

AMENDED NOTICE & AGENDA

Notice is hereby given that the City Council of Elk Ridge will hold a regular City Council Meeting on Tuesday, April 12, 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

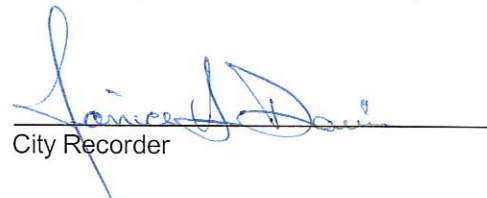
1. Water Lease Proposal to Payson City/Sharing of Tank Construction – Mayor Fritz
2. Nuisance Ordinance re: Pigeons – Mayor Fritz
3. Report on Meeting with Salem City – Mayor Fritz
4. Planning Commission Update – Ernestine Folks or Mayor Fritz
5. Budget Discussion – City Recorder

7:00 - PM REGULAR COUNCIL MEETING AGENDA ITEMS:

- Opening Remarks and Pledge of Allegiance Invitation
Approval/Agenda Time Frame
- 7:05 6. Planning Commission Member Appointment & Consideration – Mayor Fritz
- 7:15 7. Nuisance Ordinance re: Pigeons – Mayor
- 7:20 8. Loafer Canyon Sewer – Mayor Fritz
- 7:30 9. Abandon Sewer Line/Haskellville – Russell Sly
- 7:40 10. Payson Sewer Option/Memo of Understanding – Mayor Fritz
- 7:50 11. Interlocal Cooperation Agreement with Payson City RE: Annexation Boundaries – Mayor Fritz
- 8:00 12. City Owned Vehicles/Liability (Legal Advise) – Mayor Fritz
- 8:05 13. Schedule Public Hearings:
- A. Ordinance Amendment for Permitted Uses in Zones Allowing the Raising, Care & Keeping of Livestock & Fowl
 - B. Ordinance Amendment for Requirements Associated with the Keeping of Pigeons
- 8:10 14. Parks/Sport Court – Mary Rugg
- 8:20 15. Expenditures:
- General:
 - A. Feasibility Study/Secondary Water System (CUP Water) – Mayor Fritz
- 8:30 16. Approval of Minutes of Previous Meeting
Adjournment

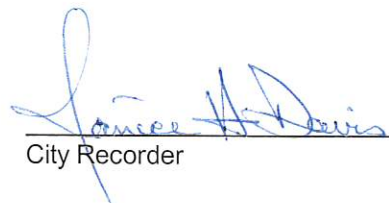
*Handicap Access, Upon Request. (48 Hours Notice)

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 April, 2005.


City Recorder

CERTIFICATION

I, Lorraine Davis, acting City Recorder for the municipality of Elk Ridge, certify that the Agenda was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, on April 7, 2005; and an Amended Agenda was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, on April 7, 2005.


City Recorder

**ELK RIDGE
CITY COUNCIL MEETING
April 12, 2005**

**TIME & PLACE
OF MEETING**

The regular Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, April 12, 2005, at 7:00 PM;** to be preceded by a **City Council Work Session at 6:00 PM.**

The meetings were held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah. Notice of the time, place and Agenda of the scheduled meetings was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on April 8, 2005.

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; *Public:* Kira Hansen, Lacey Unsworth, Jared Peterson; and the *City Recorder:* Janice H. Davis

**WATER LEASE
PROPOSAL**

Water Lease Proposal to Payson City:

Mayor Fritz: (Memo from Mayor Fritz to the Councilmembers)

I (Mayor) want to propose preliminary consideration of the following:

0. Providing fire suppression for Gladstan Club House
 - They would maintain their own drinking water & they would run the line.
 - Good will act: to allow connection at no charge (it would only be for fire suppression) (Payson gave a great deal of water from the Golf Course during Elk Ridge's fire.) This is part of an overall "trade package". The Council was in general agreement.
 0. Connection of sewer & water from recreation parking lot future
 - Payson plans on developing the RV Park in the center of the Golf Course.
 - Perhaps they could connect to Elk Ridge's sewer system rather than run a line from the bridge on 1600 West.
 - Discussion on planned annexation boundaries.
 0. Joint construction of a storage tank on Elk Ridge property on the City owned land behind the Jim Brown arena or other location. It is anticipated that we would construct (after engineering study) a 1.5 or 2 million gallon tank.
- But since the cost is rather high, it was suggested that we continue with that offer over the next ten years to which Jan offered only a weak objection. The motion to accept her offer passed.
- The Mayor met with Payson's Water Superintendent...he is in favor.
 - Location of the tank is an issue.
 - Benefit to both cities.
 - The City cannot legally continue to build without increasing our storage capacity to meet the State's demands for fire suppression. (Impact fees can be used to assist in the Project.
0. Leasing water from new well for a 5-year period and adjusted as appropriate at the end of that period.
 0. District fire station somewhere in the north end of the City; to be shared with Payson, Salem, Woodland Hills & Elk Ridge, with its own taxing authority. Salem, at this time, has expressed no interest, but that can easily change over five to eight years before this would bear fruit. It would not be a county system, rather one run and staffed by the four-city consortium.

Advantages:

- Better service
 - It would delay the need to replace the City Hall, as growth occurs & more staff is required.
0. Proposed sale of Salem Sewer system.
 - The Mayor & Councilmember Sly have proposed a sale figure of \$250,000, over a 5-year period, at 50,000/year.
 - The sale would be concurrent with actual connection to Payson system.
 0. Increased effluent limitation with Salem.

The request has been made to exceed the allotted amount of effluent going to Salem from Elk Ridge (on a temporary basis), as soon as a contract is signed with Payson. The Engineer was present at the meeting...It is possible that Elk Ridge would not need the extra capacity due to the number of "hold-backs" we have in town (vacant lots). This arrangement would be formalized.

 - The Mayor also reminded Salem that there was a period of time when about 250,000 gal. per day of Salem water infiltration into the sewer lines (about 12 years); during which time Elk Ridge paid 18% of that flow. If Elk Ridge needs a temporary increase in capacity, the Mayor suggested that this should be taken into consideration.

Russell Sly: If a problem occurred in the area of the "bottle-neck" in the line, there is a question regarding liability. Councilmember Sly feels there was a mutual agreement that both cities would share in the liability, unless it could be proven where the problem originated.

New Well:

The developer of the land under consideration for annexation has committed \$700,000 as participation in the New Well Project. (High engineering estimate is \$1,010,000) The difference would be paid through Impact Fees. The City would also benefit from leasing water to Payson City, if there proves to be sufficient water from the new well to do so. Payson seems favorable to the idea.

Comments:

Mary Rugg: Cautions the Council to not rely totally upon expected a financial contribution from the developer, when the annexation has not yet been approved.

Mayor Fritz: The project must be approached from various "tracks". The proposed annexation is being considered along with the future of water and sewer in the City. The Mayor feels the City will drill the well regardless of the status of the proposed annexation. The City will be in a better position financially, since two of the current water bonds will be retired by 2006.

Russell Sly: He has heard that the days wherein the State will allow wells to be drilled may be numbered; if the City waits, we may not be able to obtain a drill permit.

Gary Prestwich: It is the function of a city to plan ahead...he feels we should move forward.

Mayor Fritz: City-owned water rights may be a problem in the future; developers will bring their own water rights to development.

Alvin Harward: Has checked into the water shares from Springville Irrigation Company; the City may be able to sell these rights since the transfer was not approved by the State of Utah and the converted water rights were not assigned to the City's wells. The price could be between \$24,000 - \$36,000. The Council felt that Councilmember Harward should pursue the possibility of selling these shares. They are not a benefit to the City.

NUISANCE ORDINANCE- PIGEONS

The Planning Commission is still working on the draft of the ordinance.

REPORT ON MEETING – SALEM

This issues were covered in the previous discussion.

PLANNING COMMISSION UPDATE

Ernestine Folks: Mrs. Folks advised that it would serve the Council well to have regular updates on the current matters of consideration with the Planning Commission; in that way the Council would remain informed and visa versa with Council Updates to the Planning Commission. The Chairman and the Vice Chair of the Planning Commission will be taking turns representing the Planning Commission at the City Council Meetings.

1. General Plan is being considered in detail at this time, including density at the north end of the City.
1. The "Pigeon" Ordinance is being considered (it does not have anything to do with the Nuisance Ordinance). The Planning Commission is working on delineating requirements regulating just pigeons (the care & raising of them). After discussion, they are not sure they want to continue; some cities do not allow pigeons at all. Of cities that one of the Planning Commission members contacted, 1/3 of those cities allow pigeons; the others do not.

Mayor Fritz: Suggestion by one of the members: Since Mr. Clark already has a certain number of pigeons, an ordinance could be passed that draws the line, stating that no one from a stated date forward would be allowed to have pigeons on their property in Elk Ridge.

Gary Prestwich: The sample ordinance being reviewed has obviously been written by someone who understands the raising of pigeons; if the City does allow ownership within the City limits, this would be a good ordinance to use as a model.

There are complaints about pigeons being kept by Mr. Jim Clark, on Astor Lane.

1. The proposed ordinance covering the permitted uses on the raising, care & keeping of livestock & fowl is also being amended and will affect the "pigeon ordinance"; they will come forward together. The attempt is to return the Code to the way it used to be, with more specific regulations regarding the care & keeping of livestock & fowl, rather than leaving so much interpretation up to the Zoning Administrator (Planner).
1. The City Planner wants to take some time to acquaint the Planning Commission members with the City Code, particularly since there are new members; this should be done prior to making major changes to the Code.
1. The Planning Commission will be reviewing plans for trails, paths & open space. Mr. Ken Young will be addressing the Council about a Trails System.
1. There will be a speaker from CUP Water RE: funding for a secondary water system. They are extending an invitation to the Council to attend. (The Mayor has additional information on this matter.)

*(Mr. Randy Young (Page Annexation) will be presenting a "Concept Arrangement" to the Planning Commission on April 21, 2005; the Council is invited to attend.

BUDGET
DISCUSSION

City Recorder: The City Council was given a draft of the Budget for 2005/2006 Fiscal Year. The Tentative Budget is to be adopted in May, 2005. The Council is to review their Dept. budgets and contact the City Recorder with their figures.

We are also coming to the end of the current Fiscal Year and final figures must be turned in. It should be noted that the draft Budget indicates that Expenditures will exceed Revenue in the General Fund; fund balance will have to be used to balance the Budget.

