VOTE (POLL): MARK JOHNSON-AYE, ALVIN HARWARD-AYE, MARY RUGG-AYE

NO (0)

ABSENT (2) RUSSELL SLY & GARY PRESTWICH

Passes 3-0

*This Ordinance should be posted the next day (1-26-05); the effective date will be 2-16-05.

RESOLUTION –
INTENT TO
ANNEX

City Recorder: The Utah Code requires a Resolution declaring the City's intent to consider any annexation. The draft of this Resolution has been reviewed by the City Planner (Ken Young) and he feels it is fine as is. This in no way commits to approval or denial of the proposed annexation.

Mayor Fritz reported that Mr. Randy Young (contact sponsor for the Page Annexation) presented himself at the Planning Commission and again verified that he is aware of the risk involved with his proposed annexation. Should the City not obtain a contract to sewer with Payson City, this land could be on hold regarding any new development.

MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY ALVIN HARWARD TO ADOPT A RESOLUTION OF THE CITY OF ELK RIDGE, UTAH, DECLARING ELK RIDGE CITY IS CONSIDERING ANNEXATION OF CERTAIN PROPERTY

VOTE: YES (3)

NO (0)

ABSENT (2) RUSSELL SLY & GARY PRESTWICH

WATER & SEWER
RATES

Alvin Harward: Councilmember Harward submitted information to the Council outlining two options to consider for a possible modification tot eh water rates for Elk Ridge. Both options suggest changes to the number of gallons, rather than to the rates themselves.

Water Rates:

Current Base Fee = \$40 for the first 12,000 gallons

Option 1:

Base Fee (\$40) for the first 20,000 gallons

Tiered-based rates (no change)

Initial Spring Reading:

- \$40 for first 120,000 gallons
- + \$2/1,000 gal. above the 120,000 gals.

This option would lower the income to the City by \$43,200/year

Option 2:

- Base Fee (\$40) for the first 150,000 gals.
- Tiered-based rates would not change
- + \$2/1,000 gal. above the 150,000 gals.

This option would lower the income to the City by \$70,200/year

Sewer Rates:

Option 1 (Water Rates): Recommends increasing the Sewer Rate by \$5/month (\$30,000 increase to the City per year)

Option 2 (Water Rates): Recommends increasing the Sewer Rate by \$7/month (\$42,000 increase To the City per year)

Mark Johnson: Agrees with Councilmember Harward.

Mary Rugg: Agrees that water rates should be lowered, but she does not understand why the sewer rates should have to be increased as a result. She has compared revenues against expenditures for this current fiscal year; there appears to be a fund balance (retained earnings) in the Sewer Fund of over \$148,000. Why would we need to increase the rate?

Alvin Harward: The Audit for the year ending in June 2004, shows a \$41,000 loss in the Sewer Fund.

City Recorder: There are expenditures as yet not budgeted for in the Sewer Fund, such as the sewer line extension in Loafer Canyon (estimate of just under \$100,000). It is too early in the year to determine where the budget will end up. So far, there have not been any major repairs to the Sewer Plant, as there was last year. The O&M (Operations & Maintenance) costs have increased over last year.

The Five-year Forecast by the CPA's may be a bit pre-mature since they take a good deal of their figures from the Impact Fee Study and the City needs an update to the Sewer Impact Fee Study. The situation of possible sewerage with Payson is not for sure right now and it is an "unknown" what the City's position will be.

Mayor Fritz: Expects to have a proposal and some cost estimates from Payson by the end of February. The monthly fees to Payson could be higher than the current fees. He feels it would be wise to wait until this information is available to authorize an update to the Sewer Impact Fee Study and to further consider the Sewer Rate.

Ernestine Folks: Suggested consulting with the CPA regarding the proposed water rates to get his input on the proposed changes to the rate structure.

*(Where is the updated forecast for the Water Dept.?)

Mayor Fritz: Discussed the prospect of a new well in the northern part of the City. He has approached Payson City about the prospect of sharing water from a large (20") and they have not responded. The cost of that size well could be just under \$1,000,000. There is also a storage tank to consider. We are close to the mandated requirement of volume compared to fire suppression regulations. The State has said that the City should be taking positive steps to resolve the problem. He asks that the Council consider these future improvements and how they will be funded. The City needs the revenue in the Water Fund. He would like to see the City bond for as little as possible when the time comes to install these improvements.

He is concerned about the future and the well being of the Community.

Alvin Harward: Feels the Council should vote on this prior to the summer when usage increases.

Mary Rugg: She feels the issues of water rates and sewer rates should be kept separate.

Mayor Fritz: The Council has to make decisions that are not popular, but are for the good of the City, as a whole. He is planning on running for Mayor in the fall and he expects to lay out the various problems in the State of the City address in April, so that the information will be available to anyone wishing to run for office. They would then have the time to come up with their own solutions to the existing problems that the City faces.

SEWER FORECAST PROPOSAL

Consideration of this project has been postponed until the Capital improvement Plan & the Sewer Impact Fee Study updated.

SCHEDULE PUBLIC HEARINGS

1. Amended 2004/05 Budget:

MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY MARK JOHNSON TO SCHEDULE A PUBLIC HEARING ON FEBRUARY 22, 2005, AT 6:05 PM, TO CONSIDER AMENDING THE 2004/05 FISCAL YEAR BUDGET FOR THE OPERATION OF ELK RIDGE CITY

VOTE: YES (3)

NO (0)

ABSENT: (2) RUSSELL SLY & GARY PRESTWICH

The CPA (Scott Swensen) suggested using the Water Impact Fees collected in 1999 in the Water system, as soon as we can. He feels the 10" line upgrade qualifies for impact fees.

MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY MARK JOHNSON TO USE \$60,000 TO \$65,000 IN WATER IMPACT FEES ON THE 10" WATER LINE PROJECT

VOTE: YES (3)

NO (0)

ABSENT (2) RUSSELL SLY & GARY PRESTWICH

2. Ordinance/Providing for an Alternate Planning Commission Member:

MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY ALVIN HARWARD TO SCHEDULE A PUBLIC HEARING ON FEBRUARY 22, 2005, AT 6:30 PM, TO CONSIDER A PROPOSED ORDINANCE AMENDING THE ELK RIDGE CITY CODE PROVIDING FOR AN ALTERNATE MEMBER OF THE PLANNING COMMISSION

VOTE: YES (3) NO (0) ABSENT (2) RUSSELL SLY & GARY PRESTWICH

3. Ordinance/Reimbursements for Off-site Improvements:

MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY MARK JOHNSON TO SCHEDULE A PUBLIC HEARING ON FEBRUARY 22, 2005, AT 6:45 PM, TO CONSIDER AN ORDINANCE AMENDING THE ELK RIDGE CODE PROVIDING FOR REIMBURSEMENT CAPABILITIES FOR OFF-SITE IMPROVEMENTS CONSTRUCTED AND ASSOCIATED WITH DEVELOPMENT

VOTE: YES (3) NO (0) ABSENT (2) RUSSELL SLY & GARY PRESTWICH

SPRING SOCCER
LEAGUE

Mary Rugg: The City will have a spring soccer league this year. Registration should pay for the expected expenses. The park is to be lined by the Public Works Dept. There will be a flier in the February Newsletter. Registration will be until March 4, 2005. The season will be from the last week in March to the last few days in April and into the beginning of May.

CITY CELEBRATION

Mary Rugg: The Celebration will be the weekend before the 4th of July (July 2 & the week prior). The Celebration is not meant to make money for the City; it is for the citizens, with the focus being on the children.

If CERT wants to have an information booth, they will locate it just north of the City Hall on the grass area outside the Fire Dept. Bay area.

*The leaders of CERT are to contact Mark Johnson regarding setting up a booth. The Mayor will relay this message to them.

EXPENDITURES:

General: None

MINUTES

The Council Minutes of 1-11-05:

MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY MARY RUGG TO APPROVE THE CITY COUNCIL MINUTES OF 1-11-05

VOTE: YES (3) NO (0) ABSENT (2) RUSSELL SLY & GARY PRESTWICH

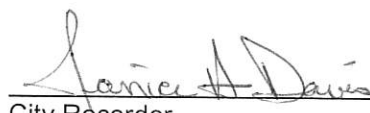
2003/04 AUDIT

MOTION WAS MADE BY MARY RUGG AND SECONDED BY MARK JOHNSON TO APPROVE THE 2003/2004 FISCAL YEAR AUDIT, PERFORMED BY JONES SIMKINS, INC.

VOTE: YES (3) NO (0) ABSENT (2) RUSSELL SLY & GARY PRESTWICH

ADJOURNMENT

Mayor Fritz Adjourned the Meeting.



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 8, 2005, 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 Forecast – Jones Simkins (Curtis Roberts)
- 6:45 2. Secondary Water System/General Information – Alvin Harward Mayor Fritz
- 6:55 3. Internet Information – Gary Prestwich

7:00 - PM REGULAR COUNCIL MEETING AGENDA ITEMS:

- Opening Remarks and Pledge of Allegiance Invitation
- Approval/Agenda Time Frame
- 7:05 3. Budget Discussion/Capital Improvement Plan – City Recorder & Ernestine Folks
 - A. Water Bond Pay-off
 - B. City Lawn Mower
 - C. Police Protection
- 7:30 4. Recreational Grant Money – Mayor Fritz
- 7:40 5. Animal Rights/Lot Size – Gary Prestwich
- 7:50 6. Stop Signs/Traffic Control – Gary Prestwich
- 7:55 7. Sumps & Storm Run-off – Gary Prestwich
- 8:05 8. Road Impact Fees – Gary Prestwich
- 8:15 9. Appointment of Planning Commission Member – Mayor Fritz
- 8:20 10. Fire Station Addition – Mark Johnson
- 8:30 11. New Well/Preliminary Engineering Bids – Alvin Harward
- 8:35 12. Expenditures:
 - General:
 - A. Copier Maintenance Contract Renewal
- 8:40 13. Approval of Minutes of Previous Meeting
- 8:45 Adjournment

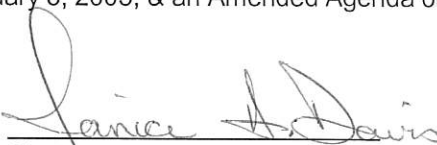
*Handicap Access, Upon Request. (48 Hours Notice)

The times that appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting. Dated this 7th day of February, 2005.


