

AMENDED NOTICE & AGENDA

Notice is hereby given that the City Council of Elk Ridge will hold a regular City Council Meeting on Tuesday, June 14, 2005, at 6:30 PM, to be preceded by a Public Hearing, at 6:05 PM, on a Proposed Ordinance Amending the Elk Ridge City Code providing for the Permitted Uses in Zones allowing the Raising, Care & Keeping of Livestock and Fowl.

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/ORDINANCE RE: PERMITTED USES IN ZONES ALLOWING THE RAISING, CARE & KEEPING OF LIVESTOCK & FOWL

Public Hearing/Ordinance Amending the Elk Ridge City Code providing for the Permitted Uses in Zones allowing the Raising, Care & Keeping of Livestock & Fowl

6:30 - PM REGULAR CITY COUNCIL MEETING AGENDA ITEMS:

Opening Remarks and Pledge of Allegiance

Approval/Agenda Time Frame

6:30 2. Adoption of Ordinance Providing for Permitted Uses in Zones Allowing the Raising, Care & Keeping of Livestock & Fowl

6:35 3. Contract for Purchase of Elk Ridge Share of Salem Sewer System – Mayor Fritz

6:45 4. Sport Court/Adjustment in Costs – Mary Rugg

7:00 5. Volleyball Court Improvements – Mary Rugg

7:05 6. Update on City Celebration – Mary Rugg

7:10 7. Schedule Public Hearings:

A. Adoption of Final 2004/2005 Budget and Capital Improvement Plan

B. Truth in Taxation Hearing

C. 2005/2006 Fiscal Year Budget & Capital Improvement Plan

7:20 8. Expenditures:

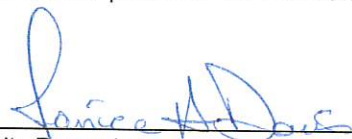
General

7:25 9. Minutes of Previous City Council Meetings

Adjournment

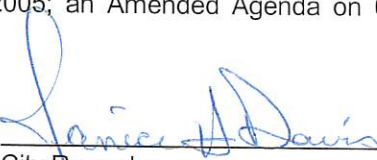
*Handicap Access, Upon Request. (48 Hours Notice)

The times that appear on this Agenda may be accelerated if time permits. All interested persons are invited to attend this meeting. Dated this 13th day of June, 2005.


City Recorder

CERTIFICATION

I, the undersigned, duly appointed and acting City Recorder for the municipality of Elk Ridge, do hereby certify that a copy of the Notice of Agenda was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and provided to each member of the governing body on June 9, 2005; an Amended Agenda on 6-10-05; & an


City Recorder



**ELK RIDGE
CITY COUNCIL MEETING
June 14, 2005**

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**TIME & PLACE
OF MEETING**

This Regular Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, June 14, 2005, at 7:00 PM.** It was preceded by a **Public Hearing scheduled for 6:05 PM,** for the purpose of hearing public comment regarding a proposed Ordinance amending the Elk Ridge City Code Providing for Permitted Uses in Zones allowing the Raising, Care & Keeping of Livestock & Fowl. All interested persons were invited to be heard.
The meetings were held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah.

Notice of the time, place and Agenda of the Scheduled Council Meetings & Public Hearings, was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on June 9, 2005; and Amended Agendas on 6-10-05 & on 6-13-05.

6:00 PM

PUBLIC HEARING/ORDINANCE RE: RAISING, CARE & KEEPING OF LIVESTOCK & FOWL
Public Hearing/Proposed Ordinance Amending the Elk Ridge City Code Providing for Permitted Uses in Zones allowing the Raising, Care & Keeping of Livestock & Fowl

ROLL CALL

Mayor: Vernon L. Fritz; *City Council:* Mary Rugg, Russell Sly (Absent: Gary Prestwich, Alvin Harward & Mark Johnson); *Sheriff:* Deputy Petro; *Planning Commission:* Ray Brown; *Public:* Nelson Abbott, Steven & Cory Nielsen, Jim & Chris Clark, Anette Brigham, Mike Brockbank, Weston Youd; and *City Recorder:* Janice H. Davis

Mayor Fritz opened the Public Hearing at 6:05 PM, directing that public comments should be held to 2 or 3 minutes and that each speaker should state his/her name for the record.

Public Comments:

0. Steve Nielsen: (Resident on Jamileh Cr.) He moved to Elk Ridge in October, 2004, with the understanding that he would be able to raise pigeons. He raises a breed of pigeons that are trained to perform acrobatics in the air. His neighbors were informed of this hobby and none of them have expressed any concerns about his ownership of these pigeons. He has about 45 pigeons.

Although he understands the concerns that some people may have regarding keeping pigeons within the City limits, he feels many of those concerns are unfounded. If owners practice responsible management, there should be no issues with the neighbors.

Another point to make is that wild birds make more of a mess on people's houses than privately owned pigeons do; yet residents install bird feeders and baths to attract wild birds into their yards.

He would like the City to consider Orem City's ordinance, which is much more liberal; but at Least something similar to the Pleasant Grove Ordinance, with modifications.

The Pleasant Grove Ordinance is quite extensive, but places restrictions on ownership.

0. Nelson Abbott: (7-year resident) He is concerned with the direction the City seems to be taking regarding pigeons. He would like the Council to reconsider.
There seem to be certain main categories of complaints: Sound (noise) issues, health issues, and overall nuisance issues. He also feels that most of these issues are unfounded.
The complaint about being a health issue due to fecal material is not realistic, for the most part; the birds are fed inside the coop after they have flown...this is where they dispose of waste. He also feels wild birds are more of a mess.

He currently does not have any pigeons in Elk Ridge. He owns about 15 birds in Payson and is waiting to see what the result of this proposed ordinance will be.

0. Jim Clark: (Resident on Astor Ln.) Mr. Clark owns pigeons and has gone through the process with the Planning Commission to be able to have these birds. He feels he may be the origin of the issues of concern. The Council needs to be aware that the origin in recent times is over a boundary dispute with one of his neighbors, not about pigeons.