(Question): Roads Dept: The Council should take note of the proposed "Transfer into Capital Projects Fund" = \$35,000 (for Dugway Project)

Water & Sewer: The Administration Fees paid to the General Fund have been recalculated based on *Actual* percentages of time worked in the Depts.

CITY COUNCIL MEETING
April 12, 2005TIME & 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; *Public:* Jared Peterson, Scott Peterson, Mel LeBaron; 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 Mark Johnson 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, STRIKING AGENDA ITEMS 7 & 13 A&B
VOTE: YES (5) NO (0)

PLANNING
COMMISSION
MEMBER APPT.

There are positions available on the Planning Commission. Mr. Mel LeBaron and Mr. Scott Peterson were both present to speak to the Council and acquaint them with a bit of their individual qualifications and history prior to appointment.

MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY ALVIN HARWARD TO APPOINT SCOTT PETERSON TO FILL THE POSITION VACATED BY DANIEL STEELE (TERM OF OFFICE UNTIL FEBRUARY, 2007); AND MEL LEBARON AS THE ALTERNATE PLANNING COMMISSION MEMBER (A ONE-YEAR POSITION)
VOTE: YES (5) NO (0)

The City Recorder gave the Oath of Office Mr. Peterson and Mr. LeBaron.

LOAFER CANYON
SEWER

Russell Sly: The extension of the sewer line and the reconstruction of Loafer Canyon Rd. will begin toward the end of May, after school is out for this year; so as not to disturb the bus route. There will be mandatory connection for homes within 300 ft. of the extended sewer line (within one year). Councilmembers Prestwich and Sly are to coordinate the two parts of the Project with Staker Paving. The Project will likely overlap into the next fiscal year.

ABANDON SEWER
LINE – HASKELLVILLE

Russell Sly: There is an old, concrete section of sewer line, running alone Oak Ridge Drive that needs to be abandoned. The line has been broken and if broken again, could cause damage to the homes connected to it. Councilmember Sly recommends connecting the affected homes to the sewer line in the Haskell Subdivisions further north. Another option could be to lay a main in the same area as the existing line. Kent Haskell is gathering information as to the number of lines connected to this main. (Cost estimate could be about \$15,000- \$20,000)

Jared Peterson: (Resident of area) In the process of building & landscaping his property, he has broken the line and verifies that the line is very shallow and brittle.

Russell Sly: The line is scheduled to be jetted out this Spring and then cameraed.

Alvin Harward: Suggested budgeting for the project and getting it done. The liability could outweigh the cost.

Russell Sly: Cost estimates are needed prior to approving the project.

PAYSON SEWER
OPTION –
“MEMO OF
UNDERSTANDING”

Mayor Fritz: (Memo from Mayor to Council)

“Payson is ready to proceed with the engineering study as it pertains to the development of a major sewer trunk line from the Payson Plant to Elk Ridge & Woodland Hills.

The basic agreement is that Payson will pay for all of the engineering costs during this first phase. If, after the engineering has been completed, Elk Ridge or Woodland Hills fails to complete the process of connecting to the Payson plan, each will pay their appropriate share of the cost. Elk Ridge is tasked with 33% of whatever the cost may be. The estimated cost has varied from \$100,000 to \$125,000, depending upon what they run into.

It is my contention that Elk Ridge should not be responsible for 33% and Woodland Hills should be responsible for more than 10%, based upon the actual frontage of trunk line that must be laid.

I believe our proportionate share is more closely tied to 3,000 feet of line but I’m having some difficulty getting information regarding the basis for their 33% figure.”

(The Mayor will continue working on this element.)

The Mayor would like for the Council to grant the Mayor authority to sign the Agreement, contingent upon:

0. Determination of the percentages each city is responsible for.

0. Review by City Attorney (David Church)

MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY ALVIN HARWARD TO AUTHORIZE MAYOR FRITZ TO SIGN THE “MEMORANDUM OF UNDERSTANDING” WITH PAYSON CITY, CONTINGENT UPON:

0. DETERMINATION OF THE PERCENTAGES OF FINANCIAL RESPONSIBILITY ASSIGNED TO EACH OF THE INVOLVED CITIES

0. REVIEW AND APPROVAL OF THE CITY ATTORNEY, DAVID CHURCH

VOTE: YES (5)

NO (0)

INTERLOCAL
COOPERATION
AGREEMENT –
PAYSON

Mayor Fritz: (Memo from Mayor to Council)

Payson City desires that they & we enter into an interlocal cooperation agreement as follows:

(Draft of Agreement was attached...this will eventually be a part of the Sewer Contract with Payson)

Section 7, Pg 2: “Elk Ridge agrees that it will not annex any properties north and West of Goosenest Dr., with the exception of what is already annexed.”

“Elk Ridge and Payson also agree to establish a land use plan and a development pattern that would be mutually beneficial for both cities, for the area between the two cities...The purpose of the land use plan would be to develop a commercial corridor in the Payson annexation declaration that would benefit Elk Ridge and Payson, with the potential of revenue sharing for the taxes generated.

A residential development plan would be generated in the Payson and Elk Ridge annexation declarations that would enhance property values surrounding the Gladstan Golf Course and other areas of common interest.”

Elk Ridge would be free to annex properties north of Goosenest Dr. and east of 1600 West, down to the highline Canal & east to Loafer Canyon Rd.

Payson agrees not to annex property east of 1600 West and north of Goosenest Dr.

Salem has verbally agreed not to annex property south of the Highline Canal, between 1600 W. and Loafer Canyon Rd.

Payson City desires permanency in the proposed annexation boundaries for both cities. The current draft of the Agreement describes the result of their understanding.

There was no disagreement from the members of the Elk Ridge Councilmembers.

Discussion of the possibility of running the line connecting to Payson further north along the Highline Canal rather than along the County Rd.; this could necessitate operating a lift station to sewer the lots north of the County Rd.

Alvin Harward: He did not agree with the wording on Pg. 2, Section 7: He recommended adding that "Elk Ridge agrees that it will not annex any properties North of Goosenest Dr. & West of 1600 W." The Council agreed. (In a letter to Payson City already made that same recommendation and David Tuckett was to make that change.)

MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY RUSSELL SLY TO AUTHORIZE MAYOR FRITZ TO SIGN THE INTERLOCAL COOPERATION AGREEMENT CONTINGENT UPON THE FOLLOWING:

0. CLARIFYING THE WORDING ON PAGE 2, SECTION 7; TO INCLUDE:

"ELK RIDGE agrees that it will not annex any properties North of Goosenest Drive from the intersection of 1600 W. and westward on Goosenest Dr."

0. REVIEW BY THE CITY ATTORNEY

VOTE: YES (5)

NO (0)

*(Mayor Fritz will confer with the Councilmembers after receiving the corrected Agreements and prior to signing them.)

**CITY OWNED
VEHICLES –
LIABILITY**

Mayor Fritz: The City Attorney was to be consulted with regarding the strength of a signed waiver of liability, allowing family members of City employees to ride in City owned vehicles. The Attorney responded, "It is not worth the paper it is written on". One cannot sign away another person's legal rights; therefore, if a family member were injured and they chose to sue the City, they would have the right to do so. This is not the response some of the Council wanted to hear, the Council must enforce the policy of "no family members to be allowed to ride in the public vehicles".

Mary Rugg: Suggested leaving the City vehicles at City Hall, rather than taking them home.

Mark Johnson: Responded that there is nowhere to park the vehicles except in the parking lot; and that would leave the vehicles subject to vandalism. When the fire trucks have been left in the parking lots, they have had problems with vandalism. Unfortunately we have experienced damage in the Park areas.

In case of emergency, there is a faster response when the vehicles are at the individuals' homes.

The Mayor agrees. There is no room in the garages. The real problem comes with the vehicles being used for private purposes.

Mary Rugg: Recommended the Council and the public be informed of the occurrences of vandalism.

Gary Prestwich: Cautioned that sometimes when illegal mischief is publicized, it can give people ideas to do likewise.

Mayor Fritz: Will also change the City Policy on the Use of Public Vehicles to require that private vehicles be used when going to conferences, with mileage reimbursement.

**PARKS –
SPORTS COURT**

Mary Rugg: Submitted a bid and a request for approval for improvements to the basketball court. Improvements:

- 0. Sports Court Re-surfacing
- 0. 2 new basketball standards
- 0. Appropriate labor and costs in relation to improvements

Bid: Sport Court of Utah in the amount of \$12,422 (breakdown attached)

The request is already budgeted for in the amended budget for 2004/2005.

Councilmember Rugg is to pursue the improvements, as previously approved.

*(Budget Notes mention Sport Court...the Rock Wall needs to be included.)

**NON-AGENDA
ITEM**

The Mayor has contacted a private party who is willing to donate up to \$10,000 to a "Trails Project" for the City.

*The City Planner is to present a renewed concept on "Trails"; the Council is encouraged to attend.

EXPENDITURES: General: None

1. Feasibility Study/Secondary Water System (CUP Water):

Mayor Fritz: (Memo from Mayor to Council)

0. This is not an easy decision. A short version of the feasibility study could cost up to \$25,000 (Proposal from Aqua Engineering attached to memo). If the initial study supported the concept of requiring installation of a dry secondary system, the engineering alone could run up to \$60,000. Can we justify this expenditure? Can we afford not to make a solid determination?
0. The Cloward Well is 960' deep. The proposed new well will be at least the same depth, perhaps at 1,000'. The valley is going to fill up with thousands of homes over the next ten years. Their water, for the most part, will come from wells. CUP will, in some cases, be treated; but most of it will not be.
0. How strong is any aquifer? We really don't know. What if our well bottoms are sitting on the top of an aquifer reservoir? How much drawdown can take place before our wells are sucking air?
0. Is there a moral justification/obligation in the sense of preserving culinary water by using CUP water for lawns and by so doing, preserving the drinking water for the rest of the valley, as it grows?
0. In my opinion, there is no justification for NOT DRILLING the third well. Indeed, there is every reason to drill it. We need the water for meeting our fire suppression needs right now.
0. We will require an additional water resource to meet the future growth needs, as well.

Recommendation:

"The Mayor's recommendation is to proceed forward with the study regarding secondary water, on an hourly basis. If and when we come to an understanding that the project is not feasible, we would stop the study."

Discussion:

Mayor Fritz: Though we are confident that CUP water will be available, it is not known what the pressure will be at the canal head (possibly 69psi to 150psi). 150 psi would deliver the water to the 5,100 ft. level. The mailboxes in Woodland Hills and Hole #7 of Gladstan Golf Course are at 5,100 ft. (hole #7 is a possible site for a retention pond for secondary water). The City Engineer thinks the City may still have to pump the water. With a pond at Hole #7, it is possible that, once the water is in the pond, gravity flow would disburse it to the homes below. He does not see CUP water being a secondary system for the upper portions of town, due to cost. His main concern currently, is to get some decisions made to better guide development north of town (should new developers be required to install a "dry system" with their improvements?