City Recorder

CERTIFICATION

I, the undersigned, do hereby certify and acting City Recorder for the municipality of Elk Ridge, that a copy of the agenda was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, on February 3, 2005; & an Amended Agenda on 2-7-05.


City Recorder



**ELK RIDGE
CITY COUNCIL MEETING
February 8, 2005**

**TIME & PLACE
OF MEETING**

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6:00 PM

CITY COUNCIL WORK SESSION

ROLL CALL

Mayor: Vernon L. Fritz; *City Council:* Alvin L. Harward, Gary Prestwich, Mark Johnson, Mary Rugg (Absent: Russell Sly); *Administrative Asst.:* Ernestine Folks; *Daily Herald:* Caleb Warnock; *CPA:* Curtis Roberts; and the *City Recorder:* Janice H. Davis

**WATER FORECAST
JONES SIMKINS -
CPA**

Curtis Roberts (Jones Simkins/Audit Firm): Mr. Roberts was at the Meeting to present the updated Forecast to the City Council. This is a five-year forecast that is updated annually along with the Audit. He also submitted a printout of information he obtained online referring to future accounting practices. (GAO = Government Accountability Office) This Office dictates what Audit procedures will be complied with. Along with the Audit, there was a "Management Letter" comment that stated the City needs to monitor the "regulatory environment" and watch for regulations that could have a negative impact on the City. The Enron situation was the reason for this comment...there are more and more regulations coming out as a result of Enron. The Council needs to be aware of this. A standard setting body was created for companies that have stock that traded publicly on the stock exchange...PCAOB (Public Companies Accounting Oversight Board). Some of the standards set by this Board are quite burdensome, particularly in monitoring internal controls. The potential is that the GAO will cooperate with the PCAOB and standards for government accounting could become just as burdensome. The flier submitted to the Council is from a talk given by a member of the GAO, and it indicates that everything that the PCAOB is doing is being considered by the GAO and they may implement these standards. The Auditor's duty is to keep the Council informed of the environment we are all functioning in. There may be hope through the Utah League of Cities & Towns (ULCT) to begin a lobbying effort and go to Congress to keep the regulations under control and feasible, financially. Audit fees could double as well as fees to hire an independent CPA firm to come in and periodically run through the finances and check internal controls. This becomes, financially, very burdensome.

Water Forecast: (Update on last year's forecast)

Page 3: Reviewed the "Change in Net Assets" line: The net income stays about the same, varying some \$50,000 less over a five-year spread. The decline over time takes place because water rates are held steady and there is an inflation factor on expenses and depreciation plays a part...overall this is a fairly "healthy" net income figure...so far.

The challenge comes in analyzing the ability to pay for projected improvements.

Page 4: This shows "Cash Flow":

"Net Cash Provided (used) by Operating Activities": (About mirrors the "Net Income")

About \$200,000 will be generated every year (up to 241,253 in 2009)

Impact fee will be collected (based on about 20 new homes per year)

"Capital Assets":

2005 – 10" water line, 2007 – New Well (\$1,000,000) & 2008 – New Tank (1,000,000)

The big question...how will these assets be funded? What debt will there be + interest on debt?

- The anticipation is that the City will bond for \$500,000 in 2008

Net Increase (decrease) in Cash: In 2007 & 2008 the City will be down about \$1,000,000, assuming the City will bond for \$500,000 in 2008. In those years, there will be "negative" cash, which means the Water Fund would have to borrow from other Funds in the City in order to continue operations. Variables to be considered: Timing on the projects, contributions/assistance from developers.

Summary: There is such a significant cash outflow that, under this set of circumstances, the City would not be able to cash flow.

There is about \$130,000 the City could access for some of this (Retained Earnings & reserved/restricted), but some of this money would be for system maintenance; the forecast does not list any other replacements of lines or construction.

Page 2: Under "Net Assets" (Restricted for)

"Capital Projects": By 2007 & 2008, what has been collected would not cover the projected costs...2007 = (623,518) & 2008 = (1,509,858) The point is that the impact fees collected now would be insufficient to pay for the improvements.

Looking back at last year (2003/04):

Engineering projections were off:

- Average annual water rate projected by engineers was higher than the actual figure
- Revenues came in significantly under what their projections were

Gary Prestwich: When summer is cooler and wet, the "expected" revenue is not collected.

Mayor Fritz: Reviewed the two options for decreasing water rates, submitted by Councilmember Harward at the previous Council Meeting: One Option would reduce water revenue by about 40,000/year & the other Option would reduce water revenue by about 70,000/year. The Mayor surmised, based on the figures presented in the Forecast, that there could be "serious consequences".

Mr. Roberts: Agreed; especially if just the "cash flow proposition" is considered on Page 4. If the reduction took place, the cash flow would be reduced (over 5 years) 200,000 to 350,000 worse off than what the Forecast projects with water rates as they are now.

"Return on Investment (Assets)": In considering over all health of the Water Fund

The level of return should be such to allow the City to replace those assets without hardship.

The rate of return on assets should be somewhat above inflation and perhaps more.

The City is generating about 7-8% on the assets...that is an "adequate" position...10% is considered a "healthy" return. This position gives the City the ability to hold the water rates level for a number of years; as opposed to dropping the rates and then being forced to raise them again to cover costs. Costs will go up in the future.

If 10% "return" is exceeded, then the City may want to review water rates.

Gary Prestwich: Again presented a suggestion to consider attaching a "Cost of Living Adjustment" to the water rates.

Discussion/Bond Retirement: Mr. Curtis feels the City could pay off the 1991 Bond in the current fiscal year and the 1996 Bond in 2006, using mainly reserve funds set up for these particular Bonds.

SECONDARY WATER SYSTEM

The City currently has within the Code the requirement that, "All subdivision plans shall recognize and accommodate the irrigation system within the City, including, as necessary, the installation of culverts and pipes, the rerouting of ditches and the reconstruction of head gates." This does not directly relate to a secondary water system and may be inadequate for the City's purposes.

Councilmember Harward is to seek additional information regarding secondary water system funds available on a 65/35 split. It may be prudent for the City to include such a system now before the proposed annexation on 1600 West & Goosenest Dr. is complete.

The Mayor recommends that a request be forwarded to the Planning Commission to modify the ordinance to properly include a secondary system for new development north of the City.

The contractual agreement is that CUP water will be delivered by 2015. The anticipation of those who work with CUP is that we are 10 to 15 years away from delivery.

The installation of the "dry system" would not qualify for the 65/35 agreement because the "cut-off" date to apply for this assistance was March 5, 2005. There is no way that the City can make this deadline. There was misinformation as to when the application had to be in. The Mayor was told not to rush at this point, since we now have until next year.

All of the money spent on the application process is borne by the City (not share in the 65/35 split).

Issues to consider Prior to application:

1. The water that comes out of the pressurized line is not going to be delivered directly to a secondary water system for distribution. The water has to go into a holding tank or pond.

- Location? Cost of land acquisition? Cost to excavate the pond and possibly line the bottom of it?
- 2. Prior to application, it must be determined if all this would be practical. Can the City build a holding tank or pond sufficient to accommodate the water?
A fresh-water pond with a park would be a wonderful addition to the City; but can we afford it?
- 3. Participation process:
 - Make application/gain approval of Project and an estimated cost
 - As the progression occurs, the contractor would bill the City \$100,000
 - The City would send the bill to the Project Manager & they would pay up to 65% ("Up to" would have to be clarified.)
 - The City has to cover 35% (This might not be much of a problem, if the developers are required to install much of the infrastructure...this may constitute the 35%.

Concerns expressed by the City Recorder:

1. The Water Forecast just presented was not too favorable with the major projects in planned in the future...is this feasible financially?
2. This is only planned for the north (lower) portion of the City initially. (Councilmember Harward feels the plan would eventually include the entire City.)

Mark Johnson: Suggested contacting Spanish Fork to find out costs associated with their holding pond for CUP water.

Mayor Fritz Described the way the holding tank/pond distribution works.

Alvin Harward: Does not feel the secondary system would impact the Water Fund revenue much, since the City would continue to charge a base water fee and the secondary system (at \$15/connection/month) could generate up to \$100,000/year. Decreasing the water bill for culinary water is a good thing. (Councilmember Prestwich disagrees...and feels the revenue would be impacted.)

*Mayor Fritz: Would like the Council to be prepared to further discuss and consider whether the Council will remand this matter to the Planning Commission to amend the standards.

The availability of water is a priority to the Mayor. Another tank could be postponed; but he wants to see an additional well for the City. Not long ago the City had both wells down at once; as the tanks emptied, residents were placed on severe restrictions until the problem was solved...it could have been worse, if the situation had gone on any longer or if this had occurred during the summer months. The additional well would service all residents, not just new growth.

INTERNET
INFORMATION

Gary Prestwich: He has been involved in conversations with Just Raw Speed (City's Internet provider). There is a possibility of receiving free service in exchange for them being able to use The siren pole for an antenna and additional equipment on the outside of the building.