This dispute has evolved into a law suite with this neighbor.

Mr. Clark was contacted by the press as to his opinion of the "Pigeon" Ordinance. The press even came out and took photos of the birds and their coop for an article that came out on the subject. Not long after that he received a letter from the City's Planner, Ken Young, regarding the maintenance of his pigeons and a complaint registered with the City.

Mr. Clark feels the complaint came from the neighbor he has the boundary dispute with.

There is no problem with his other neighbors. If there are problems with anyone, he/she has not approached Mr. Clark for a solution.

0. Chris Clark: There have been concerns expressed regarding "health issues" associated with their pigeons. She wants to inform the Council of some of the things that have been happening. There are other health issues to consider. They have a son with spine-abifita and has a feeding tube attached to him. He has had the experience of being outside on their lawn and had scooted across the yard, through dog "leavings"...and his tube was filled with dog poop. They do not own a dog or a cat. They have tried to be good neighbors regarding other people's animals (including the neighbor they are having problems with) and have not made an issue of this problem. She feels this is much more of a health problem than their pigeons.
0. Mike Brockbank: (Resident on Hillside Drive) He was present to discuss another issue regarding the proposed ordinance on the handling of livestock & fowl; he owns a miniature horse; and keeps it at this home. His children are very attached to the horse, consider it their pet; and wanted to know if there is a problem
- Mayor Fritz: Responded that the Zone he lives in does not have animal rights for horses and other similar animals. The Planner (also the Zoning Administrator) was assigned to inspect the situation and to review the ordinance with Mr. Brockbank. There must be ordinance enforcement within the City. The Mayor would be happy to meet with Mr. Brockbank at a later time, but this is a violation of the existing ordinance. There have been complaints about this and another similar situation and the Mayor and the Planner will act upon complaints. (No one has complained to Mr. Brockbank about this.)

There were no further comments.

Mayor Fritz closed the Public Hearing at 6:27 PM.

NON-AGENDA
ITEM

Russell Sly: The sewer lines need to be cleaned out; however the expense will be moved to the 2005/2006 fiscal year.

**ELK RIDGE
CITY COUNCIL MEETING
June 14, 2005**

TIME & PLACE
OF MEETING

This Regular Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, June 14, 2005, at 7:00 PM**. It was preceded by a **Public Hearing scheduled for 6:05 PM**, for the purpose of hearing public comment regarding a proposed Ordinance amending the Elk Ridge City Code Providing for Permitted Uses in Zones allowing the Raising, Care & Keeping of Livestock & Fowl. All interested persons were invited to be heard.

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

Notice of the time, place and Agenda of the Scheduled Council Meetings & Public Hearings, was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on June 9, 2005; and Amended Agendas on 6-10-05 & on 6-13-05.

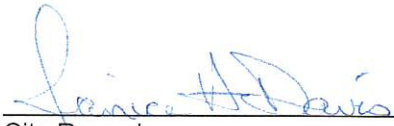
6:30 PM

REGULAR CITY COUNCIL AGENDA ITEMS:

THERE WAS NOT A QUORUM OF COUNCILMEMBERS AT THE MEETING; THEREFORE, NO BUSINESS COULD BE CONDUCTED. THE REGULAR SESSION OF THE SCHEDULED COUNCIL MEETING WAS CANCELLED, WITH AGENDA ITEMS BEING MOVED TO THE NEXT CITY COUNCIL MEETING.

ADJOURNMENT

Mayor Fritz Adjourned the 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, June 28, 2005, at 6:30 PM, to be preceded by a Public Hearing, at 6:05 PM,** on a the Adoption of the Final 2004/2005 Fiscal Year Budget & 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/ORDINANCE RE: FINAL AMENDED 2004/2005 BUDGET & CAPITAL IMPROVEMENT PLAN

Public Hearing/Final Amended 2004/2005 Fiscal Year Budget & Capital Improvement Plan

6:30 - PM REGULAR CITY COUNCIL MEETING AGENDA ITEMS:

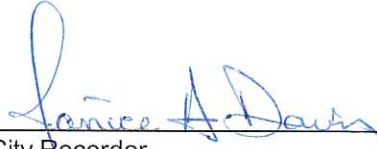
Opening Remarks and Pledge of Allegiance

Approval/Agenda Time Frame

- 6:30 2. Adoption of Ordinance Providing for Permitted Uses in Zones Allowing the Raising, Care & Keeping of Livestock & Fowl (Scheduled to be heard – Gregg Winn) – Mayor Fritz
 - 6:40 3. Adoption of Final Amended 2004/2005 Fiscal Year Budget & Capital Improvement Plan
 - 6:45 4. Contract for Purchase of Elk Ridge Share of Salem Sewer System – Mayor Fritz
 - 6:55 5. Sport Court/Adjustment in Costs (Ratify Poll Taken) – Mary Rugg
 - 7:00 6. Volleyball Court Improvements – Mary Rugg
 - 7:05 7. Update on City Celebration – Mary Rugg
 - 7:10 8. Traffic Signage in the City – Shawn Eliot
 - 7:25 9. Bid Acceptance/Loafer Canyon Road Sewer Project – Mayor Fritz
 - 7:35 10. Schedule Public Hearings:
 - A. Truth in Taxation Hearing (August 9, 2005)
 - B. 2005/2006 Fiscal Year Budget & Capital Improvement Plan
 - 7:45 11. Expenditures:
 - General
 - 7:50 12. Minutes of Previous City Council 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 23rd day of June, 2005.



City Recorder

CERTIFICATION

I, the undersigned, duly appointed and acting City Recorder for the municipality of Elk Ridge, do hereby certify that a copy of the Notice of Agenda was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and by on June 23, 2005.



City Recorder



ELK RIDGE
CITY COUNCIL MEETING
June 28, 2005

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TIME & PLACE
OF MEETING

This Regular Meeting of the Elk Ridge City Council, was scheduled for Tuesday, June 28, 2005, at 6:30 PM. It was preceded by a Public Hearing at 6:05 PM, for the purpose of hearing public comment regarding the Adoption of the Final Amendment for the 2004/2005 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 E. Park Drive, Elk Ridge, UT.