A representative from CUP would be willing to address the Council/Planning Commission, at an invitation from the Council.

Funding: Up to 65% can be paid for by the government; but there are certain elements that would not qualify for the 65%-35% split.

City Recorder: A secondary system would benefit the entire City in that the draw on our aquifers would decrease.

Alvin Harward: Feels that the timing is premature to have the feasibility study done now; when we don't know exactly when the City will have CUP water...it could be 15years away. There are still too many unknowns. The City should not force the developers to install an improvement that may not be used, unless we are committed to a secondary system.

Gary Prestwich: Asked if the study could be covered by impact fees.

(*Probably...but, this is a question for either the attorney or the CPA.)

Alvin Harward & Mark Johnson: Brought up the possibility of servicing the entire City with secondary water. Councilmember Harward suggested consideration of property located southeast of town, owned by Bob Peay, as a location of a holding pond; this would allow the water to disburse to the entire City, or the upper portion of the City. If the City purchased the land, used part of it for a pond and sold off the rest for development, the income would assist in the cost. (Pumping costs would be high.)

He advises that the study would be a waste of money at this point in time, with the project so far in the future.

Russell Sly: Perhaps the City could preserve the rights to the CUP water and then negotiate a trade for that water, if the City finds the project cost prohibitive.

Russell Sly: Without the feasibility study in place, developers would not be required to install the "dry system" for future use.

Mayor Fritz: Understands that the 10-15 years refers to the centralized sewer system. He understands that the current estimate from CUP is 5-10 years for water.
(Councilmember Harward understands that it is 12-15 years out.)

Mary Rugg: Would grants be applicable?

Mayor Fritz: Part of a grant application would be to have the feasibility study in place to refer to. The Council must look to the future...is the study appropriate at this time.

Russell Sly:

- How soon does the decision have to be made whether or not to require developers to install the dry system? (Mr. Randy Young has been informed he would have to include this in his proposed development and has agreed.)
- Suggested the Council consider a modified version of the feasibility study for less money? A preliminary study could be done to identify some of the major issues.

The Council was interested in pursuing this option.

*The Mayor is to invite Bruce Ward (Aqua Engineering) to a Council Meeting in April or May to address a modified feasibility study.

Alvin Harward: Presented to the Council a work release to perform a study that could be performed to amend the water map, to include pressures and recommended line sizes north of town. This study would cost up to \$8,000. This was discussed at a previous Council Meeting and the Council did not act on this. He feels this should be in place prior to another feasibility study.

*Councilmember Harward will come back to the Council with this information.

MINUTES

Minutes of 3-8-05:

MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY GARY PRESTWICH TO APPROVE THE CITY COUNCIL MINUTES OF 3-8-05


YES (5)

NO (0)

ADJOURNMENT

MAYOR FRITZ ADJOURNED THE CITY COUNCIL MEETING AT 8:55 PM AND MOVED TO CLOSED SESSION





City Recorder

NOTICE & AGENDA

Notice is hereby given that the City Council of Elk Ridge will hold a regular **City Council Meeting on Tuesday, April 26, 2005, at 6:30 PM, to be preceded by a Council Work Session at 6:00 PM.**
The meetings will be held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

6:00 PM CITY COUNCIL WORK SESSION

1. Water Rights Discussion – Mayor Fritz
2. Document Review/Payson – Mayor Fritz
 - A. Memorandum of Understanding
 - B. Interlocal Agreement
3. Budget Discussion – City Recorder

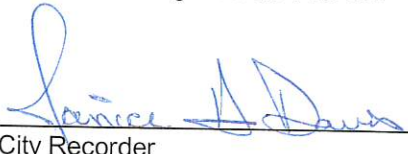
6:15 - PM REGULAR COUNCIL MEETING AGENDA ITEMS:

- Opening Remarks and Pledge of Allegiance Invitation
Approval/Agenda Time Frame
- 6:15 4. Springville Water Shares – Alvin Harward
 - 6:25 5. Schedule Public Hearing: Ordinance Amendment for Permitted Uses in Zones Allowing the Raising, Care & Keeping of Livestock & Fowl
 - 6:30 6. Approval of Minutes of Previous Meeting
 - 6:35 7. Rocky Mountain Subdivision, Plat A – Final Plat Approval
 - 6:40 8. Rocky Mountain Subdivision, Plat B – Final Plat Approval
 - 6:45 9. City Council Presentation to Ernestine Folks – Mayor Fritz
 - 6:50 10. Pavilion Rental – Mary Rugg
 - 6:55 11. Purchase of Trees – Mary Rugg
 - 7:15 **STATE OF THE CITY ADDRESS – MAYOR FRITZ**

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 19th day of April, 2005; & an Amended Agenda on 4-25-05.

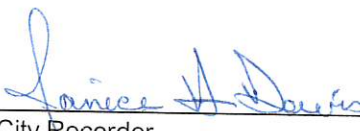


City Recorder

CERTIFICATION

I, the undersigned, duly appointed and acting City Recorder for the municipality of Elk Ridge, hereby certify that a copy of the Notice of Agenda was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and mailed to each member of the Governing Body on April 19, 2005; & an Amended Agenda on 4-25-05.





City Recorder

**ELK RIDGE
CITY COUNCIL MEETING
April 26, 2005**

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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, Mary Rugg, Russell Sly (Absent: Mark Johnson); *Former Administrative Asst.:* Ernestine Folks; *Plan Coordinator:* Margaret Leckie; *Public:* Marlene Haskell, Anette Brogham, George & Shari Woodruff, Donna Ross, Todd Schmanski, Ron Leckie, Chad Christensen, Laura Dixon, Bruce Beckstead, Sean Nielsen, Dennis Roberts, Mike Dubois, Bruce Fawson, Mark & Jan Christensen, Robert & Linda Goodwin, James & Bettylou Bean, Donald Hopkins, Stewart Jolly, Doug Lindsay, Shawn Eliot, Hal Shuler, Kamile Peterson, Hope Fulkerson, Bill Linn, Lea Ann Adams, Lauri Jacobson, Paul Eddy, Ray Folks, Kristi Peterson, Joan Sheets; and the *City Recorder:* Janice H. Davis

**WATER RIGHTS
DISCUSSION**

Mayor Fritz: The surplus water rights that the City purchased from Dallas Young have diminished over time. The City needs to purchase more for individuals to be able to upgrade their water rights at building permit time. It is nearly impossible to find water rights in increments to transfer, so having a block of transferred rights assists in this process. Developers are required to provide their own water rights to transfer to the City.

*The Mayor is trying to locate water rights for the City to purchase. There is about \$40,000 that has accrued, added to over \$40,000 paid by Rocky Mountain Way Subdivision, Plat A, for water rights (promised prior to the requirement for developers to provide their own water rights).

**DOCUMENT REVIEW –
PAYSON CITY**

1. Memorandum of Understanding:

Mayor Fritz: (Memo to the Council)

The draft of the document was revised to include the recommended change:

- Percentages of responsibility clarified: Changed to "proportionate share"

2. Interlocal Cooperation Agreement:

Mayor Fritz: (Memo to the Council):

The recommended changes were included in this new draft of the Agreement:

- Added: 3rd "Whereas"... "Elk Ridge and Payson desire to preserve open space in the area South of the Current Southern Elk Ridge City Boundary and included in the area commonly referred to as "Fore Bay", and..."
- Section 7, (Pg.2)...Added:
"Elk Ridge agrees that it will not annex any properties between the Southern Elk Ridge City Boundary and the area commonly referred to as Fore Bay without the written permission of Payson. This includes any area South of the Gladstan Golf Course.
.....Payson also agrees not to annex any properties between the Southern Elk Ridge City Boundary and the area commonly referred to as For Bay with out the written permission of Elk Ridge."

The City Attorney, David Church, is still reviewing the documents. The Mayor will sign both Agreements, if there are no issues with Mr. Church.

No comments.

**BUDGET
DISCUSSION**

City Recorder: The City Recorder reminded the Council that the Tentative Budget for 2005/2006 is to be adopted in May. The Final Amended Budget for the current fiscal year will be adopted at the end of June; spending should be cut off by the beginning to the middle of June to allow any final bills to come in. According to Councilmember Sly, the Sewer Line extension along Loafer Canyon Rd. will still take place this fiscal year, as soon as school is out (May 27th). The Project will over lap into the next fiscal year. The Budget should reflect ½ the cost in the current year and ½ the cost in 2005/06. Aqua Engineering said that the utilities do not have to be moved along Loafer Canyon Rd., so that will save some of the costs.

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ELK RIDGE
CITY COUNCIL MEETING
April 26, 2005

TIME & PLACE
OF MEETING

The regular Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, April 26, 2005, at 6:15 PM;** to be preceded by a **City Council Work Session at 6:00 PM.**

The meetings were held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah. Notice of the time, place and Agenda of the scheduled meetings was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on April 19, 2005; & an Amended Agenda on 4-25-05.

6:15 PM

CITY COUNCIL REGULAR SESSION AGENDA ITEMS

ROLL CALL

Mayor: Vernon L. Fritz; *City Council:* Alvin L. Harward, Gary Prestwich, Mary Rugg, Russell Sly, Mark Johnson); *Former Administrative Asst.:* Ernestine Folks; *Plan Coordinator:* Margaret Leckie; *Public:* Marlene Haskell, Anette Brogham, George & Shari Woodruff, Donna Ross, Todd Schmanski, Ron Leckie, Chad Christensen, Laura Dixon, Bruce Beckstead, Sean Nielsen, Dennis Roberts, Mike Dubois, Bruce Fawson, Mark & Jan Christensen, Robert & Linda Goodwin, James & Bettylou Bean, Donald Hopkins, Stewart Jolly, Doug Lindsay, Shawn Eliot, Hal Shuler, Kamile Peterson, Hope Fulkerson, Bill Linn, Lea Ann Adams, Lauri Jacobson, Paul Eddy, Ray Folks, Kristi Peterson, Joan Sheets; and the *City Recorder:* Janice H. Davis

OPENING
REMARKS &
PLEDGE OF
ALLEGIANCE

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

AGENDA TIME
FRAME

MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY RUSSELL SLY TO APPROVE THE AGENDA TIME FRAME, STRIKING AGENDA ITEMS 5 & 6, AND ADVANCING ITEMS 7 & 8

VOTE: YES (5)

NO (0)

ROCKY MOUNTAIN
SUBDIVISION –
PLAT A –
FINAL PLAT

Ernestine Folks: On April 21, 2005, the Planning Commission granted Final Plat approval to Rocky Mountain Subdivision, Plat A and recommend Final Plat approval to the City Council. There were copies of the CC&R's (Protective Covenants) attached plus letters of approval. Aqua Engineering's letter of approval, dated April 12, 2005, referred to the Road name being changed from *Valley View Drive* to *Meadow Lark Lane*.