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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 3, 2005 and an Amended Agenda on 2-7-05.

ROLL CALL

Mayor: Vernon L. Fritz; *City Council*: Alvin L. Harward, Gary Prestwich, Mark Johnson, Mary Rugg (Absent: Russell Sly); *Administrative Asst.*: Ernestine Folks; *Daily Herald*: Caleb Warnock; *Sheriff*: Deputy Oliver; *Public*: Scouts: Kade Johnson, Kacey Gunnerson, Patricia Gunnerson; and the *City Recorder*: Janice H. Davis

OPENING
REMARKS &
PLEDGE OF
ALLEGIANCE

Opening Remarks (prayer) were offered by Councilmember Gary Prestwich, after which the Pledge of Allegiance was led by Alvin Harward for those wishing to participate.

AGENDA TIME
FRAME

MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY ALVIN HARWARD TO APPROVE THE AGENDA TIME FRAME, ADJUSTING THE START TIME BY 5 MINUTES
VOTE: YES (4) NO (0) ABSENT (1) RUSSELL SLY

AMENDED BUDGET
DISCUSSION &
CAPITAL
IMPROVEMENT
PLAN

City Recorder: Review of some of the budget changes:

Budget Hearing is scheduled for next Council Meeting. Figures must be to the Recorder in time to incorporate them into the amended budget. The Councilmembers also need to meet with Mrs. Folks to review the Capital Improvement Plan.

1. 1991 Water Bond Pay-off: There is money in the Reserve Funds associated with this Bond, that could be used to pay the Bond off earlier than 2011...even this fiscal year. This would need to be budgeted for. Mr. Curtis recommends consideration of this, as the interest on the Bond is now higher than the interest earned at the State Treasury (PTIF Funds). The Council agreed. Mr. Roberts also recommended retiring the 1996 Bond (Tank) in 2006 rather than in 2007. In 2007 the City is scheduled to drill a new well and Bond for \$500,000 in 2008 for a new Tank.

MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY MARK JOHNSON TO RETIRE THE 1991 WATER BOND ("DEAD WELL") THIS 2004/2005 FISCAL YEAR
VOTE: YES (4) NO (0) ABSENT (1) RUSSELL SLY

1. Lawn Mower: The Public Works' Dept. has requested a new industrial-type mower. The average cost ranges between \$9,000 - \$12,000. Councilmember Johnson thinks he may be able to locate a used one for less at the State Surplus. A larger mower could also have and attachment to mow weeds at the side of the roads.

Mary Rugg: She contacted Cindi Ellis (former Councilmember over Parks) who purchased the current mower; this was supposed to be a fairly high-grade lawn mower. Councilmember Rugg has been out to look at the mower and her husband has been on it and ridden it around; she is unsure what the problem is with it. Brittany Haskell (summer help) has had no trouble with mower. She does not feel spending up to \$12,000 on a bigger mower is warranted, just to get the lawn mowed faster. She recommends getting an estimate on getting the current mower repaired before authorizing the purchase of a new one.

Even though Councilmember Johnson agrees that the current mower is not powerful enough to maneuver up and down the hills in the Park, Councilmember Rugg made the point that it is not he not the Public Works employees that will be mowing the lawn...that will be up to summer help. If the mower will meet the needs through the rest of this year, she does not feel it wise to buy a new one.

Gary Prestwich: Asked if the performance had changed since the current mower was new. (According to Councilmember Johnson, "No".)

Prices will be looked into.

3. Police Protection: The costs are increasing from about \$35,000 to about \$43,000/year. This is for 20 hours/week. The price of the contract is reduced by the amount of revenue from citations written in Elk Ridge.

4. Parks Grant/Trails: A \$50,000 Parks/Trails Grant did not come through...this will be removed from the budget. Will there be any action regarding "trails" in the City this year? Should this expense be deleted? There is still \$50,000 of the City's money designated for the 1st Phase of the Trails Project. Councilmember Rugg is not as inclined to continue with the Trails Project as the previous Councilmember was.

5. Loafer Canyon Road: The extension of the sewer line and the repair of the road are estimated at just over \$91,000. Will this Project be done this year? (Yes, the Project is scheduled for this fiscal year.)

6. Water Fund:

- \$64,822 is what remains of the 2002 Bond...this will be used on the 10" water line; with \$60,000 of Impact Fees budgeted for the 10" line.

- The cost for the excess pressure problems, amounting to approximately \$16,000, is included in the Capital Outlay, along with the 10" water line extension.
- The annual payment for the 1991 Bond will be paid off this year...it is about \$36,000.

7. Page 29 (Sewer): There will be a study conducted in preparation for the connection to Payson City...Elk Ridge's portion of this could be \$30,000 or more. This will need to be budgeted for.

Mayor Fritz is questioning the linear feet Elk Ridge is being assessed for the connecting sewer line. 33% was assigned to Elk Ridge. The Mayor feels this should be less because the line from the current trunk line to Loafer Canyon Road would be Woodland Hills' responsibility, if they are interested in joining in on the Project.

There is already a sewer line in Loafer Canyon that services Elk Ridge residents in that area. The other question to the engineers: is the carrying capacity of the 8" line adequate to accommodate the anticipated growth in that area of Elk Ridge + 200-250 homes in Woodland Hills?

Gary Prestwich: (Reviewing draft Agreement from Payson City)

There are sections needing clarification:

Section 7...regarding the number of residents to connect to the system (all or a portion?)

There is a section implying that once the Study is complete, then Elk Ridge *must* complete the Project...that must be clarified, as well.

(Payson City Attorney was clear that this is simply a draft and subject to change and further negotiation.)

Mark Johnson: The projected value to Payson must be considered in these negotiations. They will be developing off of this line, as well.

8. Sewer Fund (page 30) "Capital Outlay": 30,000 budgeted for the Engineering study with Payson.

9. There will be a 91,000 transfer to Loafer Canyon Rd. Capital Projects.

RECREATION GRANT MONEY

Mayor Fritz: Every year the County uses some of the Hotel/Motel tax money to provide grants to cities in Utah County. This year the amount for Elk Ridge is \$1,594.87. The Mayor proposed a retention wall around the Park track as a project for the grant. The anticipated cost would be \$4,950. He requests the Council's approval for this project.

Mary Rugg: Applied for a grant about 3-4 months ago and was denied. As a result, she has a plan worked out for the grant money.

(It was made clear that there must be adequate communication between the Mayor and the individual Councilmembers on projected projects and the necessary funding available.)

*The Mayor and Councilmember Rugg will meet to further discuss the grant application.

ANIMAL RIGHTS – LOT SIZE

Gary Prestwich: Feels that the General Plan should be changed to specify "no animal rights" zoning allowed with lots smaller than ½ acre.

(The other suggestion: no home size smaller than 1,200 sq. ft....is already in the Code.)

The City Council agreed and even suggested larger lots than ½ acre.

Mark Johnson: Would like to see the number of animals addressed, as well.

Ernestine Folks: Pointed out that the Council had that section removed from the Code so as not to "micro-manage" and allow the nuisance ordinance to control any arising problem.

The suggestions were remanded to the Planning Commission for consideration.

STOP SIGNS – TRAFFIC CONTROL

Gary Prestwich: Recommends the addition of two stop signs and a speed limit sign at the intersection of Mahogany and Hillside. (This request was discussed at a previous Council Meeting.) The developer would be given directions to install these, unless the City is responsible for them.

Mayor Fritz: Understood that the consensus of the Council had been that a stop sign at that point would not necessarily slow drivers down at the intersection.

Mary Rugg: Understood that the Council was to consider speed bumps/dips as a means of traffic control. Snowplow drivers have no trouble plowing over elongated speed bumps. She checked out a street in Orem with such a bump and found that to be the case.

City Recorder: The City Deputy has been researching various types of speed bumps in other cities and would like to meet with Councilmember Prestwich and the Mayor to discuss his findings and opinion on traffic control. There are other options with speed bumps: such as elongated bumps. The Deputy feels elongated bumps are a good method, with warning signs posted in advance of the bump.

*It was the consensus of the Council FOR Councilmember Prestwich to look into these elongated speed bumps as a means of traffic control.

SUMPS & STORM DRAINAGE

Gary Prestwich: Aqua Engineering has designed a sump to be the new standard for Elk Ridge and is in the process of developing a procedure for design of a sump for specific situations. If & when this becomes a reality, the developers would also be required to cover their sumps during construction to keep debris out. It would be inspected upon completion of the project.

They are also designing storm water run-off criteria that will be more specific than the present criteria. Currently, capacity is calculated off of a 25-year storm; this has proven ineffective. It may be calculated off of amount of rainfall. This information will be shared with Santaquin and Salem City, as they have the same needs.

ROAD IMPACT FEES

Gary Prestwich: Was asked to research Road Impact Fees, to contact Mountainland Assoc. of Governments (MAG) and to bring the information back to the Council. He submitted a sample ordinance from Kamas City for the Council to review. This sample came from MAG.

MAG also suggested we use the Park Impact Fee Ordinance as a guide for Road Impact Fees. Some of the information in the sample ordinance from Kamas would not be appropriate for Elk Ridge and would have to be altered.

APPOINTMENT - PLANNING COMMISSION MEMBER

The Planning Commission Meeting was cancelled due to lack of a quorum...there are no names to consider at this time.

FIRE STATION ADDITION

Mark Johnson: An addition onto the building on the east side of the Bay area at 25' X 25' would cost about \$40,000, perhaps less if volunteer labor is used.