6:05 PM

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

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

ROLL CALL

Mayor: Vernon L. Fritz; *City Council:* Mary Rugg, Mark Johnson, Russell Sly, Gary Prestwich & Alvin Harward; *Daily Herald:* Heidi Hoth; *Public:* Anette Brigham, Steven & Krista Nielson, Nelson Abbott, Greg Winn, Cory Nielson, Weston Youd, Shawn Eliot; 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 current year's budget:

General Fund Revenue:

- Property Tax: Discussed Fund Balance and maintaining not more than 18% of the budgeted revenue for the General Fund.
- Sales Tax: Came in higher by about \$13,000.
- B&C Road Funds: Decreased by about 10,000 due to over payment in 2003/2004...State is decreasing the payments until they have recovered the excess payments.
- EMS Grant (1,079) has been distributed and should arrive within the week.
- Athletic Donations and 4th of July Donations will likely increase by the end of the week.
- Road Assessments-Loafer Canyon Rd.: 3,800 paid by Robert Nelson for finish work on Valley View Cr.

General Fund Expenditures:

- City Council Salaries: The Mayor would like to increase the wage for the position of Mayor Pro-tempore to 350/month from the current 300/month, as of July 1, 2005.
- Public Notices: Notices for pending Annexation and for bids on the Loafer Canyon Project were high.
- Fire Dept.: 16,352 carried over from last fiscal year from a Grant (10-55-740) + 4,500 original budget amount + 25,000 (new grant from Homeland Security)
- Fire Dept.: Loan Payment...Annual 13,000 +14,543 saved since 2001/2002 (Council agreed that anything saved between budgeted amounts and Actual amounts at the end of the year, could be applied to pay off the fire truck early.)
- Roads/Parks/Water/Sewer: 4-way split of 2,500 to go to Capital Projects/Equipment for future purchase of a new snowplow
- \$5,000 was transferred in from Capital Projects/Equipment for the purchase of a Utility Pickup.
- Transfer to Capital Projects/Loafer Canyon Rd: No transfer this year...the Project is held over until 2005/2006.

Capital Projects Funds:

Each of these Funds will have a notation under the heading, "Beginning Fund Bal." That explains what the fund balance at the beginning of that particular fiscal year was. This will show how much has accrued over the years.

Storm Drainage Fund:

Revenue: From the Storm Drainage Fee = 18,108

Expenditures:

- Cleaning the sumps has been moved to 2005/2006.
- The only expenditure was the portion of the Balloon Payment for the Retention Pond (6,020)

Water Dept.:

Revenue:

- Water Sales: (Reflects water rates) This has been a wet season and revenue has dropped from the expected 350,000 to 330,000.
- Sale of water rights has brought in over 90,000 with which the City needs to purchase more rights.
- Impact Fees: 20,100
- Connection Fees: 4,475
- Appropriated Use of Impact Fees (by Council decision: up to 60,000 was to be used on the 10" Water line Project...Actual = 57,747

Expenditures:

- Fire Hydrants: How many are needed? When will these be installed? Not in this fiscal year.
- 1990 "Dead Well" Bond: Retired this year with a payoff of 36,303 + regular payment of 6,722 made in December, 2004.

Sewer Dept.:

Revenue:

- Sewer Service Fee: Increased more than 2,000
- Transfer from Retained Earnings: To be used for the Loafer Canyon Rd. sewer line extension; moved to 2005/2006
- Impact Fees: 14,000
- Connection Fees: 3,625

Expenditures:

- O&M Costs to Salem City: An unexpected bill came in from Salem City for "Head Works Improvements" for a total of $54,306.47 \times 18\% = 9,775$ (Elk Ridge portion); that with increased monthly costs resulted in a 20,000 increase over the original budget.

Discussion:

The Council discussed the need for additional police protection. There were options presented that would allow double the coverage (40 hours/week) or the possibility of 24 hour coverage. These options would be very costly. Mark Johnson suggested the possibility of Woodland Hills and Elk Ridge splitting the costs; or even a tri-city safety district, which would included fire protection as well as police protection. Funding needs to build up to allow this to happen. The gap between General Fund Revenues and Expenditures needs to lessen to allow the Fund Balance to build. As it is, the City budgets about 100,000 deficit each fiscal year. This began to be the case the year the road projects in Loafer Canyon Rd. & Fremont Way ran so far over budget and has continued since to get the City's roads in better condition. Regular road maintenance should cut expenditures a bit. The spending comes from all areas, not just roads. Cost of living increases each year; the City must keep pace with these increases.

The Council is considering an increase to the suggested tax rate for the 2005 tax year.

The Council generally is not opposed to a tax increase, as long as the money is for a specific and worthwhile use.

**ELK RIDGE
CITY COUNCIL MEETING
June 28, 2005**

TIME & PLACE
OF MEETING

This Regular Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, June 28, 2005, at 6:340 PM.** It was preceded by a **Public Hearing at 6:05 PM,** for the purpose of hearing public comment regarding the Adoption of the Final Amendment for the 2004/2005 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 June 23, 2005.