The necessary water rights were promised from the City for Plat A only (18.20 acre feet). All of the items referred to in the engineering letter have been met, except the bonding, which will be done prior to recording and certain items on the CC&R's needing to be addressed by the developer (Mrs. Folks contact Mr. Dubois with these items in conflict with the City's Code).

The Memo from the City Planner, dated 4-21-05, states that the Plats are in compliance with the development standards & ordinances of Elk Ridge City, except for:

1. Plat A: A notation that the street name will change and should be shown on the Plat.
2. Plat B: Lot numbers, as shown on page 3 & 4, need to be corrected to align with those shown on the first page of the Final Plat.

With these items in mind, the Planner recommends approval.

A 2-page memo from Ernestine Folks (Administrative Assistant) lists 12 items, along with the Bonding obligations, to be addressed by the developer prior to recording (the developer was given a copy of this memo).

Discussion of CC&R's:

Mayor Fritz:

- Page 2: "Landscaping" (B): Sidewalks are not required in the City Standards
*(B-2) "Landscaping must be completed within one year after the City has issued a Permit to build." The Mayor agrees with this concept.
- Pg.2 "Out buildings" (C)...Change set back from 10' to 12' (City Code)
- Page 5 (1): Change typo: "ho commercial vehicles..." to "no commercial vehicles..."

- Page 5...(Information) There is no pressurized irrigation system installed in this particular location.
- "General Provisions" (A): It is Rocky Mountain *Subdivisions* not *Estates*.
- Page 6: "Amending of Covenants"...(2nd sentence)"...judgment with control rest(s) with the lot owners" (Plural not singular)

Comments:

Gary Prestwich: Page 2 (B-2): "Evaporative Cooling devices shall not be allowed..."

Utah League of Cities & Towns presented information favorable to evaporative coolers and stated several advantages; one being a "health advantage": Outside air allows chemicals from new homes to be eliminated through the constant flow of fresh air. The only health problems that have been in the news have been a result of refrigerated air conditioners.

One of the complaints against evaporation units is the "amount of water they use". The reality is that refrigerated air conditioners use more water because it takes a lot more water in the plants that generate the electricity to run these air conditioners (about 10 times as much as evaporative units). We are in a State that is proposing that we become more energy-efficient. He is not suggesting these items be changed, just that these things should be taken into consideration.

Ernestine Folks: Plat A is in the R-1-15,000A Zone (limited "animal rights" allowed). Mr. Dubois & Mr. Roberts have reviewed this and have chosen to restrict, through the CC&R's, certain lots to be allowed to have just certain kinds of animals. She feels the Council will be leased to note this decision.

Mayor Fritz: Clarified that CC&R's are not enforced through the City, rather through the Homeowners' Association created in the Subdivisions with recorded Protective Covenants. The City Attorney has advised that the City not be involved in the providing of or enforcement of CC&R's.

No further comments or questions.

MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY GARY PRESTWICH TO GRANT FINAL PLAT APPROVAL TO ROCKY MOUNTAIN SUBDIVISION, PLAT A; WITH THE FOLLOWING CONTINGENCIES:

0. THE CC&R'S NEED TO BE REVISED
0. ALL ITEMS LISTED ON THE LETTERS FROM STAFF ARE TO BE COMPLETED PRIOR TO RECORDING

VOTE: YES (5)

NO (0)

MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY RUSSELL SLY TO GRANT FINAL PLAT APPROVAL TO ROCKY MOUNTAIN SUBDIVISION, PLAT B; WITH THE FOLLOWING CONTINGENCIES:

0. DEVELOPER IS TO PROVIDE 16.90 ACRE FEET OF TRANSFERRED WATER RIGHTS TO THE CITY
0. ALL ITEMS LISTED ON THE LETTERS FROM STAFF ARE TO BE COMPLETED PRIOR TO RECORDING

VOTE: YES (5)

NO (0)

SPRINGVILLE WATER SHARES

Alvin Harward: Six shares of Springville Irrigation Company were deeded to the City years ago by Ron Ririe. (The transfer process was not completed due to a change in the water rights' laws Stating that the Irrigation Company had to be in concurrence with the proposed transfer to be completed. Irrigation companies are usually not in favor of this process and this was the case with Springville Irrigation Company.) Mr. Ririe was allowed to have some of the City's rights in exchange and the City was left with these 6 shares of water right that are basically useless. These shares only give us the right to take out water of Springville irrigation at Springville; it does not give us the right to move to water to alternate points of diversion. It is considered "private property". He proposes that the City sell those shares for approximately \$30,000. There is no buyer presently. The Council agreed with the proposal.

MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY RUSSELL SLY TO AUTHORIZE ALVIN HARWARD TO PURSUE THE SALE OF THE SIX SHARES OF SPRINGVILLE IRRIGATION COMPANY WATER SHARES AND TO NEGOTIATE A PRICE

VOTE: YES (5)

NO (0)

PAVILION RENTAL

Mary Rugg: (Memo) "Recently the Deputy Recorder brought to the attention of Councilmember Rugg that the City currently charges a Pavilion rental fee of \$2.50/hour for resident and \$5.00/hour for non-residents. We also require a \$25.00 deposit. This deposit is given back when the City staff receives the bathroom key back. We have an employee who receives \$5.00 to clean the pavilion and has, in the past, refused to do so because it has been so messy. On an average, the pavilion is rented for 2 hours; making the Parks Dept. a profit of \$5.00, which in turn gets paid back out to the City employee for cleaning."

Proposal:

- \$50 for a deposit and a check-off list of expectations of clean-up
- No hourly charge, instead charge a standard fee:
 - \$20 – Residents
 - \$30 – Non-Residents
 - \$50 - \$100 – Large Groups (Size? 50 or more people?)

Russell Sly: Thinks this is a great idea. There have been continuing problems with the restrooms in the Pavilion; they have been left in an awful state at times. At times the problems are not associated with a rental group.

Mayor Fritz: Leaving the restrooms open during the daytime hours has resulted in vandalism and destruction of the City's facilities.

Another reason to keep the restrooms locked during the unsupervised times is the safety from predators for our young people in the Park area.

*The Mayor will check with Kris Bluth (Facility's Maintenance Worker) to determine if she would be willing to sign off a checklist and make sure the restrooms are left clean.

There is the possibility of increasing her pay to clean the restrooms if they are not left clean and the deposit is kept by the City.

MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY GARY PRESTWICH TO CHANGE THE PROCESS FOR RENTING THE PAVILION AND ASSOCIATED FEES TO BE CHARGED AS FOLLOWS:

- \$50 – DEPOSIT & A CHECK-OFF LIST OF EXPECTATIONS OF CLEAN-UP
- NO HOURLY CHARGE – INSTEAD CHARGE A STANDARD (FLAT) FEE:
 - \$20 – RESIDENTS
 - \$30 – NON-RESIDENTS
 - \$50 - \$100 – LARGE GROUPS (50 OR MORE PEOPLE)

VOTE: YES (5)

NO (0)

PURCHASE/PLANTING
OF TREES

Mary Rugg: (Memo to Council) "The City has been approved for the matching funds of \$250 in conjunction with the Arbor Day Grant. I (Councilmember Rugg) would like to use these funds to plant trees along the south side of the Park field (Ingram Field) to match the North side. The trees would be two-inch caliper Lindons. Five trees would be needed to match the North side of the field. The cost of each tree is \$155.00 (wholesale price for municipalities). The total cost would be \$775 (less the matching funds of \$250) = Grand Total of \$525. Councilmember Rugg has arranged to have one of the Public Works Employees to assist in the planting with the backhoe; volunteers will also assist. The water lines to this location have already been installed.

MOTIN WAS MADE BY ALVIN HARWARD AND SECONDED BY RUSSELL SLY TO APPROVE \$525.00 FOR THE PURCHASE OF TREES FOR THE PARK AREA

VOTE: YES (5)

NO (0)

SPECIAL
PRESENTATION
TO
ERNESTINE FOLKS

Mayor Fritz: After nearly 20 years of service to the City of Elk Ridge 1st as the Town Clerk, then as the City Administrator (Assistant to the Planning Commission and Mayor Fritz), Mrs. Ernestine (Ernie) Folks has tendered her resignation. There was a luncheon the previous week for staff and Councilmembers as a farewell to Mrs. Folks. The Mayor commented on her long-time association with the City: Mrs. Folks has worked with and "trained" seven different Mayors over time; as well as training two of the current staff members (the City Recorder and her replacement, Margaret Leckie). Her knowledge of the City, its history and the City Code has been invaluable and though she will be missed, she was wished well in her retirement.

She was initially presented with a “memento” from the Mayor for her service...a wonderful photo of himself for a “keepsake”...Mrs. Folks commented that she had just the right place to hang it! (This was a good joke!) Then the Mayor presented her with the actual gift from the City...a beautiful framed picture of George Washington at Valley Forge. This is a favorite of Mrs. Folks' and she was deeply moved.

Ernestine Folks: Remarked that this was a “humbling experience” for her. She, in turn, has learned a great deal from the City. Her job has given her many opportunities to grow. The City is very important to her and she hopes that all will continue to contribute to the City and that it will continue to be the best place in Utah Valley to live.

Ray Folks: Gave a bit of history of the City...in that, years ago, the Council met in the Folks' home (25 years ago).

There were many citizens gathered to thank Mrs. Folks and to wish her well. She will be missed.

The Mayor Closed the Regular Session of the Council Meeting to give a chance for the public to meet briefly with Mrs. Folks.

Mayor Fritz re-opened the Regular Session of the City Council Meeting.

STATE OF THE CITY ADDRESS BY MAYOR FRITZ:

Mayor Fritz: (A handout was provided to the Council and the public present.)

“The work of the Mayor is a marriage between administration and projection. During the past three years we have tried to resolve existing problems and prepare for new ones.”