The Gas Company has an abandoned gas line easement to consider. They are requiring people wishing to build to purchase the easement from them.

*The Mayor is to contact the Gas Co. to see what the charge to the City would be and if they would consider donating the easement to the City.

A portion of the money set aside in the Capital Project Fund (about 65,000) was also designated for a future Public Works Building, to be built on the City property off of N. Park Dr.

The purpose of this addition would be office space at first; but the Dept. plans on obtaining an ambulance in the future.

*Grants are to be researched for the purpose of building an addition to the Bay area for the Fire Dept., perhaps through the Dept of Homeland Security.

NEW WELL – PRELIMINARY ENGINEERING BIDS

Alvin Harward: Bids were collected from Sunrise Engineering, Aqua Engineering & Franson & Noble Engineering for preliminary engineering to be submitted to the State to obtain a permit to drill a new well. Aqua Engineering was the lowest bid and it is Councilmember Harward's recommendation to accept Aqua Engineering's bid for the first phase in the amount of \$10,200.

MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY MARK JOHNSON TO ACCEPT AQUA ENGINEERING'S BID FOR THE FIRST PHASE OF THE NEW WELL ENGINEERING, IF THERE ARE ADEQUATE WATER RIGHTS AVAILABLE

VOTE: YES (4) NO (0) ABSENT (1) RUSSELL SLY

EXPENDITURES:

General: None

1. Copier Maintenance Contact:

MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY MARY RUGG TO APPROVE THE RENEWED 1-YEAR MAINTENANCE CONTRACT WITH PANASONIC

VOTE: YES (4) NO (0) ABSENT (1) RUSSELL SLY

MINUTES

Minutes of 1-25-05:

MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY MARY RUGG TO
APPROVE THE CITY COUNCIL MINUTES OF 1-25-05
YES (5) NO (0)

ADJOURNMENT

MAYOR FRITZ ADJOURNED THE CITY COUNCIL MEETING AT 8:30 PM.



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 22, 2005, at 7:00 PM, to be preceded by a Council Work Session and Three Public Hearings on the Following: The First Public Hearing, at 6:05 PM, is on a Proposed Amendment to the 2004/2005 Budget; The Second Public Hearing, at 6:30 PM, is on a Proposed Ordinance Providing for an Alternate Member of the Planning Commission; The Third Public Hearing, at 6:45 PM, is concerning a Proposed Ordinance Regarding Reimbursements for Off-site Improvements Constructed & Associated with Development.**

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.

6:05 PM

1. PUBLIC HEARING/AMENDED 2004/2005 BUDGET

Public Hearing/Proposed Amendment to the 2004/2005 Fiscal Year Budget

6:30 PM

2. PUBLIC HEARING/ORDINANCE PROVIDING FOR AN ALTERNATE MEMBER OF THE ELK RIDGE PLANNING COMMISSION

Public Hearing/Ordinance Amending the Elk Ridge City Code Providing for an Alternate Member of the Planning Commission

6:45 PM

3. PUBLIC HEARING/REIMBURSEMENTS FOR OFF-SITE IMPROVEMENTS

Public Hearing/Ordinance Amending the Elk Ridge City Code Providing for Reimbursement Capabilities for Off-site Improvements Constructed & Associated with Development

CITY COUNCIL WORK SESSION

4. Connection Allocation for Development of One Lot - Lance Cooper

5. Planning Commission Update - Gary Prestwich

6. Payson Sewer System - Mayor Fritz

7. Secondary Water System/General Information - Mayor Fritz

7:00 - PM

REGULAR COUNCIL MEETING AGENDA ITEMS:

Opening Remarks and Pledge of Allegiance

Approval/Agenda Time Frame

7:05 8. Appoint Planning Commission Member - Mayor Fritz

7:10 9. Grand View North Subdivision, Plat B/Final Plat - Paul Shupe

7:20 10. Zone Map Amendment Request - Burke Cloward

7:30 11. Glenn Gabler/Water Rights - Mayor Fritz

7:35 12. Loafer Canyon Recreation Association/Waiver of Park Impact Fees - Mayor Fritz

7:45 13. Loafer Canyon Recreation Association/Proposal Septic Tank Approval - Mayor Fritz

8:00 14. Action on Public Hearings:

A. Amended 2004/2005 Fiscal Year Budget for the Operation of the City of Elk Ridge

B. Ordinance/Amending the Elk Ridge City Code Providing for an Alternate Member of the Elk Ridge Planning Commission

C. Ordinance/Amending the Elk Ridge City Code Providing for Reimbursement Capabilities for Off-site Improvements Constructed & Associated with Development

8:15 15. Expenditures:

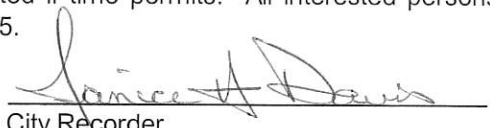
General

8:20 16. Minutes of Previous City Council Meetings

8:25 Adjournment

s Notice)

anda may be accelerated if time permits. All interested persons are 1 day of February, 2005.


City Recorder

CERTIFICATION

and acting City Recorder for the municipality of Elk Ridge, do hereby as faxed to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and Body on February 17, 2005;


City Recorder

ELK RIDGE
CITY COUNCIL MEETING
February 22, 2005

39

TIME & PLACE
OF MEETING

This Regular Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, February 22, 2005, at 7:00 PM.** It was preceded by a **Council Work Session** at and **three Public Hearings** for the purpose of hearing public comment regarding the following: **The first Public Hearing, at 6:05 PM,** was on a Proposed Amendment to the 2004/2005 Fiscal Year Budget and Capital Improvement Plan; **the second Public Hearing, at 6:30 PM,** was concerned with a proposed Ordinance Amending the Elk Ridge City Code Providing for an Alternate Member of the Planning Commission; **the third Public Hearing, at 6:45 PM,** was on a proposed Ordinance Amending the Elk Ridge City Code Providing for Reimbursement Capabilities for Off-site Improvements Constructed & Associated with Development.

All interested persons were invited to be heard.

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 Council Meetings & Public Hearings, was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on February 17, 2005.

6:05 PM

PUBLIC HEARING/AMENDED 2004/2005 FISCAL YEAR BUDGET & CAPITAL IMPROVEMENT PLAN (CIP)

Public Hearing/Proposed Amendment of the 2004/2005 Fiscal Year Budget & CIP for the Operation of the City of Elk Ridge

ROLL CALL

Mayor: Vernon L. Fritz; *City Council:* Mary Rugg, Mark Johnson, Russell Sly & Gary Prestwich (Absent: Alvin Harward); *Administrative Assistant:* Ernestine Folks; *Daily Herald:* Caleb Warnock; and *City Recorder:* Janice H. Davis

Mayor Fritz opened the Public Hearing at 6:05 PM.

Ernestine Folks: (Capital Improvement Plan)

- Roads (Changes): in the Asphalt rebuild/overlay...reduced slightly but add in "crack & seal".
- Bus Turn around (Actual) was about 2,000 more than expected.
- Chip & Seal = 43,381
- Loafer Canyon Rd/Capital Project: = 91,720 (details under the Sewer Dept.) Question: will Sewer pay for the road improvements? (To be discussed later.)
- 10" Water Line from the Cloward Well: **(2002 Bond = 64,822 & Use of Water Impact Fees = 60,000)**
- Will the "telemetry modifications" take place this fiscal year? Question for Councilmember Harward.
- "Fire Hydrants": over 24,000 is budgeted; are they needed? Perhaps the Fire Dept. could check this out and advise the Council. The Water Map shows the placement of the hydrants in town.

(Mayor Fritz said that Kent Haskell is assigned to measure the distance between each hydrant in the City (for flushing); he could check this other matter out at the same time.)

- "Auto-Read Meters": Mr. Haskell was not aware he was to be replacing the meters in town over a 5-year plan.

*The Mayor will meet with Mr. Haskell.

- New Well was added in due to costs to Aqua Engineering (10,200) for Engineering necessary for a permit from the State.

Mayor Fritz: Will be meeting with Randy Young next Thursday (3/3) to possible terms of annexation. The intent is to have him participate as much as possible in the installation of a new well...even to be responsible for having in installed and presenting a well to the City. The area north of the City is where development is planned. If Mr. Young were responsible for the well, he would probably hire his own engineers and contractors. This all remains to be negotiated.

A question remains, who would have to obtain a permit?

- No changes have been turned in for the Water Dept. There is a question on the "Telemetry Modifications"...will this be done this fiscal year? (\$5,000 is budgeted.) The Project is to improve efficiency.

*Councilmember Prestwich is to contact Councilmember Harward and/or Nickerson.

- Trails Project (Phase 1) was budgeted at \$100,000. Elk Ridge was denied the 50,000 Grant; so the Project is reduced by ½. Councilmember Rugg has asked that the Project be eliminated. The Council will have to consider this, since support has already been given to the Project, at least to Phase 1, which would provide access to the City Park. The Project has been removed from this year's budget and CIP.

Part of the funding was to come from a donation to the City; is this still available?

Mayor Fritz: Prefers to consider the Project deferred rather than cancelled. The money is not available to complete all of Phase 1 without the Grant. He would defer this Project for at least one year.

Mary Rugg: She does not support the Trails system in the City. She feels it does not service a large part of the Community and would cost a great deal of money. Phase 1 would service a very small percentage of the residents. She did not want to be in charge of a Project that she is not in favor of. She is proposing a rock retaining wall to mitigate the erosion onto the trail around the ballpark and to beautify the park area.

Russell Sly: That trail was originally intended to evolve into a large "figure 8" throughout the City. Some grants are "match grants" where the City has to match a portion of the grant money. He feels the City should maintain the position to be able to match funds. He is in favor of the Trails system.