ROLL CALL

Mayor: Vernon L. Fritz; *City Council:* Mary Rugg, Mark Johnson, Russell Sly, Gary Prestwich & Alvin Harward; *Daily Herald:* Heidi Hoth; *Public:* Anette Brigham, Steven & Krista Nielson, Nelson Abbott, Greg Winn, Cory Nielson, Weston Youd, Shawn Eliot; & *City Recorder:* Janice H. Davis

REGULAR CITY COUNCIL AGENDA ITEMS

- OPENING REMARKS & PLEDGE OF ALLEGIANCE** (mayor Fritz commented that none of the citizens have turned in their names to be included on the Council Agenda to offer opening remarks; this requires the Mayor to call on someone form either the Council or the audience to offer opening remarks for the Meetings.)
An Opening Prayer was offered by Gary Prestwich; after which the Pledge of Allegiance was led by Alvin Harward, for those wishing to participate.
- AGENDA TIME FRAME** **MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY GARY PRESTWICH TO APPROVE THE AGENDA TIME FRAME; WITH THE START TIME BEING CHANGED TO 6:48 PM**
VOTE: YES (5) NO (0)
- ORDINANCE – LIVESTOCK & FOWL** Ordinance/Adoption of proposed Ordinance Providing for Permitted Uses in Zones Allowing the Raising, Care & Keeping of Livestock & Fowl
The Public Hearing was held on 6-14-05; due to lack of quorum, the Regular Session of the Council Meeting was adjourned.
Mr. Greg Winn requested some time to address the Council regarding this proposed ordinance, specifically as it pertains to pigeons.
Greg Winn: (Resident of Elk Ridge on Astor Ln.) Mr. Winn lives next door to Mr. Jim Clark (owner of pigeons). In the past, he submitted a nuisance claim against Mr. Clark and his pigeons, complete with photos of the coop.
Issues:
0. The Pigeon Coop is "filthy" & in ill repair
0. There are also pigeons housed in Mr. Clark's garage.
0. The pigeons fly during the day, landing on his roof and leaving droppings. (He has a video of the birds on Mr. Winn's house.)
4. The "cooing" is disturbing, particularly at night and is a nuisance, at least to him.
Mr. Winn has no ill will toward Mr. Clark; but he feels that this is a mess and that Mr. Clark's interests should not be imposed on neighbors or put others at risk in any way.
Nelson Abbott: The Nuisance Ordinance is in place and can be used to deal with situations. A "ban" on pigeons will not solve Mr. Winn's problem, since Mr. Clark is "grandfathered" in to be allowed the ownership of pigeons. He asks the Council not to preclude others from the right to have pigeons based on the complaint of one person. The Pleasant Grove Ordinance has been considered and he asks that the Council reconsider this type of Ordinance.
Steven Nielson: Agrees with Mr. Abbott; he added that pigeons can be a bit noisy, but they are usually quiet at night, if the lights are off in the coop.
Mayor Fritz: Noted the absence of citizens opposing pigeons, with the exception of Mr. Winn. He added that Mr. Clark is the only resident that has a "Conditional Use Permit" to have pigeons on his property; all others are in violation of the proposed Ordinance.
Council Comments:
Gary Prestwich: He, frankly, sees no difference between pigeons "cooing" and dogs barking. Barking dogs are much more irritating, yet the City is not proposing to disallow dogs. There have many more problems with dogs in the community than pigeons. He would vote "no" on the proposed ordinance, as it stands currently.
Mary Rugg: Agrees with Councilmember Prestwich. This issue has been under consideration for some time and she feels it is a matter of enforcing the Nuisance Ordinance. We live in an environment where Nature is part of Elk Ridge's attractiveness, she does not feel that one species of animal should be singled out. Some of the owners of pigeons live close to her and she would not have known that they have birds...they have not been a problem.
(Directing her comment toward Mr. Winn) Since Mr. Clark is "grandfathered" in, this proposed ordinance would not affect that particular situation, "What would you like to see the City do?"
Mr. Winn: He feels, if someone is to have animals, they need to care for them appropriately and be respectful to their neighbors. This is not the case with this situation.
Mary Rugg: The City Inspector did go out to assess the situation at Mr. Clark's pigeon coop, and his report stated that he found everything to be satisfactory.
Mr. Winn: Feels this report to be in error; that the coop is still in a state of disrepair; and is still a mess. Violations could be handled individually.

(Mayor Fritz, hopfully7 with Mr. Young, will visit Mr. Clark's yard and check on the condition of the coop.)

Russell Sly: He is unsure of the ordinance, as presented; however, he realizes that a great deal of time and research has gone into this draft and he is not willing to disregard it at this point. He feels further investigation is warranted.

Alvin Harward: Agrees with comments that have been made. He feels Mr. Winn has the right to file a complaint and that the issues should be addressed; but he is not in favor of taking the privilege of raising birds away from citizens.

Mark Johnson: Any animal becomes a nuisance, if not cared for properly. He has gone to the homes of various owners to observe the activities of the pigeons; he has found nothing indicating a nuisance. He is not ready to vote on the proposed ordinance, as it stands.

Mayor Fritz: Summarized that it seems to be a consensus to send this proposed ordinance back to the Planning Commission for further work. He asked that the Councilmembers have specific suggestions for the Planning Commission in his folder by the following Tuesday. He will review the suggestions with the Planning Commission.

Suggestion: Documents that come forward from the Planning Commission to the Council should come with a memo summarizing any issues needing attention; as well as their recommendation to the Council.

FINAL AMENDED
2004/2005 BUDGET
& CIP

Adoption:

No further comments were made.

MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY ALVIN HARWARD TO ADOPT THE FINAL AMENDED 2004/2005 BUDGET AND CAPITAL IMPROVEMENT PLAN
VOTE: YES (5) NO (0)

CONTRACT:
PURCHASE OF
ELK RIDGE SHARE
OF SALEM SEWER
PLANT

Mayor Fritz: The latest draft of the proposed contract has gone to the City's Attorney, David Church, for comments; he feels the contract is acceptable.

The Mayor would like the authority to sign the contract with Salem when the contract with Payson is solidified. He would like to be able to inform Mayor Brailsford (Salem) that the terms of the Agreement are acceptable to the Elk Ridge Council.

*If Mayor Fritz is still in office, he will bring this contract back to the Council prior to him signing it, for the Council's final check.

MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY ALVIN HARWARD TO AUTHORIZE THE MAYOR OF ELK RIDGE TO SIGN THE AGREEMENT BETWEEN SALEM CITY AND ELK RIDGE FOR THE PROPOSED PURCHASE OF ELK RIDGE'S PORTION OF THE SALEM SEWER PLANT

VOTE: YES (5)

NO (0)

SPORT COURT –
ADJUSTMENT IN
COSTS

Mary Rugg: To finish the Sport Court with a "Ramp edge" + labor form Sport Court of Utah:

- Materials: 319.20

- Labor: 650.00

969.20 (Total) *To come from Park Impact Fees

MOTION WAS MADE BY MARY RUGG AND SECONDED BY GARY PRESTWICH TO RATIFY THE POLL OF COUNCILMEMBERS TO APPROVE \$969.20 TO COMPLETE THE SPORT COURT

VOTE: YES (5)

NO (0)

VOLLEYBALL COURT
IMPROVEMENTS

Mary Rugg: Bid for curbing around the Volleyball Court area and to extend the area by the tennis court and around the swing set and by the older playground area:

Bid = \$852 (Next fiscal year budget...This was the lowest of three bids.)

Sand for the Court = \$600 (picked up by Public Works Dept.)

MOTION WAS MADE BY MARY RUGG AND SECONDED BY GARY PRESTWICH TO APPROVE THE BID FOR \$852 TO INSTALL CURBING FOR THE VOLLEYBALL COURT/PARK IMPROVEMENTS AND \$600 FOR SAND FOR THE VOLLEYBALL COURT

VOTE: YES (5)

NO (0)

*This is to be taken from Park Impact Fees.

CITY
CELEBRATION –
UPDATE

Mary Rugg: The City Celebration, scheduled for the 1st & 2nd of July is well-planned and is moving forward. The Council needs to plan to be at the Mayor's Dinner on Friday evening. Councilmember Prestwich will set up the sound system out by the Pavilion.

TRAFFIC SIGNAGE
IN THE CITY

Shawn Eliot: (Works for Mountainland Assoc. of Govt. and is a resident of Elk Ridge)

1. At the last Council Meeting when he was in attendance, one of the Fire Dept./EMT's spoke of her concern for street names that sound similar. She suggested that the City create a list of street names for developers to draw ideas from.

Mr. Eliot submitted a list of possible types of street names: Patriotic, Nature, Animal, Geographic. He also suggested using other references besides "drive"; such as "Way", "Blvd.", "Loop", "Court", "Terrace", etc.

1. Proposal for Street Signs:

A) The street signs in the City are in varied levels of disrepair and sizes.

He proposes 6" signs with the City logo (shown on page 1 of his handout).

- Easier to read for emergency vehicles and at night
- Logo would be useful with growth and boundaries are closer

He also proposes a grid system also listed on the signs

B) Missing street signs (21 missing) or only one sign installed identifying only 1 of the 2 streets.

C) Non-standard coordinates

D) Bent & crooked poles and signs

E) Map of current conditions of signs

F) Costs:

- Current 4" lettering (2 signs + post) = \$58 per sign
- 6" lettering/City logo (2 signs + post) = \$87 per sign
- Install missing signs = \$1,991 (#1 Priority)
- Renaming Confusing Streets (#2 Priority) = \$1,417 – 2,051
- Replace Damaged signs (14 signs = \$609)...(#3 Priority)
- Replace Incorrect signs (22 signs = \$957)...(#4 Priority)
- Replace Remaining signs (40 signs = \$3,480)...(#5 Priority)
- Grand Total = \$8,454 to 9,088

Comments:

Mary Rugg: The Council still needs to address the speeding issue on Hillside Dr. There are still complaints along that street.

Shawn Eliot: The options discussed would apply to Hillside. He feels one or two islands combined with striping would slow traffic down.

(Mr. Eliot is to meet with Councilmember Prestwich on speeding issue in town.)

* The subject, with specific recommendations will be on the next City Council Agenda.

LOAFER CANYON RD.
BID ACCEPTANCE –
SEWER LINE
PROJECT

Mayor Fritz: The Council was polled on the acceptance of the lowest bidder on the Loafer Canyon Sewer Project. The Mayor's recommendation was/is to accept the low bid from DPG Construction, for \$44,883. The Council was polled on 6-22-05 (3 were in favor). Both the Public Works Superintendent and the City Engineer "speak well of the contactor and also recommend we accept his bid.

Russell Sly: Aqua Engineering thinks the Project will begin in about another week or two; and that the entire Project should only take about 2 weeks to complete.

MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY ALVIN HARWARD TO RATIFY THE POLLED VOTE TO ACCEPT THE BID FROM DPG CONSTRUCTION, IN THE AMOUNT OF \$44,883, FOR THE LOAFER CANYON SEWER LINE PROJECT

VOTE: YES (5)

NO (0)

SCHEDULE
PUBLIC HEARINGS

1. Truth in Taxation Hearing:

MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY GARY PRESTWICH TO SCHEDULE A TRUTH IN TAXATION PUBLIC HEARING TO CONSIDER EXCEEDING THE SUGGESTED TAX RATE FOR THE 2005 TAX YEAR, FOR AUGUST 9, 2005, AT 6:00 PM

VOTE: YES (5)

NO (0)

Mayor Fritz: The Mayor spoke of the need to increase revenue in the General Fund to eventually consider an increase of Police coverage in the City. Full-time or 24-hour coverage would cost between \$160,000 – 180,000/year(cost information supplied by Mark Johnson).

Mark Johnson: There is the possibility of splitting this cost with Woodland Hills or one shared Police Force for three cities (Unified Public Safety District). Much of the cost is associated with benefits for the employees, themselves.

Russell Sly: Feels that Elk Ridge should move toward our own police force.

Mayor Fritz: Submitted a summary of various options for the 2005 Tax Rate. The suggested Tax Rate from the State would generate \$156,380 in Property Taxes for Elk Ridge, at a Tax Rate of .002122.

He recommends raising approximately \$25,000 over last year's budgeted revenue; this would require a Tax Rate of .002382, which would generate property taxes in the amount of \$175,541 (\$25,036 over last year's budgeted revenue).

City Recorder: The notice of Public Hearing lists the affect that this proposed increase will have on an average priced home in Elk Ridge.

Mary Rugg: Suggested considering a "volunteer" police force.

Mark Johnson: There would be too much liability on a volunteer Police Force.