The Mayor reviewed some of the major issues facing the City at this time and those to come in the future:

Among the major issues to be considered are:

- Continued improvements to the City's Water System
- Sewering needs being met
- Options for funding of the necessary improvements
- Emergency services
- Disaster preparation
- Parks & Recreation (Including Adding new Parks, Trails & Landscaping)
- Secondary Water System (CUP)
- New Development
- Up-coming Municipal Elections

*For a complete copy of Mayor Fritz's State of the City Address, copies are available at the City Offices during regular Office hours.

Comments/Questions:

Spencer Sheets: (Non-resident of Elk Ridge, along 1600 West) Is concerned with the size of the lots being proposed for the possible annexation of 122 acres north of the City. He suggested considering 2 – 2 1/2 acre lots in the area. He also recommended that the developer should contribute a school to the City.

Stewart Jolley: The Treatment Plant in Payson produces “clear water” that could be utilized for irrigation water.

Donna Moss: (Non-resident of Elk Ridge, living along 1600 West) When the City installed the replacement well for the Old Cloward Well, the water table must have dropped, because Ms. Moss claims this action by the City has cost her \$25,000 to upgrade her private well and to drop it deeper. In the future, if this development goes forward north of the City, how much will it cost her to live on her 2 1/2 acres? She asks the Council not to act before they have considered the consequences carefully.

George Woodruff: Will the public have input regarding the proposed development in Elk Ridge or will the “deals be made and minds made up” before the public has any say?

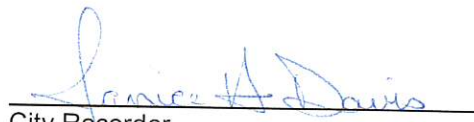
Don Hopkins: Asked about Payson's Hole #7...how would the City be able to put a park/holding pond in that area? (Payson is considering abandoning this area.)

Doug Lindsay: The Council needs to consider the strength of the existing aquifers...how much water supply do we really have?

Sean Elliot: There is nowhere to safely walk along the City's roads. Will new development be required to include any trails?
The Mayor thanked everyone for their comments.

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, May 10, 2005, at 7:00 PM.

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

7:00 - PM REGULAR COUNCIL MEETING AGENDA ITEMS:

- Opening Remarks and Pledge of Allegiance Invitation
Approval/Agenda Time Frame
- 7:05 1. Loafer Canyon Sewer Line Extension/Assessments – Mayor Fritz
 - 7:15 2. Release of Lien/Sewer Impact Fee for Morgan – Mayor Fritz
 - 7:20 3. Parks/Summer Help – Mary Rugg
 - 7:30 4. Police Protection – Mark Johnson
 - 7:45 5. Stop Signs in the City – Gary Prestwich
 - 7:55 6. Report on Road School – Gary Prestwich
 - 8:00 7. Schedule Public Hearings:
 - A. Ordinance Amendment for Permitted Uses in Zones Allowing the Raising, Care & Keeping of Livestock & Fowl
 - B. Tentative 2005/2006 Budget & Capital Improvement Plan
Budget Discussion
 - 8:10 8. Feasibility Study/Secondary Water System (CUP Water) – Mayor Fritz
 - 8:20 9. Expenditures:
 - General:
 - A. Approval of City Check Registers
 - 8:25 10. Approval of Minutes of Previous Meetings
Adjournment

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

The times that appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting. Dated this 5th day of May, 2005.


City Recorder

CERTIFICATION

I, the undersigned, duly appointed and acting City Recorder for the municipality of Elk Ridge, hereby certify that a copy of the Notice of Agenda was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and mailed to each member of the governing Body on May 5, 2005.


City Recorder



ELK RIDGE
CITY COUNCIL MEETING
May 10, 2005

TIME & PLACE
OF MEETING

The regular Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, May 10, 2005, at 7:00 PM.**

The meetings were held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah. Notice of the time, place and Agenda of the scheduled meetings was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on May 5, 2005.

CITY COUNCIL REGULAR SESSION AGENDA ITEMS

ROLL CALL

Mayor: Vernon L. Fritz; *City Council:* Alvin L. Harward, Gary Prestwich, Mary Rugg, Russell Sly, Mark Johnson; *Sheriff:* Deputy Oliver; *Public:* Jim Nicolet, Brian & Tiffany Jensen, Amanda Wentreck, Alan Colver; & *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 Councilmember Mark Johnson, for those wishing to participate.

AGENDA TIME
FRAME

**MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY GARY PRESTWICH
TO APPROVE THE AGENDA TIME FRAME, STRIKING AGENDA ITEM #8
VOTE: YES (5) NO (0)**

LOAFER CANYON

SEWER LINE
EXTENSION –
ASSESSMENTS

Mayor Fritz: As the sewer line is extended on Loafer Canyon Road and the Road is widened, there will be Sewer Impact Fees owing as residents connect to the system. In the past, the City has waived the connection fee and permitted delayed financial payment of the Impact Fee for up to one year from the time the sewer line becomes available. In some cases, the City permitted a lien against the property in lieu of immediate payment. The Council agreed that the City should continue to assess the Sewer Impact Fee in the same manner as the past.

Discussion:

Alvin Harward & Mark Johnson: Questioned why curb & gutter is not in the plan to widen the Road. There would be curb & gutter on both ends of the Road; this would leave a section without it. The Council has decided to try to avoid this circumstance.

Mayor Fritz: Curb & Gutter has not been discussed in relationship to the sewer line extension on Loafer Canyon Road; it was not included in the cost estimate. If the determination is made to install curb & gutter, it could be installed at a later time.

Gary Prestwich: To add curb & gutter would add considerable cost to the project and possible delays. There would not be many residents that would qualify for "road assessments" in that section, so the City would be responsible for much of that cost.

More curb & gutter creates more run-off; and run-off can become a problem in the Loafer Canyon area.

*Further discussion of this issue will be listed on the next City Council Meeting Agenda.

RELEASE OF
LIEN –
SEWER IMPACT
FEE

The Morgans, on Loafer Canyon Road, paid off their Sewer Impact Fee assessment in full. The lien on their property for \$1,700 needs to be released.

**MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY MARK JOHNSON TO
AUTHORIZE THE RECORDING OF A LIEN RELEASE FOR 469 NORTH LOAFER CANYON
ROAD; FILED IN THE NAMES OF MIKE AND BERTY MORGAN
VOTE: YES (5) NO (0)**

PARKS –
SUMMER HELP

Mary Rugg: Summer Help is budgeted for an average of \$1,200 for a youth to mow lawns and do any other odd jobs needing to be done. Councilmember Rugg proposes raising the wage to a budgeted \$3,000 for a time period extending from early spring to fall:

- 15 hours per week (*Up to 3 hours/day*)
- Average of 27 weeks
- \$7.00 per hour (Total = \$2,835)

The person hired would have the primary responsibility of caring for the Park, Playground area and grounds around the City Hall; and would be under the direct supervision of the Councilmember over the Parks. (The Public Works employees would likely have to supervise some of their work, be in charge of equipment maintenance and assist in scheduling.)

Mayor Fritz: Duties could include:

- If the weeds around wells & tanks need attention, the summer help could take care of this.
- Spray weeds along roads

*The Council was in general agreement with this proposal and will vote on it with the Budget.

POLICE PROTECTION

Mark Johnson: Councilmember Johnson would like the Council to write down their suggestions for Police protection. He asked that these suggestions be given to Councilmember Johnson by 5-17-05.

Discussion:

- The Council would like Deputy Oliver to arrange to get the Speed machine and to place it in problem spots throughout the City.

Deputy Oliver: All streets are traffic problems. Parking along the streets can be controlled by passing an ordinance limiting the weight and size of vehicles allowed to park on the streets. Parking along the road is dangerous due to the likelihood of children running out into the street from behind a parked vehicle.

STOP SIGNS IN THE CITY

Gary Prestwich: Shawn Eliot (resident and works for MAG) proposed placing four longitudinal, narrow barricades (dividers) in the center of the road at intersections; this would mitigate the wide turns made at corners due to speeding. Each barrier would have a "break-away object marker. Councilmember Prestwich provided a diagram of the intersection of Mahogany Dr. & Hillside Dr., showing the barriers.

Mark Johnson: Is concerned that snowplowing around these barriers would be a problem. The trucks have to make wider turns. (Mr. Eliot thinks the snowplows will clear the barriers.)

Mary Rugg: This does not address the speeding further south on Hillside Dr.

Signs, elongated speed bumps and speed dips have been discussed in the past.

Jim Nicolet: Commented that pedestrian flow would be impeded by barriers in the intersections.

Mark Johnson: Suggested a drainage culvert at the intersection. It serves two purposes: to handle run-off and to slow traffic.

Alvin Harward: Is not in favor of placing anything in the middle of the road. He feels the answer lies in enforcement and increased patrol on these trouble spots. The officers should simply hand out more tickets. Added traffic devices are not necessarily the answer.

When cities place these barriers in the streets, they end up taking them back out because they cause problems.

Mary Rugg: Could the City start by placing traffic signs such as, "children at play" on Hillside Drive?

City Recorder: There is an escrow account set up by Ron Ririe for Plat C that is about \$1,000 for the purpose of installing a culvert on Park Drive, in the vicinity of Columbus Ln. Park Drive and Elk Meadows intersection is a noted speed problem; as well as a drainage problem with run-off crossing Park Drive. Could this money be used for a culvert/speed dip in this general area?

Mayor Fritz: Advised it may be best to wait until further development occurs to address this section of Park Dr. It may be that the entire intersection would be redesigned.

Mary Rugg: Brought the discussion back to the speeding problem on Hillside Dr.

Gary Prestwich: At the Roads' School, it was established that stop signs should not be used for speed control.

*He recommends having Shawn Eliot come to the next Council Meeting to outline various options for traffic control.

Russell Sly: Would like Mr. Eliot's opinion of the stop sign on Goosenest & Elkhorn Dr. Stop signs should be on the road coming onto to a through road.

*Councilmember Johnson is to pick up the "speed machine" and place it on Hillside Dr. (To be placed in front of Mr. St. Peter's home.)

Gary Prestwich: Reviewed the "Three E's" of traffic control: Enforcement, Engineering & Education...the most important is "enforcement". The public has not supported paying more to have increased patrol time.

REPORT ON
ROAD SCHOOL

Gary Prestwich: Councilmember Prestwich attended "Roads School" in St. George (Report):

A) Deferred Cost Relationships:

- Argument for chip & seal:
 - Cost effective
 - Roads wear better

B) Stop Signs:

- M. Stanger is to send Councilmember Prestwich information regarding stop signs.