- The Park Retaining Wall Project is estimated at \$18,000; and the Park Basketball improvements are listed at \$10,000 (no firm bid is available)...the Parks' Grant of \$1,594 will be applied to the Basketball Project.

City Recorder:

The main points of the budget changes were discussed.

- Loafer Canyon Rd.: The road improvements on Loafer Canyon Rd. will be covered ½ by the Roads Dept. and ½ by the Sewer Dept. (21,500 each).
- Park Impact Fees: Beginning Fund Balance = about 74,000 + current year of about 11,000 = about 85,000...28,000 – 30,000 will be used for the listed projects. 22,000 to cover the Park's portion of the "balloon" payment on the Park/Retention Pond Balance = Approximately 35,000

*(Councilmember Rugg has someone in mind to assist the City in applying for grants; she will contact this person.)

At 6:35 PM, Mayor Fritz closed the Public Hearing on the Amended 2004/05 Budget & CIP, continuing the discussion later in the Meeting.

6:35 PM

PUBLIC HEARING/ORDINANCE PROVIDING FOR AN ALTERNATE MEMBER OF THE ELK RIDGE PLANNING COMMISSION

Public Hearing/Ordinance Amending the Elk Ridge City Code Providing for an Alternate Member of the Planning Commission

ROLL CALL

Mayor: Vernon L. Fritz; *City Council:* Mary Rugg, Mark Johnson, Russell Sly & Gary Prestwich (Absent: Alvin Harward); *Administrative Assistant:* Ernestine Folks; *Daily Herald:* Caleb Warnock; and *City Recorder:* Janice H. Davis

At 6:35 PM, Mayor Fritz opened the Public Hearing.

There has been a problem getting a quorum at the Planning Commission meetings. Schedules have caused two members to resign. It is impossible to conduct the work without a quorum.

The idea of having an alternate member is presented in this proposed ordinance. An Alternate should attend the meetings and participate in all discussions, but may not vote, unless filing in for a regular member.

At 6:45 PM, Mayor Fritz closed the Public Hearing

2004/05 AMENDED BUDGET DISCUSSION (CONT.)

Russell Sly: Would like it noted somewhere that the Trails Project has not been abandoned and impact fees should be reserved for a possible "match grant" in the future.

Mayor Fritz: There are a fair number of citizens who believe that the trail in the 1st phase will be installed. There must be a rational reason why it would not be. They deserve to know that the project may be revisited.

6:45 PM

PUBLIC HEARING/ORDINANCE PROVIDING FOR REIMBURSEMENTS FOR OFF-SITE IMPROVEMENTS

Public Hearing/Ordinance Amending the Elk Ridge City Code Providing for Reimbursement Capabilities for Off-site Improvements Constructed & Associated with Development

ROLL CALL

Mayor: Vernon L. Fritz; *City Council:* Mary Rugg, Mark Johnson, Russell Sly & Gary Prestwich (Absent: Alvin Harward); *Administrative Assistant:* Ernestine Folks; *Daily Herald:* Caleb Warnock; *Public:* Debbie Currie; and *City Recorder:* Janice H. Davis

At 6:45 PM, Mayor Fritz opened the Public Hearing.

Ernestine Folks: This proposed ordinance has come to the Council from the Planning Commission with a recommendation to approve it.

The period of time for reimbursing the original developer who installed the improvements would be increased from 10 years to 30 years. This would be fairer to the developer and would promote infill development.

The 10-year waiting period prompted other developers to simply wait until the time period was over; then they develop without having to pay for the installed improvements. The Planning Commission feels this is not fair to the original developer. The City does act as the "collection agent" for the money; the requirement is on the checklist for subdivisions and notations that these fees must be paid prior to approval. Proof of payment must be provided to the City.

At 6:50 PM, Mayor Fritz closed the Public Hearing.

2004/05 AMENDED BUDGET DISCUSSION (CONT.)

ROLL CALL

Mayor: Vernon L. Fritz; *City Council:* Mary Rugg, Mark Johnson, Russell Sly & Gary Prestwich (Absent: Alvin Harward); *Administrative Assistant:* Ernestine Folks; *Daily Herald:* Caleb Warnock; *Public:* Debbie Currie, (Scouts) Tanner May, Reese Knuteson, McKade Waite, Jordan & Kade Johnson, Greg & Cameron Pozernick, Cory Deichman; and *City Recorder:* Janice H. Davis

*Councilmember Rugg and Mayor Fritz are to meet in the next week to discuss the rock retaining wall project.

Changes to the Budget were reviewed:

- Page 1: Fire Dept. grant for 25,000 (this is in addition to the 2,582 already in the budget) This is for the purchase of equipment.
- Page 3: Road Assessments/Loafer Canyon: 3,800 from Robert Nelson for repairs to Valley View Cr.
- Page 4: 5,000 from Capital Projects for the Utility Pickup for Public Works.
- Reserved Fire Dept. Fund Balance: In 2001 the Council declared that any savings between budgeted amount and actual money spent in the Fire Dept. could be reserved to pay on the Becker Fire Truck. The annual payment is 13,000; this year the payment will include 14,542 more, which reflects this savings from 2001 to present.
- Appropriated Use of Fund Balance: No more than 18% of the General Fund Revenue can be maintained in the General Fund. Any excess is appropriated for use in the General Fund through this account. If any portion of it is not needed, then it is transferred out of the General Fund into "Capital Projects/Future Improvements".
- Police Protection: Increase from 35,000 to 43,000
- Acct. 10-49-320: Financial Reports/Audit...Increase from 15,000 to 21,000:
The Audit came in at about 17,500; the Forecast at about 3,300; with extra consulting at just under 2,000. Curtis Roberts informed the Council that this is likely to increase to a point of becoming burdensome because of increasing regulations.

Mayor Fritz closed this portion of the Budget discussion; to be continued in the Regular Council Session.

**ELK RIDGE
CITY COUNCIL MEETING
February 22, 2005**

59

**TIME & PLACE
OF MEETING**

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All interested persons were invited to be heard.
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Notice of the time, place and Agenda of the Scheduled Council Meetings & Public Hearings, was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on February 17, 2005.

7:18 PM

REGULAR CITY COUNCIL AGENDA ITEMS:

ROLL CALL

Mayor: Vernon L. Fritz; *City Council:* Mary Rugg, Mark Johnson, Russell Sly & Gary Prestwich (Absent: Alvin Harward); *Administrative Assistant:* Ernestine Folks; *Daily Herald:* Caleb Warnock; *Public:* Debbie Currie, (Scouts) Tanner May, Reese Knuteson, McKade Waite, Jordan & Kade Johnson, Greg & Cameron Pozernick, Cory Deichman, Travis Nielsen, Michael Austin, Jeffrey Langford, Derik Christensen, Morgan Flynn, Jared Quass, Collin Rich, Jesse Norton, Seth Mason; Boyd Hanks, Nick Hanks, Grant Moore; and *City Recorder:* Janice H. Davis

**NON-AGENDA
ITEM**

The Council thanked Scout Tanner May for the great job he did in cleaning up the City bulletin board for a service project.

**OPENING REMARKS
& PLEDGE OF
ALLEGIANCE**

An Invocation was offered by Mary Rugg and Russell Sly led those present in the Pledge of Allegiance, for those willing to participate.

**AGENDA TIME
FRAME**

MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY MARK JOHNSON TO APPROVE THE AGENDA TIME FRAME, ADJUSTING THE START TIME TO 7:20 PM; STRIKING ITEMS 4, 9 & 10; AND MOVING WORK SESSION ITEMS 5, 6 & 7 TO THE REGULAR COUNCIL SESSION
VOTE: YES (4) NO (0) ABSENT (1) ALVIN HARWARD

**PLANNING
COMMISSION
UPDATE**

Gary Prestwich:
1. The Planning Commission elected Ray Brown as the Chairperson, with Chad Christensen as the Vice-Chair (or Co-Chair).
2. Burke Cloward would like to rezone some of his property. The Planning Commission will have to amend the General Plan before this Zone Change request can be considered.
3. Councilmember Prestwich directed the Planning Commission that there should be no zoning that allows animal rights on a lot smaller than ½ acre.

**PAYSON SEWER
SYSTEM**

Mayor Fritz: Negotiations with Payson City are ongoing. The Mayor will inform the City Council of the details by letter, in their packets. It appears that there are positive signs that Elk Ridge will be getting a contract to sewer with Payson.

**SECONDARY
WATER SYSTEM**

Mayor Fritz: The Mayor is still gathering additional information on this matter. The concept is about 10 years out. If the City were going to go through with this concept, using CUP water; either a holding tank or pond would be necessary. He feels it would be nice to incorporate either of these options into a City Park area. A fair amount of this project could be covered by Park Impact Fees.
If the Council thinks this idea has merit, he will continue to obtain information. Next year the City needs to make application for the 65/35% split program.

Russell Sly: Questioned the pressure of the CUP water. (The Mayor has heard that the pressure would be from 69 lbs. to 80 lbs. of pressure. An engineer would have to give an opinion on that.)

Gary Prestwich: The pressure would have to be broken by the water going to a holding tank/pond first. The water is stored until it is needed for distribution.

Mary Rugg: Is in favor of a secondary system; and would be interested in knowing more about the details of a Park being built in conjunction with the holding area.