Though the Mayor mentioned "earmarking" the increased revenue for the future increase in Police coverage, the City Recorder pointed out that the City has been running at a deficit in the General Fund for a few years; how would the Council guarantee that the money would go to this purpose when the gap between Revenues and Expenditures need to be closed?

Gary Prestwich: Cost of living goes up every year; yet the Council continues to view the budget for the City as if it doesn't go up. It is not just in Roads...everything goes up. This is a "bedroom community", and the residents are forced to pay for these increases without the assistance of commercial businesses.

Alvin Harward: Growth brings income.

Mayor Fritz: Statistics show that taxes and fees generated by new development really only covers about 75% of the actual cost of maintaining the developed property.

The Mayor asked the Council for their response to his proposed tax rate:

Russell Sly: In favor of designating a portion of the proposed increase to Police protection; but some of it will have to be used to "just pay the bills" in the City.

(This could be accomplished by an annual transfer from the General Fund, into a new Capital Project Fund, specifically for a future increase in Police Protection.)

Mary Rugg: Was not "inclined to make a statement yet".

Alvin Harward: He could not support a tax increase unless the Council looks at every way to cut expenditures first. He stated that problems lie with other areas, as well; such as the Sewer Dept. It is running at a negative balance...sewer rates need to be raised.

He does not feel raising property taxes is the only answer.

Mark Johnson: Agrees with Councilmember Harward in that expenditures needs to be considered; and the accrual of financing for future increase in Police coverage could wait...the City does not need it right now. As growth occurs, then added coverage will be needed.

He could support an increase in taxes if the added revenue were designated for a specific purpose...perhaps to accrue for a future increase in Police coverage.

Gary Prestwich: He feels a view of the General Fund is a bit more complex than simply saying we need added revenue for an increase in Police protection; he feels it is a combination of all the parts that make up the various Depts. that experience a rise in costs. Examples: Salt for the roads, asphalt went up 15% last year due to high cost of oil, it will surely be more this year since oil has gone up even further...this also has an affect on fuel for the City vehicles. Everything is going up.

Mayor Fritz: Again asked all members of the Council to have their reasons and suggestions for solutions to these issues before the scheduled Public Hearing. Some times the Council just has to consider raising taxes, depending on the overall condition of the finances of the City.

2. 2005/2006 Fiscal Year Budget & Capital Improvement Plan:

The Mayor asked that the Council consider raising the monthly wage for the Mayor pro-tempore from \$300 to \$350, beginning July 1, 2005; to be included in the 2005/2006 Budget.

MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY RUSSELL SLY TO SCHEDULE A PUBLIC HEARING ON AUGUST 9, 2005, AT 6:45 PM, TO CONSIDER THE ADOPTION OF THE 2005/2006 FISCAL YEAR BUDGET & CAPITAL IMPROVEMENT PLAN

VOTE: YES (5)

NO (0)

EXPENDITURES:

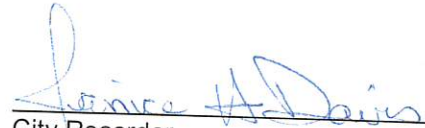
General: None

MINUTES

MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY RUSSELL SLY TO
APPROVE THE CITY COUNCIL MINUTES OF 4-26-05, 5-10-05, 5-24-05 & 6-14-05
VOTE: YES (5)
NO (0)

ADJOURNMENT

Mayor Fritz Adjourned the Meeting at 8:40 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, July 12, 2005, at 7:00 PM; to be preceded by a City Council/Planning Commission Work Session at 6:00 PM. The meeting will be held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

6:00 – PM CITY COUNCIL WORK SESSION


1. **JOINT CITY COUNCIL/PLANNING COMMISSION MEETING – Mayor Fritz**
Open Discussion Involving Priorities & Better Communication
Discussion: Ordinance regarding Livestock & Fowl
2. Traffic/Speed Control – Mayor Fritz

7:00 - PM REGULAR COUNCIL MEETING AGENDA ITEMS:

- Opening Remarks and Pledge of Allegiance Invitation
Approval/Agenda Time Frame
- 7:05 3. Traffic Control: Intersection of Hillside & Mahogany – Gary Prestwich
- 7:20 4. Grandview Estates, Plat A & B:
A. Council Acceptance of Subdivision Improvements
B. Begin Durability Retainer Time Period
- 7:25 5. Expenditures:
General:
A. Approval of City Check Registers
- 7:30 6. Approval of Minutes of Previous Meetings
Adjournment

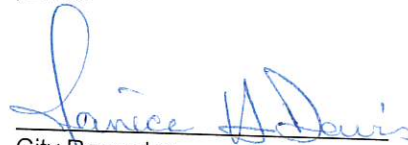
*Handicap Access, Upon Request. (48 Hours Notice)

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


City Recorder



ELK RIDGE
CITY COUNCIL MEETING
July 12, 2005

135

TIME & PLACE
OF MEETING

This Regular Meeting of the Elk Ridge City Council, was scheduled for Tuesday, July 12, 2005, at 7:00 PM. It was preceded by a Joint Work Session with the Planning Commission and the City Council at 6:00 PM.

All interested persons were invited to be heard.

The meetings were held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, UT.

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 July 7, 2005.

6:00 PM

CITY COUNCIL WORK SESSION

JOINT CITY COUNCIL/PLANNING COMMISSION MEETING

ROLL CALL

Mayor: Vernon L. Fritz; *City Council:* Mark Johnson, Russell Sly, Gary Prestwich & Alvin Harward (Absent: Mary Rugg); *Planning Commission:* Raymond Brown (*Chairman*) & Scot Bell, Russ Adamson, Dennis Dunn & Mel LeBaron; *Daily Herald:* Heidi Toth; *Public:* Shawn Eliot; *Planning Coordinator:* Margaret Leckie; and *City Recorder:* Janice H. Davis

Mayor Fritz: (Memo) Communication between the Planning Commission and the City Council was discussed in the Planning Commission meeting; it was felt it would be helpful to have a joint workshop between the bodies.