C) Road Maintenance

- RAP (Abbreviation for the process wherein the road is ground up, laid back down and re-used as road base. There is a company that makes a "stabilizing enzyme" that is added to the ground up material that takes the strength from 50% to 150%. To add process to the Loafer Canyon Project, would increase costs by \$2,000 to \$3,000.

D) He learned of a "patching material" that can be used any time of the year and is not expensive.

E) Safety Issue: Police Chief from Mt. Pleasant was there to speak of safety elements for officers performing in the line of duty: The Public Works employees could pull up behind an officer when he/she is pulled over with someone in violation of the law. This would be done to support the officer and would last until the officer is back in his/her vehicle. If any problem should arise, then dispatch could be contacted. It is working well in larger cities; it is not known how well this would work in Elk Ridge.

SCHEDULE
PUBLIC HEARINGS

1. Ordinance Amendment for Permitted Uses in Zones Allowing the Raising, Care & Keeping of Livestock & Fowl:

(A letter was received by the City Councilmembers from a resident, Mr. Nelson Abbott, regarding his feelings about the care and keeping of pigeons. He expressed his concerns about not allowing any pigeons to be kept within the City boundaries. There are different ways to raise pigeons; and the way he referred to does not create any nuisance to neighbors. He feels the City and individuals can come to a common ground and that a "ban" is too much. Other cities do have provisions to raising pigeons. He asks that this matter be re-visited. He and any others interested are invited to attend the public hearing.

Gary Prestwich: There was a sample ordinance that did have pigeon management provisions; but the Planning Commission has evidently removed that section.

Mayor Fritz: There is an element of "grandfathering" for those who already have pigeons. They are governed by the Nuisance Ordinance.

MOTION WAS MADE BY MARY RUGG AND SECONDED BY GARY PRESTWICH TO SCHEDULE A PUBLIC HEARING ON JUNE 14, 2005, AT 6:05 PM, TO CONSIDER AN ORDINANCE AMENDMENT FOR PERMITTED USES ALLOWING THE RAISING, CARE & KEEPING OF LIVESTOCK & FOWL

VOTE: YES (5)

NO (0)

MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY MARK JOHNSON TO SCHEDULE A PUBLIC HEARING ON MAY 24, 2005, AT 6:20 PM, TO CONSIDER ADOPTION OF THE TENTATIVE 2005/2006 FISCAL YEAR BUDGET AND CAPITAL IMPROVEMENT PLAN FOR THE OPERATION OF ELK RIDGE CITY

VOTE: YES (5)

NO (0)

NON-AGENDA
ITEM

1. Alvin Harward: Councilmember Harward was authorized by the Council to negotiate the sale of the Springville Irrigation Company water shares. These were deeded to the City years ago by developer, Ron Ririe, to meet the water right requirement for development. The 6 shares were not transferable and have been useless to the City. There is an offer for \$24,000 (\$4,000/share). Councilmember Harward would like to negotiate for \$4,500/share.

2. Mary Rugg: Has located a "Jet Truck" for sale from Orem City for \$20,000.

Russell Sly: Spoke with Kent Haskell and his opinion was that there are issues to consider:

- If the City owns a Jet Truck, where would it be parked? (It must be parked inside and there is no room in the bay area.)
- The City can continue to contract the work out when needed...he feels this is more cost effective.

It was decided that this purchase would be premature and that, perhaps, when the sewer situation is solidified, the City may be in a better position to consider the purchase of a jet truck.

FEASIBILITY
STUDY –
SECONDARY WATER
SYSTEM

(This item was stricken from the Agenda.)

EXPENDITURES

General:

Russell Sly:

The Council addressed the issue of one of the Planning Commission who fell during one of the Planning Commission Meetings (Mr. Mel LeBaron), as he was going out to his car in the parking lot.

Action:

- Although there are lights in the general area, a pole light will be installed directly beside the step to the parking lot.
- A handrail will also be installed on either side of the last two steps toward the parking lot (though a handrail is not required by Code).

*Kent Haskell will get the costs on the installation of both the light and the rail.

MINUTES

City Council Minutes of 4-12-05:

MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY MARY RUGG TO APPROVE THE CITY COUNCIL MINUTES OF 4-12-05

VOTE: YES (5)

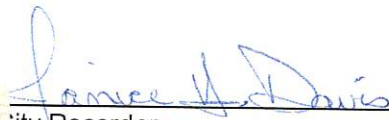
NO (0)

NON-AGENDA
ITEM

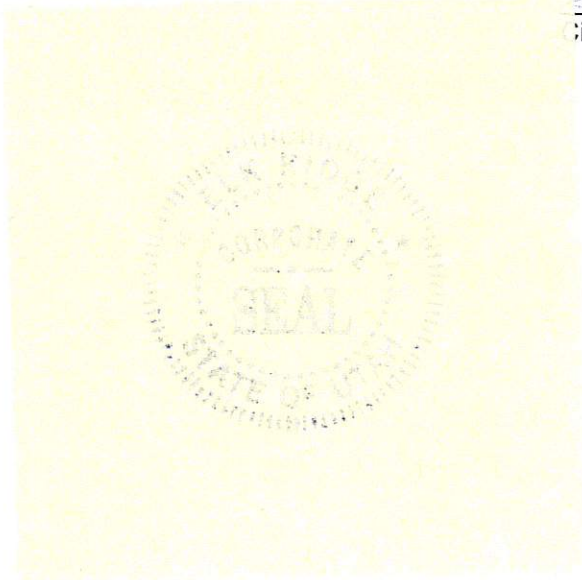
Russell Sly: Would like his comment "on the record": The Mayor did an outstanding job on the State of the City Address. The message was clear and organized and answered many questions. More of the citizens should have been present to hear it.

ADJOURNMENT

At 8:45 PM, Mayor Fritz adjourned the Council Meeting.



City Recorder



NOTICE & AGENDA

Notice is hereby given that the City Council of Elk Ridge will hold a regular City Council Meeting on Tuesday, May 24, 2005, at 7:00 PM, to be preceded by a Council Work Session at 6:30 PM; and a Public Hearing, at 6:05 PM, on the Tentative Budget for 2005/2006 and the Capital Improvement Plan.

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

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

6:05 PM 1. PUBLIC HEARING/2005/2006 TENTATIVE BUDGET & CAPITAL IMPROVEMENT PLAN
Public Hearing/Proposed Tentative 2005/2006 Fiscal Year Budget & Capital Improvement Plan

6:30 PM CITY COUNCIL WORK SESSION


2. Retired Senior Volunteer Program (RSVP) - Norman Smith
3. Public Safety/Street Names - KD Taylor
4. Traffic Signs - Shawn Eliot
5. Ad Hoc Committee Revisited - Mayor Fritz
6. Letter to Attorney/"Dry Secondary Water System" - Mayor Fritz
7. Installation of Light & Railing/City Hall - Mayor Fritz

7:00 - PM REGULAR COUNCIL MEETING AGENDA ITEMS:


- Opening Remarks and Pledge of Allegiance
Approval/Agenda Time Frame
- 7:05 8. Adoption - Tentative 2005/2006 Budget & Capital Improvement Plan
 - 7:10 9. Purchase of Water Shares - Mayor Fritz
 - 7:20 10. Springville Irrigation Co./Water Shares - Alvin Harward
 - 7:25 11. Police Services/Costs - Mark Johnson
 - 7:45 12. Discussion/Aqua Engineering Feasibility "Short" Study of CUP Water - Alvin Harward
 - 7:55 13. Discussion/Curb & Gutter on Loafer Canyon Road - Mark Johnson
 - 8:10 14. Expenditures:
General
A. Approval to Purchase Tires for City Backhoe - Mayor Fritz
B. Approval of City Check Registers
C. Office Sidewalk Pole Light - Mayor Fritz
 - 8:25 15. Minutes of Previous City Council Meeting
 - 8:30 Adjournment

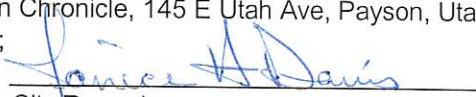
*Handicap Access, Upon Request. (48 Hours Notice)

The times that appear on this Agenda may be accelerated if time permits. All interested persons are invited to attend this meeting. Dated this 19th day of May, 2005.


City Recorder

CERTIFICATION

I,  acting City Recorder for the municipality of Elk Ridge, do hereby certify that the foregoing is a true and correct copy of the agenda for the meeting held on May 19, 2005;


City Recorder



ELK RIDGE
CITY COUNCIL MEETING
May 24, 2005

101

TIME & PLACE
OF MEETING

This Regular Meeting of the Elk Ridge City Council, was scheduled for Tuesday, May 24, 2005, at 7:00 PM. It was preceded by a Council Work Session at 6:30 PM and a Public Hearing at 6:05 PM, for the purpose of hearing public comment regarding the Adoption of the Tentative 2005/2006 Fiscal Year Budget & Capital Improvement Plan.

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 Hearing, was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on May 19, 2005.

6:00 PM

CITY COUNCIL WORK SESSION

ROLL CALL

Mayor: Vernon L. Fritz; *City Council:* Mary Rugg, Russell Sly, Gary Prestwich & Alvin Harward (Absent: Mark Johnson); *Fire Dept./EMT:* K.D. Taylor; *Public:* Norman Smith; and *City Recorder:* Janice H. Davis

R.S.V.P.

(Retired Senior Volunteer Program) – Norman Smith:

Mr. Smith reviewed the City's list of volunteers participating with the Organization (Total number = 7), with combined volunteer time of 518 hours...this has an estimated value @ 16.60/hr. of \$8,590.50.

R.S.V.P. is especially interested in helping Elk Ridge recruit volunteers for the fire fighters and the Citizen Corps, which includes Neighborhood Watch, Volunteers in Police Service, Community Emergency Response Teams (C.E.R.T.), & medical Reserve Corps.

6:05 PM

PUBLIC HEARING/TENTATIVE 2005/2006 FISCAL YEAR BUDGET & CAPITAL IMPROVEMENT PLAN (CIP)

Public Hearing/Tentative 2005/2006 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 & Alvin Harward; *Fire Dept./EMT:* K.D. Taylor; *Public:* Norman Smith; and *City Recorder:* Janice H. Davis

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

City Recorder: Review of the major issues with the future budget.

The Council was reminded that the decision to have a Truth in Taxation Hearing in August would have to be made that night. This would be to propose a tax rate for Elk Ridge other than the suggested Certified Tax Rate.