APPOINT
PLANNING
COMMISSION
MEMBER

**MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY RUSSELL SLY
TO APPOINT RUSSELL ADAMSON AS A PLANNING COMMISSION MEMBER,
REPLACING BRUCE LINDOW FOR HIS TERM OF OFFICE**

VOTE: YES (4) NO (0) ABSENT (1) ALVIN HARWARD

GLEN GABLER -
WATER RIGHTS

Mayor Fritz: In conjunction with his re-subdivision of turning three lots into two lots, Mr. Gabler would like to retain ownership of and sell the water right associated with the extra lot. The Council deferred action on this until the City Water Rights Attorney could offer an opinion. (The Council has basically approved the lot split in a previous meeting.)

The City received a letter from Mr. Mabey (Water Rights Attorney) with a recommendation regarding Mr. Gabler's split lot and water right.

Recommendation: Since the City owns the water rights and according to Mr. Maybe, "Each lot owner has the right to receive water from the town's culinary water system for their lot, so long as they pay the necessary connection fees, etc. But they do not own the water right itself".

Based on the Attorney's recommendation, Mr. Gabler has no ownership of the water right and the Mayor recommends denial of his request.

**MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY MARK JOHNSON TO DENY
MR. GABLER'S REQUEST TO RETAIN OWNERSHIP OF THE WATER RIGHT ASSIGNED TO
THE LOT BEING DIVIDED IN THE CREATION OF THIS TWO LOT SUBDIVISION**

VOTE: YES (4) NO (0) ABSENT (1) ALVIN HARWARD

LOAFER CANYON
RECREATION –
WAIVER OF PARK
IMPACT FEES

Mayor Fritz: Loafer Canyon Recreation Association requests that the Council waive the Park Impact Fees from their land. Their rationale is that none of their people live in Elk Ridge and they do not have an impact upon our recreation facilities nor do they use any part thereof.

The Mayor recommends that the Council waive these Park Impact Fees based on this fact that their members are not voting residents of Elk Ridge.

Ernestine Folks: The question has come up about the effect waiving Impact fees would have on the Park Impact Fee Study...will it have to be amended based on this proposed action? Will the Impact Fee, itself, be affected?

Mayor Fritz: He does not feel this matter is a key to the request to waive the Fees; however, the matter will be deferred until the Mayor is able to get the advice of the City Planner as to the effect on the Impact Fee Study.

*Next Council Meeting.

LOAFER CANYON
RECREATION –
PROPOSED SEPTIC
TANK APPROVAL

Mayor Fritz: Reviewed the history of the issues that have been discussed over time. Based on the advice of the City Attorney (letter dated August 17, 2004), the Mayor's recommendation is:

1. That the Council accept the Association's interpretation of the original contract and perform the function of issuing building permits.

2. The Association should be permitted to make all other decisions regarding the number of new cabins and the placement thereof with the understanding that as indicated on the attached map, certain activities will consist primarily of summer self contained campers with eating or park-like facilities.

3. That the City of Elk Ridge enter into a brief agreement with the Association that, as indicated in David Church's letter, that we are interpreting the contract as they do in order to avoid threatened litigation and to resolve this dispute with finality.

(The foregoing is based on a letter to the Council from Mayor Fritz, dated 2-1-2005.)

Mary Rugg: (One question...) If the City were to place a well now where the current Loafer Well is located, the State would not allow a septic tank to be placed as close as is being proposed (due to the Well-head Protection Act); Why is the City willing to allow possible contaminants so close to our current well?

This question has not been answered to any degree of satisfaction for Councilmember Rugg.

Mayor Fritz: Does not believe the risk is as high as it is perceived to be. He feels this issue is a matter of perspective; there are various perspectives. He also feels that Loafer Recreation Assoc. deserves a resolution to this matter.

Gary Prestwich: He knows that in Heber City septic tanks are allowed to be located on the same property, as wells and they experience no problems.

Russell Sly: He knows that septic systems work. The issues have been studied heavily and he also believes that the risk in this situation is not sufficient to limit the Association any further. He is in favor of granting their proposal.

Mark Johnson: He is concerned with providing fire protection for the Association area. Elk Ridge is the 1st paged. He does not have a problem with the Association being issued building permits.

MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY GARY PRESTWICH TO APPROVE LOAFER RECREATION ASSOCIATION'S PROPOSAL, AS STATED; TO ALLOW LOAFER CANYON RECREATION ASSOC. TO PROCEED WITH BUILDING PLANS AND THE PLACEMENT OF SEPTIC TANKS, AS OUTLINED IN THE PROPOSAL

VOTE: YES (3) NO (1) MARY RUGG ABSENT (1) ALVIN HARWARD

**ACTION ON
PUBLIC HEARINGS**

1. Amended 2004/2005 Fiscal Year Budget & CIP:
(Continued Discussion)

Parks: There was a request from Public Works to purchase a new lawn mower. The cost to repair the old one is \$438.31; there was a faulty wire in the seat that needed to be fixed.

"Special Projects":

- Parking lot resurfacing is to be back into this fiscal year's budget (split between Town Hall/Fire Station & Parks).
- Trees will also be purchased.
- Repair of the Volleyball Court will take place.

Discussion of Fund Balance (current year vs. prior years' accumulated): The City is still depending on fund balance to meet budgeted expenditures in the General Fund.

Loafer Canyon Road: Is the Sewer Fund going to cover the re-build of the road; or will the costs be shared with the Roads Dept.? The Council decided to split the cost of the Road re-build (including "easements")...1/2 from the Sewer Fund and 1/2 from the Roads Dept...21,500 each.

Trails: The pathway leading to the Playground area is considered a trail. This needs to be improved as a trail. Councilmember Sly is strongly in favor of "earmarking" \$50,000 of Park Impact Fees for the City-wide Trails Project.

Water Fund:

The Council decided to pay off the "Dead Well" Bond (1991 Series) this fiscal year. That amount will appear in the Final Amended Budget for this fiscal year.

"Capital Outlay Other" : This is where the costs for the New Well will be tracked.

MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY RUSSELL SLY TO ADOPT A RESOLUTION AMENDING THE 2004/2005 BUDGET AND CAPITAL IMPROVEMENT PLAN, FOR THE OPERATION OF THE CITY OF ELK RIDGE

VOTE: YES (4) NO (0) ABSENT (1) ALVIN HARWARD

2. Ordinance/Amending the Elk Ridge City Code Providing for an Alternate Member of the Elk Ridge Planning Commission:

MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY RUSSELL SLY TO ADOPT AN ORDINANCE AMENDING THE ELK RIDGE CITY CODE PROVIDING FOR AN ALTERNATE MEMBER OF THE ELK RIDGE PLANNING COMMISSION

VOTE (POLL): RUSSELL SLY-AYE, MARK JOHNSON-AYE, GARY PRESTWICH-AYE, MARY RUGG-AYE NO (0) ABSENT (1) ALVIN HARWARD

3. Ordinance/Amending the Elk Ridge City Code Providing for Reimbursement Capabilities for Off-site Improvements Constructed & Associated with Development:

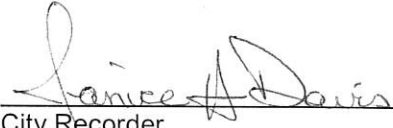
MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY MARK JOHNSON TO ADOPT AN ORDINANCE AMENDING THE ELK RIDGE CITY CODE PROVIDING FOR REIMBURSEMENT CAPABILITIES FOR OFF-SITE IMPROVEMENTS CONSTRUCTED & ASSOCIATED WITH DEVELOPMENT

VOTE (POLL): RUSSELL SLY-AYE, MARK JOHNSON-AYE, GARY PRESTWICH-AYE, MARY RUGG-AYE NO (0) ABSENT (1) ALVIN HARWARD

EXPENDITURES: General: None

MINUTES The Council Minutes of 2-8-05:
**MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY MARY RUGG TO
APPROVE THE CITY COUNCIL MINUTES OF 2-8-05**
VOTE: YES (4) NO (0) ABSENT (1) ALVIN HARWARD

ADJOURNMENT Mayor Fritz Adjourned the Meeting AT 8:30 PM.



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 8, 2005, at 7:00 PM, to be preceded by a Council Work Session at 6:00 PM; and to be followed by a City Council Closed Session.

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 Line on E. Salem Hills Drive – Mary Rugg
2. Regional Sewer Project – Aqua Engineering

7:00 - PM REGULAR COUNCIL MEETING AGENDA ITEMS:

- Opening Remarks and Pledge of Allegiance Invitation
Approval/Agenda Time Frame
- 7:05 3. Grand View North Subdivision, Plat B/Final Plat – Paul Shupe
 - 7:15 4. Rocky Mountain Subdivisions, Plats A & B/Preliminary Plat
 - A. Modification to Standards on Plat A
 - 7:30 5. Loafer Canyon Recreation Association/Park Impact Fees – Mayor Fritz
 - 7:40 6. Bids for Park Project/Rock Retaining Wall – Mary Rugg
 - 7:45 7. New Hire/Replacement – Mayor Fritz
 - 7:50 8. Covenants/Restrictions RE: Antennas in Elk Ridge – Gary Prestwich
 - 7:55 9. City Owned Vehicles – Mayor Fritz
 - 8:05 10. Appointment of Planning Commission Members – Mayor Fritz
 - 8:10 11. Expenditures:
 - General:
 - 8:15 12. Approval of Minutes of Previous Meeting
Adjournment to City Council Closed Session

CITY COUNCIL CLOSED SESSION

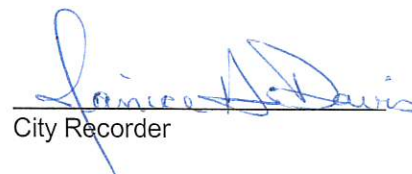
Strategy Session

*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 3rd day of March, 2005.


City Recorder

ATTEST
I, the undersigned, duly appointed 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 3, 2005.