Some of the discussion topics might be: (As suggested by the Planning Commission)

- A. What are the topics of concern to the Planning Commission? Are these also topics of concern to the City Council?
- B. What priority would the City Council give to the items the Planning Commission is working on?
- C. Are there other items the City Council would like to see the Planning Commission working on?
- D. Are there items currently being worked on by the Planning Commission that the City Council does not feel should be high priority?
- E. What can the two bodies do to help the communication between them improve?
- F. During this workshop meeting the City Council should decide upon & prioritize the topics of discussion.

Minutes for Planning Commission meeting continued:

"Our part could be as simple as listing the items we are making progress on and give them a list of what we have been working on and what they want our priorities to be. We might also get information on what they have done with the items we have sent to them. It was suggested that we get the minutes of the City Council included in our packets." (PC Packets)

The Mayor suggested a "casual setting" with the Work Session and invited open discussion.

Mayor Fritz is determined to have a good working relationship with the Planning Commission, though there have been problems in the past, including a faster response time between the two bodies. He feels this will be implemented by a log/tracking system to monitor the actions taken by both bodies on projects. (A sample was submitted to members present.)

Topics of Concern:

- Proposed Annexation

Dennis Dunn (Planning Commission): The PUD portion of the Development Code has been under consideration; to bring into line with some of the concerns regarding such things as: percentages of "Open Space", density bonuses & streetlights.

Bonuses:

Scot Bell (Planning Commission): One of the topics discussed was to look at "high value structures" or "density bonus"; meaning that there could be 25% or 30% open space and someone will have to maintain it. Option: To give back to the developer a portion of the land being developed in exchange for less acreage, but with a "high value structure" built on it (club house, swimming pool, etc.).

Mayor Fritz: Recognized these topics as being specific to development; but wished to also understand if there are concerns about the relationship between the Planning Commission & the City Council.

Scot Bell: Feels that communication could be improved; giving an example the issue of road widths during development: The policy the Planning Commission is recommending is full-width roads. In the instance of Grand View Estates (south of the golf course on Gladstan Dr. & Elk Meadow). The Planning Commission changed the policy, recommending full-width roads; however, Grand View could not be held to this standard. The PUD issues need to be solved before the pending annexation becomes a reality, or the City will be forced to approve inferior PUD's, just as an inferior standard had to be approved with the Grand View Subdivision.

Mayor Fritz: The Mayor was still unclear how these specific subjects relate to the overall relationship between the planning Commission & the Council.

Russ Adamson: From his position (fairly new member on the Planning Commission), it seems that things takes a long time. The processes need to be streamlined.

For example: The Planning Commission feels a great deal of pressure with the pending proposed Annexation. They are trying to upgrade some of the Land Use Elements and Codes so that these things are in place when/if the annexation is approved. The Planning Commission has done all this without a great deal of feedback from the Council to guide them in the direction they are going.

How does the Planning Commission work with the Council to prioritize the issues and to speed up the processes? How can these issues be "fast-tracked" and still make sure things are done correctly and in the best interest of the City?

Mayor Fritz: Feels the Council would agree with these concerns. The representatives to the two bodies need to relay the direction to be followed. A suggestion discussed in Council Meetings is that the Planner prepares a memo to accompany any action recommended from the Planning Commission to the Council; this would explain the recommendations and the reasoning behind them.

*The Mayor will work on this matter of "communication" between the two bodies. Mr. Brown and he will be meeting once a month to clarify the current issues.

Ray Brown (Planning Commission Chairman): He feels there has been progress in this area with various Councilmembers in attendance at the Planning Commission Meetings; the Planning Commission needs to do the same and assign members to be present at the Council Meetings. The recommendations and resulting actions will be tracked in a more organized manner; this should help.

Russell Sly: An example of what the Mayor referred to was the Livestock/Fowl Ordinance; if there had been a memo accompanying the proposed ordinance, it may have clarified the reasoning to completely exclude pigeons. This summary statement would have been helpful to the Council.

Ray Brown: (Brief history of the proposed Livestock Ordinance)
The Planning Commission spent three meetings on this matter; it originated with a complaint registered with the Mayor regarding pigeons becoming what the person claimed to be a "nuisance". At this same time, the Planning Commission was reviewing the animal control Ordinance to see if it could be clarified. Ken Young (Planner) produced sample ordinances from other cities to be considered. There are cities that do allow pigeons, at various levels of control. If not listed specifically, certain animals would be handled under the "Nuisance Ordinance". (Mr. Clark's pigeons would be grandfathered in, so any change would not affect him anyway.)

The Planning Commission carefully considered the options and decided it would better serve the Community to not allow pigeons at all.

Scot Bell: The process of submitting documents to the City Council:

Example:

- A proposed revision of the Livestock/Fowl ("Pigeon") Ordinance will be submitted to the Council
- A member of the Planning Commission will come to the Council Meeting and/or City Planner...to explain the recommendation and answer any questions
- The member and/or Planner will then return to the Planning Comm. to report how the Council viewed the recommendation
- (Mr. Bell feels it would also be helpful): If the Council was hesitant to make a decision that night, then a member of the Council could attend the next Planning Commission to explain why and any further direction from the Council. Then the Planning Comm. could discuss the issues with him/her at that time.

Mayor Fritz: (RE: Livestock & Fowl Ordinance) When the Council decided to remand this proposed ordinance back to the Planning Comm., he asked the Councilmembers to have their reasons for denial and any suggestions to move forward in his folder within a few days of the last Council Meeting; no one has responded.

Ray Brown: Explained the difference between the charters of the Planning Commission and the Council:

- Planning Commission: The member cannot have a personal "agenda" resulting from a campaign platform...the members are appointed. The Commission considers the betterment of the Community, "in line with the General Plan and the Ordinances...we can't go beyond that".
- City Council: Has a little more leeway...and the members may have their personal agendas.

Dennis Dunn: The Commission's action must be supported by documents...and fact. Personal opinion may not agree with the existing regulations, but those laws and regulations must be protected.