- Annexation Fees: Developer, Randy Young, is to pay \$1,500 next week for annexation fee.
- Water & Sewer Administration Fees were explained: they are calculated each year off of actual time spent in those Depts. by Public Works + a portion of other staff's wages + the Councilmember over Water & Sewer.
- Salaries & Wages were discussed by Mayor Fritz: He proposed 3.1% Cost of Living Adjustment (COLA) + a Performance Bonus of up to 3% (based on his evaluation)

The Council had no objections to his recommendation.

- o The Facilities Maintenance Worker requested a raise from \$30/week to clean the building to \$50/week (The Council agreed).

*The Mayor will contact Kris Bluth (& include the information re: tracking restrooms in the summer)

- The \$3,000 for Summer Help was approved for the Budget.

- o Explanation of Fund Balance

Over \$106,000 is budgeted to be transferred into the General Fund to balance the Budget.

This will be transferred in from Capital Projects, leaving a depleted amount to draw from in future years. How will expenditures in the General Fund be cut? What sources of revenue are available?

- Sewer: add 5,000 to clean out sewer lines.

- o Abandon old sewer line: approximately 8,000 - 10,000 + Engineering: 1,500 (Ad to budget)
- *Mayor Fritz directed the Council to have any Capital Improvement projections to the City Recorder by June 1, 2005; after which, he and the Recorder will review the Budget and plan from there.
- o Loafer Canyon Rd.:
 - 0. Transfer of \$35,000 from Roads to Capital Projects for the future improvement of E. Park Dr. ("Dugway")
 - 0. Fund Balance for that particular Acct. needs to be checked; will it cover what is budgeted? (Loafer Canyon Rd./Sewer line extension-Road Re-build)
 - 0. 70,000 Transfer from Sewer (Sewer line extension + Road Re-build) How much will be done this fiscal year?
 - 0. 17,500 budgeted for engineering: how much will cross over into the next year?
 - 0. 31,220 – Sewer line extension
 - 0. 43,000 (Road Re-build) to be split ½ this year, ½ next year (21,500 each year)
- o Trails has nothing budgeted; what projects are being considered. Councilmember Sly is Concerned that all of the accrued Park Impact Fees will be used without addressing the planned Trails throughout the City. After the Park projects this fiscal year, there is about \$34,500 Park Impact Fees + whatever next fiscal year brings in.
Councilmember Rugg has a rock retaining wall planned for 2005/06 at an estimated cost of \$18,000. The Council still needs to approve this project.
- o Paying off the Tank Bond has been discussed; is the Council planning on this?

Mayor Fritz closed the Public Hearing on the Tentative 2005/2006 Budget.

CITY COUNCIL WORK SESSION CONTINUED:

ROLL CALL

Mayor: Vernon L. Fritz; *City Council:* Mary Rugg, Russell Sly, Gary Prestwich & Alvin Harward (Absent: Mark Johnson); *Fire Dept./EMT:* K.D. Taylor; *Sheriff:* Deputy Oliver; *Public:* Joan & Spencer Sheets, Kade Johnson; and *City Recorder:* Janice H. Davis

PUBLIC SAFETY – STREET NAMES

K.D. Taylor: (One of the City's Volunteer Fire Fighters)

Mrs. Taylor addressed the Council regarding concerns with similar street names within the City. There are several situations that exist...examples: Salem Hills Drive (East, West, South & North), N. Loafer Drive & Loafer Canyon Rd., Oak Ln. & Oak Ridge Dr., etc. When Emergency Services are called out, they receive the message on their pagers and the reception is "fuzzy" and any similarities and confusion can cost valuable time. During mock disasters, wrong addresses have been handed out and this also takes time...this time could cost lives and/or property. It is important that the Dept. knows where they are going when they leave the City Hall...anything confusing is unacceptable.

In the new development, planned to be located by the new LDS Chapel, there is a repeat of the same situation: Meadow Lark (new) is like Elk Meadow, Ridge View (new) is similar to Oak Ridge & Valley View.

Proposal:

- 0. Guidelines to developers not to duplicate existing names of streets in any way.
- 0. Names of streets that are easy to pronounce and to spell.

The first line of the City's Mission Statement mentions the creation of a safe community.

Mayor Fritz: This has been discussed in the past and a suggestion was made to include coordinates along with the street names. He commits to Mrs. Taylor that this issue will be revisited.

Gary Prestwich: Advises that this would be the time to address the street names with the new development; not after the street signs are up and there are residents on the street.

Russell Sly: Future development is easier to fix than existing street names. He suggested that citywide grid numbers be added to each address. (This would not be through the Post Office...this would be specific to Elk Ridge.)

TRAFFIC SIGNS

Shawn Eliot: (Resident of Elk Ridge on Fairway Drive...he also works for Mountainland Association of Governments or "MAG")

2 handouts:

- o One showing current conditions of existing street signs in the City and locations
- o The other depicting various options for slowing traffic...specifically at the intersection of Hillside Dr. & Mahogany Wy.
- 0. Current conditions: Missing signs, incorrect signs, damaged signs, duplicate signs, non-standard coordinates & non-standard font.

Proposes coming back to the Council with a detailed breakdown of what needs to be done.

2. Intersection of Hillside Dr./Mahogany:

(Problems: Steep grades causing speeding, wide turns with lack of clear vision around the hill on the north/east corner of the intersection.)

Drivers cut blind corners, resulting in head-on misses and children at danger in the road.

The handout showed various options:

A. 2-Way Stop on Mahogany Way:

Pros:

- o Keeps Hillside Dr. functioning as a "collector"
- o Fixes turning conflict
- o Warranted on minor street

Cons:

- o Doesn't address speed off of steep grade
- o Doesn't address sight/distance problem

B. 4-Way Stop:

Pros:

- o All traffic is required to stop
- o Fixes sight/distance problem

Cons:

- o Hillside is "collector"/4-way stop most likely not warranted
- o Will cars stop?
- o Studies show using stop signs when not warranted doesn't work

C. Median Islands:

Pros:

- o Act as traffic calming
- o Channels traffic – Slows down
- o 2-Way Stop – Hillside continues to function as "collector"
- o Corrects turning conflict

Cons:

- o Cost

D. Traffic Circle:

Pros:

- o Good Traffic Calmer
- o Channels Traffic – Slows down
- o Corrects turning problem
- o Smaller than a Round-about (Less cost)

Cons:

- o Cost

E. Speed Hump:

Pros:

- o Slows traffic down

Cons:

- o Doesn't correct turning conflict
- o Hazardous on steep grade
- o People tend to speed in between humps

AD HOC
COMMITTEE –
REVISITED

Mayor Fritz: last fall the Mayor appointed an Ad Hoc Committee to study the Master Plan for the City. In January, the Committee came back to the Mayor recommending that the Plan needed no changes. The Committee was disbanded. Three months later it was determined that certain changes may be appropriate and the Committee is being reconsidered at this time. The Mayor is to attend a planning conference to better understand the duties & powers of the Planning Commission. He will address the Council at a later time.

LIGHT POLE & RAILING FOR CITY HALL

Mayor Fritz: Solar power lights have been installed on either side of the sidewalk in front of the City Hall.

1. Handrail: A handrail at the base of the walk would be about \$600.
0. Handrail located at the steps of the tennis court is estimated at about \$800.
0. Sidewalk light pole: (Estimate by Doug Stout...resident who is an electrician)
Standard 8' pole (Home Depot) = \$813
Decorative pole = \$1,700

The Mayor recommends having the Public Works employees install the railing in front of the City Hall; however, the one at the steps of the tennis court would require professional installation due to the incline of the steps.

(Councilmember Johnson has also redirected the existing light on the building towards the north end of the sidewalk in front of the City Hall...it illuminates the area much better.)

TIME & PLACE
OF MEETING

This Regular Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, May 24, 2005, at 7:00 PM.** It was preceded by a **Council Work Session at 6:30 PM** and a **Public Hearing at 6:05 PM,** for the purpose of hearing public comment regarding the Adoption of the Tentative 2005/2006 Fiscal Year Budget & Capital Improvement Plan.

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 Hearing, was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on May 19, 2005.

ROLL CALL

Mayor: Vernon L. Fritz; *City Council:* Mary Rugg, Russell Sly, Gary Prestwich & Alvin Harward (Absent: Mark Johnson); *Sheriff:* Deputy Oliver; *Public:* Shawn Eliot, Joan & Spencer Sheets, Kade Johnson; and *City Recorder:* Janice H. Davis

OPENING REMARKS & PLEDGE OF ALLEGIANCE

An Invocation was offered by Russell Sly and Gary Prestwich 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 GARY PRESTWICH TO APPROVE THE AGENDA TIME FRAME, ADJUSTING THE START TIME TO 7:40 PM;
VOTE: YES (5) NO (0)

NON-AGENDA
ITEM

Mayor Fritz: There was a bear spotted south of town. A resident was out riding his bike and was chased by the bear. No harm was done, but resident should be cautious.

TENTATIVE
2005/06 BUDGET &
CAPITAL
IMPROVEMENT
PLAN

Adoption:
(No further discussion)

MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY GARY PRESTWICH TO ADOPT THE TENTATIVE 2005/2006 BUDGET AND CAPITAL IMPROVEMENT PLAN; WITH THE CORRECTION OF ADDING \$5,000 TO CONTRACTED SERVICES IN THE SEWER DEPT. FOR SEWR LINE CLEANOUTS
VOTE: YES (5) NO (0)

Schedule Public Hearing:

**MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY ALVIN HARWARD
TO SCHEDULE A PUBLIC HEARING FOR THE ADOPTION OF THE 2005/2006 FISCAL YEAR
BUDGET AND CAOPITAL IMPROVEMENT PLAN FOR JUNE 14, 2005, AT 6:05 PM
VOTE: YES (5) NO (0) (Canceled later in this Meeting.)**

**PURCHASE OF
WATER RIGHTS**

Mayor Fritz: The City purchased a block of water rights from Dallas Young some time ago, which the City is still paying off. This was done to allow people building homes to upgrade their water rights. It is difficult to purchase increment amounts of water rights out on the open market. These water rights have been depleted and the City needs to purchase more. The Mayor has contacted people who buy and sell water rights and they are checking for rights the City could buy. The Mayor will continue to pursue this.

**SPRINGVILLE
IRRIGATION CO. –
WATER SHARES**

Alvin Harward: The 6 shares of Springville Irrigation Co. water were sold for \$27,000. (The shares could not be transferred to the City and could not be used by Elk Ridge.)