City Recorder



**ELK RIDGE
CITY COUNCIL MEETING
March 8, 2005**

**TIME & PLACE
OF MEETING**

The regular Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, March 8, 2005, at 7:00 PM;** to be preceded by a **City Council Work Session at 6:00 PM.**

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6:00 PM

CITY COUNCIL WORK SESSION

ROLL CALL

Mayor: Vernon L. Fritz; *City Council:* Alvin L. Harward, Gary Prestwich, Mark Johnson, Mary Rugg, Russell Sly; *Administrative Asst.:* Ernestine Folks; *Engineer:* Bruce Ward & Brad Rasmussen (Aqua); *Sheriff:* Deputy Oliver; *Public:* Dale Wills & Larry Skinner (SUVMTWA), Cindi Ellis, Andrew Dantel, Boyd Hanks, Tony Trane, Dennis Roberts; and the *City Recorder:* Janice H. Davis

**WATER LINE –
E. SALEM HILLS DR**

Mary Rugg: Councilmember Rugg was approached by a resident of E. Salem Hills Drive about a problem that has been occurring for the last 5 years (possibly longer). The water line in front of their home is a dead end line and stagnant water seeps into their home causing a foul odor and possible bacteria contaminants in the drinking water.

The problem was to be fixed when the street was re-done. When the street was repaired, they were told that the line was not in the street and that the matter would be dealt with.

There has been no solution to the problem and the request is that the City resolves the issue. (Cindi Ellis was present to represent this problem to the Council.)

Mayor Fritz: Assured Mrs. Ellis that the problem would be handled as soon as possible.

**REGIONAL SEWER
PROJECT**

Bruce Ward (Aqua Engineering):

Aqua Engineering has been retained to study the Regional Sewer concept. They are presenting the information to the various municipalities that would be included in this Project.

Discussed Phosphorus levels in the various Sewer Treatment Plants in the S. Utah County.

The "T&DL" has to do with Utah Lake & phosphorus (a discharge limit).

The cost to upgrade the plants in Payson, Spanish Fork & Springville will be significant...just to remove the phosphorus. It will be more difficult for the cities with lagoon systems to meet future regulation; in fact, their lagoons will "pretty much disappear". The lagoons have zero capacity to treat phosphorus. A mechanical treatment plant would have to be built on the back end of a lagoon.

Timing on the "T&DL": Three to ten years before the phosphorus limit hits every one of the plants. There is one way around this: recycling. Treated, it could be used on lawns, gardens, etc.

Discussion of the proposed transition to regionalization.

Slide Presentation regarding the "Regionalization of Wastewater Treatment" (Representing Southern Utah Valley Municipal Water Association)

Summary of slide presentation:

The figures are based on the assumption that Elk Ridge will sewer with Payson.

History:

Mayor's Group:

- Recommended Regional Plant Study
- Charged SUVMTWA with assignment
- Phase I Study completed October, 2001

Phase I Conclusions:

One Regional Plant

- Highest Capital Cost
- Lowest O&M costs

Maintaining Existing Plants

- Lowest Capital Cost
- Highest O&M costs

Mayor's Group wanted a more detailed analysis of "One" Regional Plant Concept

*Phase II Study:*Underlying Considerations:

- Maximize Existing Plants (capacity, useful life)
- Timing (convergence of plant lives)
- Population Growth Rates (CUWCD)
- TMDL for Utah Lake
 - 0. Phosphorus Limit

*Phase II Study:*Scope of Work

- Incorporate Findings of Phase I
- Determine possible impacts of Utah Lake TMDL
- Site Selection & Site Requirements
- Select routes for pipelines to Regional WWTP
- Develop Transition plans for existing WWTP's until Regional Plant is optional
 - 0. Alternatives for existing plants

*Phase II Study:*Scope of Work

- Consider the possibilities for effluent recycling
- Evaluate different administrative & organizational structures for reorganization
- Evaluate funding alternatives

*Regional Plant Site Selection:*Location Considerations

- Gravity flow whenever possible
- Remote location
- 100 – 300 acres for plant site & buffer zone
 - 0. Odor Control – Provo City & Novell – Payson
 - 0. Central Valley – Golf Courses
 - 0. Central Davis – Sod farms
 - 0. Wetland Development
- Room for future expansion (without purchasing additional land)

(Mr. Ward referred to Plant Site Map & Plant Layout Schematics)

Route Selection to Regional WWT Plant:

- Utilize existing rights-of-way
- Maximize highway/railroad & utility corridors
- Minimize pump stations
- Minimize UDOT crossings
- Minimize Irrigation canal crossings
- Avoid potential wetlands

Transition Plans:

- Timing Considerations
- Based on practical up-grades to existing WWTP's
- Maximize benefit from existing plants
- Existing plants need to be upgraded & maintained to a specific point in time
- Contingent on population growth rate & phosphorus TMDL

Other Factors Impacting Regionalization:

- Growth patterns & limitations
 - (Cost would be based on population. The cost of maintaining the plants would be about 250,000,000; the cost of regionalization would be just over 300,000,000.
 - Elk Ridge would be at about 6.3% X 80,000,000 = About \$5,000,000.)
 - The terms with Payson & Salem are still to be negotiated...how will those results affect the costs?
- Future land costs
- Existing Plant locations
- Odor Control (can be very costly)
- Water recycling costs vs. additional water resource development
- Operations & Maintenance
- Phosphorus TMDL
- Sizing & Phasing

Decisions to be made:

Regionalize or Maintain Existing Plants

IF Regionalize...

- Continued involvement in phosphorus TMDL process
- Consensus for regionalization by cities
 - 0. Start purchasing land
 - 0. Acquire easements
 - 0. Start applying for funds
- Be prepared to begin planning for Regional WWTP as early as 2010 based on timing of Final Phosphorus TMDL

Dale Wills: (SUVMTA)

- 0. Much of the costs would be raised by use of impact; so taxes would not have to be raised.
- 0. There are also many other sources of funding available:
 - Possibility of a congressional grant
 - CUP are interested in contributing
 - There is the *potential* of 150,000,000 of the 300,000,000 being provided by other sources

Brad Rasmussen: (Aqua Engineering) Long-term sewer rates in a "district" are more stable and often are lower. The job of a "district" is to provide sewer service, and that is all they do. Bountiful City turned over their collection system to a district last year and the results has been: better service and maintenance & lower costs.

**ELK RIDGE
CITY COUNCIL MEETING
March 8, 2005**

**TIME & PLACE
OF MEETING**

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ROLL CALL

Mayor: Vernon L. Fritz; *City Council:* Alvin L. Harward, Gary Prestwich, Mark Johnson, Mary Rugg, Russell Sly; *Administrative Asst.:* Ernestine Folks; *Engineer:* Bruce Ward & Brad Rasmussen (Aqua); *Sheriff:* Deputy Oliver; *Public:* Dale Wills & Larry Skinner (SUVMTA), Cindi Ellis, Andrew Dantel, Boyd Hanks, Tony Trane, Dennis Roberts; and the *City Recorder:* Janice H. Davis

**OPENING
REMARKS &
PLEDGE OF
ALLEGIANCE**

Opening Remarks (prayer) were offered by Councilmember Gary Prestwich, after which the Pledge of Allegiance was led by Russell Sly for those wishing to participate.

**AGENDA TIME
FRAME**

**MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY MARK JOHNSON
TO APPROVE THE AGENDA TIME FRAME, ADJUSTING THE START TIME TO 7:18 PM
VOTE: YES (5) NO (0)**

**GRAND VIEW
NORTH SUBDIVISION
PLAT A & B –
PRELIMINARY**

(Memo) On March 3, 2005, the Planning Commission granted final plat approval and recommended the City Council grant final plat approval, as well. The Planning Commission noted changes made on the preliminary plat for Grand View North, Plat A; which were approved by the City Engineer as well as the Elk Ridge Planning Commission. The changes made on Plat A were to the placement of the sumps. The CC&R's have also changed to include Plat B. The other change to Plat A was to remove the decorative fence initially included. The cost estimates were changed to reflect the costs for the added sump and deleting the decorative fence."

Gary Prestwich: Agrees with the proposed changes in the drainage system; he feels it will be more efficient.

MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY MARK JOHNSON TO APPROVE THE GRAND VIEW NORTH SUBDIVISION, PLAT B; AND TO GRANT FINAL PLAT; TO INCLUDE MODIFICATIONS TO PLAT A

VOTE: (5)

NO (0)

ROCKY MOUNTAIN
SUBDIVISIONS,
PLATS A & B –
PRELIMINARY PLAT

On March 3, 2005, the Planning Commission granted preliminary plat approval on both Plat A & Plat B, and recommended the City Council grant preliminary plat approval with the changes noted by staff in their letters, with a recommendation for a modification of the Standards for the corner lot frontage, per section 10-15C-4, on Lot #1, Plat A.

Plat A has been under consideration for a long time and has changed along the way.

(The developer is asking for a sub-standard size for Lot #1, Plat A (6-8 ft. under the required size). In exchange, the developer is willing to extend a waterline another 200 ft. to the north, at the cost of the developer.

Mayor Fritz: Has spoken to the engineer and there appears to be no harm in allowing this proposed modification to the Standards; and he recommends approval.

Gary Prestwich: Questioned the street name, "Valley Hills Drive"; it is very similar to the existing street name "Valley View Cr."; and he recommends changing the name of the street to a name that is different from other existing street names in the City.

Councilmembers Harward and Johnson feel that it will not make a difference. Councilmember Sly feels the name should be changed. Councilmember Rugg feels that, if it is not too much trouble, that it should be changed to avoid confusion.

MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY RUSSELL SLY TO GRANT PRELIMINARY PLAT APPROVAL TO ROCKY MOUNTAIN SUBDIVISION, PLATS A & B; WITH THE STIPULATION TO:

0. CHANGE NAME OF STREET FROM "VALLEY HILLS DRIVE"

0. SUBJECT TO ALL CHANGES RECOMMENDED BY STAFF

0. MODIFICATIONS TO STANDARD FOR LOT #1, PLAT A

VOTE: YES (5)

NO (0)

LOAFER CANYON
RECREATION
ASSOC. –
PARK IMPACT FEES

Mayor Fritz: The Association has requested that we (the City Council) waive the Park Impact Fee requirement from their property. The rationale is that none of their members live in Elk Ridge and they do not have an impact on our recreation facilities nor do they use any part of the facilities. The Mayor's recommendation is to waive the fees for members of the Association building cabins in the recreation area.

The issue was considered at the last Council Meeting and the vote was postponed to give the Mayor the opportunity to speak with the City Planner to determine the impact on the City's Park Impact Fee Study...and the resulting impact on the collection of Park Impact Fees.

Issues to be considered:

0. When the Association annexed into the City, they did so agreeing to the fees in place at the time.

0. Mrs. Folks supplied copies of the Park Impact Fee Ordinance to the Council; the formula used to determine the Park Impact Fee is on page 17.

A. If every lot in the Loafer Association area were to be developed, the total reduction of collected Park Impact Fees from the members would be about \$47,000.

The Council must decide if it is appropriate (fair) for this fee to be charged to the members of the Association when they are not residents of the City and do not use the facilities. The Mayor feels the fee is inappropriate under those circumstances.

Mary Rugg: If the Association agreed to Impact Fees upon annexation, then that should be the basis to make a decision; whether they have a direct impact on the facility or not. Where would the line be drawn? There are elderly residents in town that have no direct impact on the parks facilities; yet, they are required to pay impact fees. Will the Council's action set precedence? Will others expect their fees to be waived?

(They actually agreed to pay the appropriate building permit fees, which includes impact fees.)

Boyd Hanks: Still has to get the final approval from the members of the Association to restrain the development of lots within a 340 ft. area (from the well).

Gary Prestwich: Clarified that the use of the cabins is mostly in the summer...only occasionally in the winter months, since the members have to snowmobile in.
Russell Sly: He agrees with the Mayor and feels the request to waive the Park Impact fee be granted. If the terms of development should change, then the issue could be revisited.
Alvin Harward: He also feels their request should be granted.

Mark Johnson: Agrees to grant the waiver, as requested.
MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY MARK JOHNSON TO APPROVE LOAFER CANYON RECREATION ASSOCIATION'S REQUEST TO WAIVE THE PARK IMPACT FEES FOR DEVELOPMENT IN THEIR AREA
VOTE: YES (4) NO (1) MARY RUGG

BIDS FOR PARK PROJECT – ROCK RETAINING WALL

Mary Rugg: Councilmember Rugg has collected three separate bids for the rock retaining wall for the Park area. All three are similar in the estimate and she recommends approving the bid from "Rock Solid Walls" in the amount of \$15,632...using Park Impact Fees. She feels they would do a more professional job; in line with what she has envisioned for the Project. The Council agreed.

NEW HIRE – EMPLOYEE REPLACEMENT

Mayor Fritz: It is with mixed emotions that the Mayor accepts the resignation of Mrs. Ernestine Folks, leaving the position of Administrative Assistant open. Mrs. Folks will continue to work for the City to train her replacement until the end of April. Mrs. Folks has been with the City off & on for nearly 20 years. Mrs. Folks has added her experience to benefit the City and has served the City well...she will be missed. The position will be modified somewhat. The Mayor has interviewed Margaret Leckie, a resident of Elk Ridge, and finds her very qualified to do the job. She had applied to the City for a different position in the past. He recommends her for the position.
MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY RUSSELL SLY TO HIRE MARGARET LECKIE TO REPLACE ERNESTINE FOLKS AS A CITY EMPLOYEE
VOTE: YES (5) NO (0)

COVENANTS & RESTRICTIONS RE: ANTENNAS IN ELK RIDGE

Gary Prestwich: This issue actually came about in conjunction with the Grand View Subdivision; 4.7 of their Protective Covenants does not allow short wave antennas to be visible from the street. He went the FCC's web site to look up their regulations; part of their rulings say that the Dept. of Defense states: "...continued success of existing national security and emergency preparedness telecommunications plans involving amateur stations would be severely diminished if state and local ordinances were allowed to prohibit the construction and usage of effective amateur transmission facilities." Our City has an extensive Emergency Preparedness Program and it is dependent to some extent on the radio amateurs. Councilmember Prestwich asked the developers of Grand View North to modify their 4.7 of their Covenants...they agreed and it now reads that they (antennas) will be allowed only on approval from the Planning Commission and the City Council. Councilmember Prestwich would like to have the General Plan amended to reflect the policy of not having restrictions on amateur antennas so as to benefit the City's Emergency Preparedness Program. He would like to go to the Planning Commission with the direction to amend the General Plan, as stated.
Russell Sly: Agrees with Councilmember Prestwich's recommendation.
Mayor Fritz: From the point of view of the general welfare of the City, antennas can become unsightly to surrounding neighbors; though he recognizes the value of the antennas, as well. This would need to be considered as antennas are approved. He would not want the City to become a referee for the enforcement of Protective Covenants...this is not the City's place to do this.
Gary Prestwich: Height restrictions can be placed on the antennas. (There are restrictions in the current Code.) The General Plan is a "guide" for developers...this would state the general policy of the City.
Alvin Harward: He does not agree that the City should dictate what should or should not be in a developer's protective covenants. The buyers purchase in the development with full knowledge of what is allowed. If they want antennas and they are not allowed, they can simply purchase property in another development. It is fine if the developers agree to include this in their restrictions, but we should not make it mandatory.

City Recorder: (Asked her opinion by Mayor Fritz) She feels this is a legal question; can a municipality dictate protective covenants?

Ernestine Folks: Agrees that the attorney should be consulted. The City Attorney has already stated that the City should not get involved with CC&R's (Protective Covenants), unless they are doing something contrary to the City Code. There is also a section in the current City Code that addresses antennas. *This should be reviewed.

Mayor Fritz: *Councilmember Prestwich will contact both the City Attorney and the Mayor will speak to the City Planner on this issue.

CITY OWNED VEHICLES

Mayor Fritz: There has been a long-standing problem with reports of City-owned vehicles being used for private purposes. There was a well-publicized problem in Salt Lake County with the misuse of public vehicles and he does not want to have the same problem in Elk Ridge.

0. The Mayor has spoken to the Public Works Dept. and beginning on Monday (3/14) miles will be logged for the two City-owned vehicles. Those will be turned into the Mayor on their regular Monday meetings.
0. The Mayor wants to know when the vehicles are taken out of the immediate area (Elk Ridge). He encourages the wise use of time and travel.
0. Vehicles should not be used for personal use; this includes family members of employees being allowed to ride in the vehicles. He does not want the City to be on the receiving end of a family member being injured. This creates risk to the City.
0. The Mayor has considered imposing a fine for any violations.

Comments:

Mary Rugg: Agrees with policy. She has personally witnessed this problem with the City vehicles.

Gary Prestwich: If a City employee is not trust worthy, perhaps a fine is not enough; maybe he/she should not be employed by the City. It is better to have a system in place to avoid the misuse of the vehicles.

Mark Johnson: He does not agree. He feels that children should be allowed to be with their dads and that it should not create a problem for the City.

Russell Sly: The policy should be the same for all employees; exceptions should not be made.

Alvin Harward: Does not see a problem with family members being allowed to ride in the City owned vehicles, except for the liability issue. If injury were to occur, the City could be sued.

*Mayor Fritz: He understands both sides of the issue. The matter is tabled to allow the Mayor the opportunity to seek legal opinion. Can the employees sign a waiver that would allow their families to ride in the vehicles with them?

APPOINTMENT OF PLANNING COMMISSION MEMBERS

there are two vacancies to fill on the Planning Commission; but no names to approve at this time.

EXPENDITURES:

General: None

MINUTES

Minutes of 2-22-05:

MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY GARY PRESTWICH TO APPROVE THE CITY COUNCIL MINUTES OF 2-22-05


YES (5)

NO (0)

ADJOURNMENT

MAYOR FRITZ ADJOURNED THE CITY COUNCIL MEETING AT 8:20 PM AND MOVED TO CLOSED SESSION




City Recorder

8:25 PM

CITY COUNCIL CLOSED SESSION

ROLL CALL

Mayor: Vernon L. Fritz; *City Council:* Mary Rugg, Mark Johnson, Alvin Harward, Russell Sly, Gary Prestwich

Strategy Session

The Mayor Closed the Closed Session.

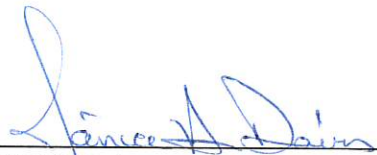
NOTICE & AGENDA

Notice is hereby given that the regular City Council Meeting scheduled for Tuesday, March 22, 2005, at 7:00 PM, is hereby CANCELLED due to lack of business.

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

7:00 - PM REGULAR COUNCIL MEETING

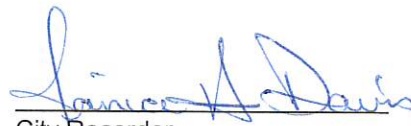
CANCELLED!!!



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 Cancellation was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and mailed to each member of the Governing Body on March 18, 2005.



City Recorder