**POLICE
PROTECTION**

Mark Johnson: (The handout regarding "neighborhood awareness" is to go into the newsletter.)
Suggestions/comments from the Council (Improved Police Protection):
Russell Sly: Concerned that the officers are not more visible in the City
Mary Rugg: There are existing speeding problems throughout the City. Enforcement is the key. There must be a way to obtain additional funds to provide better coverage.
Mark Johnson: Would like for the City to go to 24-hour coverage. The residents do not want to pay for it. Law Enforcement went from \$32,000 to \$43,000 this year...it would at least double with 40-hour coverage...24-hour coverage would be about \$160,000.
Mary Rugg: If the citizens want the enforcement enough, they should be willing to pay for it. A survey could be run through the newsletter to determine if residents would be willing to pay \$5 more per month for added police protection (\$5 was just a suggestion...it could be more).
Deputy Oliver: He invited the Councilmembers to ride in the squad car with him to see what the officers do and how their time is split up.
 He would like to add to the newsletter on a quarterly basis.
Mayor Fritz: The Council keeps revisiting this subject. There is only so much that can be done with limited funding. Does the Community feel that speeding and traffic violations are of sufficient impact to justify an increase of \$5 - \$10/month? He, as a citizen, would pay it willingly; but there are many that would not. Unless this issue is placed on the agenda and pushed to a conclusion, nothing will get accomplished.
Russell Sly: The Community could double in size over the next 8 – 10 years. The City must prepare for the future. A Public Safety Impact Fee is one suggestion; but there are other options to consider...Property Tax, for instance.
Mayor Fritz: Feels the time to act on these things is with an out-going administration. This is an election year. New Councilmembers lean toward a status quo for a time until they better understand their positions. Public awareness is essential.
 *Councilmember Johnson was asked to head this effort up and to come back to the next Council Meeting with suggestions.
Mark Johnson: Agreed and added that the public should be made aware of the types of crimes being committed within the City through the monthly newsletter.
Mayor Fritz: Last year the Council considered an increase in Property Taxes. It was voted down after the public hearing. This must be decided at this Meeting due to the arrangements needing to be made with the County for the Truth in Taxation Hearing.
***Council Poll on a Truth in Taxation Public Hearing in August:**
Russell Sly: In favor of the Hearing in August...he feels we need to attempt to fund Police Protection to the level it needs to be.
Alvin Harward: He is not opposed to raising taxes for the specific purpose of meeting the budget needs; he is opposed to raising taxes to spend more money. We also have to consider the Sewer Fund, which is going into the "red" and there seems to be a refusal to raise the fee.
Mark Johnson: He agrees with Councilmember Harward.
Gary Prestwich: He feels the City needs to increase the tax rate. There are several things the City is behind on...the General Fund Balance is being used up and sees this as an obvious action to take.

Mary Rugg: While she understands all that is said, she is not prepared to say for sure that taxes should be increased. She does support scheduling the Public Hearing.

*The City Recorder will arrange the Hearing date with Utah County.

***The Council is canceling the Public Hearing that was scheduled for the adoption of the 2005/2006 Budget, set for June 14, 2005.**

AQUA ENGINEERING
FEASIBILITY
"SHORT" STUDY
CUP WATER

Alvin Harward: Councilmember Harward and Mayor Fritz met with Aqua Engineering regarding the feasibility of CUP Water (secondary system) in Elk Ridge.

Mr. Ward (Aqua) had some preliminary costs. If Elk Ridge went to a secondary water system, the water rates would double. Culinary rates would not decrease much, as anticipated, to compensate for the added system. It would be several million dollars to install and maintain a The operation of the system, with pumping costs (electricity) as well as other maintenance costs would keep rates up.

The concept still needs further consideration for the future; but it is not financially feasible at this time.

Mayor Fritz added that financing the system would be over a 20 or 30-year period. The route has changed from the Highline Canal to Salem Canal, which is further away and would raise the cost even more. The counsel from the engineer was to "keep the door open".

Russell Sly: He thinks that Spanish Fork is paying more with their secondary water system, on top of what they were paying for their culinary system and they just raised the rates again last month. Councilmember Johnson added that Spanish Fork meters their secondary system.

Mayor Fritz: Currently, Spanish Fork is running culinary water through their secondary system...eventually, CUP water will replace this, when it is available.

In February, 2005, Elk Ridge submitted a letter to the Central Conservancy Project saying that Elk Ridge still wishes to be considered part of the Project. Initially, we thought an engineering study would be required; but that is not the case. The City will have spent under \$2,000 for the engineering "short" study. He does not feel we will be spending more money in the near future.

Alvin Harward: The good part of attempting to do a secondary water system at this point in time is that currently, the government will pay up to 65% up to \$5,000,000...5 or 10 years from now, that probably would not be available.

Mayor Fritz: At the point that CUP water is available, if the City is not financially able to take advantage of it; then the City could sell our share of that CUP water...so there is a value to it.

Comments:

Gary Prestwich: He went to a meeting a couple of weeks ago wherein Highline Canal presented a plan to have CUP water. In that location, it would be more realistic to use it. That point needs to be clarified (Highline Canal or Salem Canal?).

He has concerns about pumping secondary water uphill and to the entire City. He does not feel that citizens would agree to pay for a system utilized by the north portion of the City. He feels developers should be installing this secondary system, to be used in the future.

Alvin Harward: Is opposed to developers being required to install a "dry system" that might not be used; and this would only pay for the infrastructure...not the holding pond and the ongoing maintenance.

He is also opposed to citizens paying for a system that would only service the north part of town.

Mayor Fritz: A decision cannot be made at this time, except to "keep the door open".

*(The question remains: will developers be required to install a "dry system"?)

This is the letter sent to David Church for a legal opinion.

CURB & GUTTER
LOAFER
CANYON RD.

Mark Johnson: In the past, the Council has decided that they did not feel it in the best interest of the City to "piece together" curb & gutter. A part of the town without curb & gutter would not be conducive to sections with curb & gutter. In Loafer Canyon the opposite situation exists; curb & gutter exists on the west side and to the north...as well as south of the Dugway on the Peterson's lots. The residents have paid for the improvement. The City is proposing to extend the sewer main further south and to rebuild the road. He feels the City should be held to the same standard to install curb & gutter with the road rebuild. The Road should not be "pieced" together with curb & gutter on either end.

Mayor Fritz: Though he is also opposed to "checkerboard" installation of curb & gutter, he is not convinced that curb & gutter need be installed at this time, on Loafer Canyon Rd.

He is opposed to curb & gutter where there has never been a problem with drainage and run-off.

The Mayor contacted the City Attorney to ask him if the City has to do a "rebuild" or "re-construction" of a road to the same standard as required by new development; he responded that no, we do not. Example: Lakeview Drive...the road was ground up and major work was done; but curb & gutter was not included with the re-building of that road.
Question: Why was Dennis Shuler required to pay upfront for curb & gutter for his 2-lot subdivision?

Mark Johnson: If there is an opposition to "checkerboard" curb & gutter, why create this situation on Loafer Canyon Rd. with partial installation?

Mayor Fritz: It is the Mayor's recommendation that curb & gutter not be installed during this phase of the sewer line extension.

Letter from Aqua Engineering (Bruce Ward):

"...to incorporate the curb & gutter into the sewer project, we will need to go through the process of fully surveying all the impacted property and preparing a dedication plat for the land owners to sign which will dedicate the road right-of-way to the City. This will take several months and may cost thousands of dollars, depending on how cooperative the landowners are and how willing they are to 'give up' 'their' land.

In my opinion, we should move forward with the sewer line without the curb & gutter. We can get the sewer line done in fairly short order and proceed with the road dedication after. By proceeding this way, we will also have a good feeling for how these people will be to deal with."

MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY GARY PRESTWICH TO PROCEED WITH PLANS TO EXTEND THE SEWER MAIN ON LOAFER CANYON ROAD, AS ENGINEERED, WITH CURB & GUTTER TO BE ADDRESSED AT A LATER TIME

Discussion:

Russell Sly: Dennis Shuler is anxious to sell one of his lots on Loafer Canyon Rd. If the City included curb & gutter now, it will cause delays. Mr. Shuler was told that the sewer line would be installed this summer and that he could then sell his lots.

Mr. Shuler understands that when curb & gutter is installed, his two lots have been paid for as part of his cash-in-lieu of payment to the City.

Gary Prestwich: When the City does install the curb & gutter in Loafer, then it will all be done at once, not piecemeal. He does not feel the curb & gutter will be installed with the project at this time.

Alvin Harward: Understands that it would take an excess amount of time to take care of the ownership issues for the rights-of-way.

Mary Rugg: Understands that the sewer line needs to be extended in Loafer Canyon, and that the issues surrounding the rights-of-way for the curb & gutter will be addressed for future installment.

Mark Johnson: Would like for the motion to be more definite regarding the installation of curb & gutter.

Gary Prestwich: The motion could be amended that a resolution to property lines, as well as the other right-of-way issues, be reached some time this year.

*There is a legal question as to the actual ownership of the Road...after a certain period of time as a public road (7 years?), does the road then belong to the City? This question needs to go to David Church.

AN AMENDED MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY GARY PRESTWICH TO PROCEED WITH PLANS TO EXTEND THE SEWER MAIN ON LOAFER CANYON ROAD, AND THAT CURB & GUTTER WILL BE COMPLETED IN THAT AREA IN THE FUTURE

VOTE: YES (5)

NO (0)

VOTE ON 1ST MOTION: YES (1)

NO (4)

EXPENDITURES:

General: None

1. Backhoe Tires: four tires will cost about \$1,300...

MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY ALVIN HARWARD TO APPROVE THE PURCHASE OF FOUR TIRE FOR THE CITY BACKHOE AT THE ESTIMATED COST OF \$1,300

VOTE: YES (5)

NO (0)

2. City Check Registers for February, March & April, 2005:

**MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY ALVIN HARWARD TO
APPROVE THE CITY CHECK REGISTERS FOR FEBRUARY, MARCH & APRIL, 2005
VOTE: YES (5) NO (0)**

3. Office Sidewalk Pole Light:

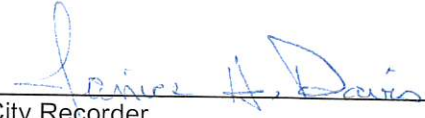
**MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY ALVIN HARWARD TO
APPROVE UP TO \$500 FOR A RAILING ON THE NORTH END OF THE FRONT WALK OF
THE CITY HALL; AND UP TO \$813 FOR A POLE LIGHT IN THE SAME AREA
VOTE: YES (5) NO (0)**

MINUTES

No minutes for approval at this time.

ADJOURNMENT

Mayor Fritz Adjourned the Meeting at 9:00 PM.



City Recorder