The Planning Commission needs direction on the various matters being considered, such as PUD's, Off-site reimbursements, pigeons, etc.

RE: the Livestock/Fowl Ordinance...Ken Young did not want to be the interpreter of vague regulations, as the Zoning Administrator. He suggested going back to a point system, such as in the sample ordinance from Pleasant Grove. Unfortunately, no pigeon owners came to the Meeting where this was discussed, to represent their side of the issue. (The Mayor added that the only representative at the Public Hearing was the person who had filed a complaint against pigeons.)

Russ Adamson: He agrees that the Planning Commission needs direction.

He thinks what is needed is: An agreement between the two bodies on a list of "hot topics":

He feels the following areas are "hot topics":

- Trails and walkways
- PUD's
- Sumps (Designs)
- Parks/Open Space

Does the Council agree? If so, what is next?

Gary Prestwich: (RE: One of the sumps) He consulted with the former City Planner (Jim Bolser) over 1 ½ years ago; requesting that he create an ordinance that would amend the Standards on Sump Design. The current Planner was also asked to do the same. That should come back to the Council.

Ray Brown: Added that the Ad Hoc Committee created by the Mayor did not follow through with their assignment and the Planning Commission had to act in place of that Committee.

Mayor Fritz: Reviewed past process of how to arrive at topics of concern: Often the Mayor initiates a topic & speaks with the Councilmembers, either collectively or individually, to get a consensus if the issue should be pursued. There are always ways to improve management.

Suggestion: The Council could meet quarterly (either alone or in conjunction with the Planning Commission) to discuss what issues should be addressed. There are times when the Council addresses certain issues due to public input or complaints and/or media coverage; thus these become "hot topics" by default. These discussions are difficult to fit in with the regular Public Meetings.

Both bodies liked this suggestion.

Scot Bell: Another example of lack of tracking would be understanding where the Council is with the CUP Water.

Dennis Dunn: Where would the Council like the Planning Commission to go with this? The Commission does not consider costs; if the costs are prohibitive, should the Planning Commission spend time working on this particular topic?

Top on their priority list is to write the PUD Ordinance in such a way as demonstrate good planning; including the sump design. (The Council is aware of the proposed sump design change.)

Trails & Open Space needs to be addressed carefully to avoid any "takings" issues. There is a separate Trails Committee preparing information.

Ray Brown: One of the topics the Planning Commission would like to have addressed further is road widths...full-width roads is what the Planning Commission prefers.

Road Impact Fees has also been considered and passed on to the Council; the Commission does not know where this idea is with the Council.

(Mayor Fritz did not recall in what form it came before the Council.)

It came forward under the title of "Off-site Reimbursements".

Impact fees could be used for road improvements; such as on main thoroughfares.

Gary Prestwich: Recalls that the Council assigned him to review it with Ken Young and for him (Mr. Young) to put it in a form to come forward. That is where it was left.

Mayor Fritz: This is why the "tracking" will take place from now on...Mrs. Leckie will be the one who tracks these recommendations/actions, so that both parties will be aware of the current status. The Council & Planning Commission will get together on a quarterly basis in an "open forum" discussion.

Ray Brown: The tracking suggestion dates back to when Rocky Mountain Subdivision submitted their plans; they showed ½ + 9' road width...this was not received well at the Planning Commission level. Their engineer claimed ½ + 9' was sufficient and the developer claimed that the plat submittal process was "in motion" prior to any change. The Planning Commission had no way of knowing if this was the case. They do not feel it is the best interest of this Community to have less than a full-width road.

Alvin Harward: Commented that the current Ordinance states ½ + 9' for road width. A developer is held to the Standards in place with the current ordinance and cannot be turned down based on something that is not in place.

(Chairman Brown responded that the Planning Commission thought that the Council had passed that ordinance; why does it take the Council so long to pass an ordinance?)

Councilmember Harward continued that he has not seen this particular request in the form of an ordinance before the Council for approval.

Mel LeBaron (Planning Commission Alternate Member): The conversation this evening began on the subject of "polarization" between the two bodies (Council & Planning Comm.). The responsibilities of the two bodies are so different...there should be no "polarization".

The question raised by Chairman Brown regarding the length of time it takes for the Council to come to a decision should really not be a concern of the Planning Commission.

(Councilmember Harward disagreed: he feels that recommendations to the Council do deserve timely responses and explanations.)

The Planning Commission does not have legislative power.

(Chairman Brown commented that all that is expected is the courtesy of effective communication & respect between the two bodies.) Mr. LeBaron agrees that there should be respect; but does not believe there is respect demonstrated toward the Council.

Russ Adamson: Added that another problem is how to motivate the citizenry to be more interested in the issues in the City. Both bodies need public input.

Russell Sly: The Newsletter is the handiest vehicle, but he is doubtful that too many citizens actually read the Newsletter.

Mayor Fritz: Summarized that he feels all are in agreement that tracking the actions and recommendations must be implemented, that there must be response to requests and that there will be quarterly "work sessions".

The Mayor asked that the conversation be turned to address the issue of the proposed "Livestock & Fowl" ordinance. Why did the Councilmembers feel they could not support the proposed ordinance, which would disallow pigeons within the City boundaries?

Russell Sly: He was not ready to vote on the proposed ordinance without more background and information.

Dennis Dunn: Would be ready to change his original position based on hearing from one of the owners, that he would be willing to adhere to regulations such as those supplied by Ken Young (Planner) in the sample ordinance from Pleasant Grove. to better track and monitor the care and keeping of pigeons.

Russell Sly: Expressed concern about enforcement of an ordinance such as this.

Ray Brown: The Planner was unwilling to interpret the Code, and felt the Code should be changed and clarified.

Russell Brown: The current problem would not be changed by this ordinance, since Mr. Clark would be grandfathered. (The Nuisance Ordinance would apply as far as enforcement.)

Gary Prestwich: Still maintained there is no difference between dogs and pigeons...they both are annoying to some and both make messes; yet the City does not disallow dogs...this is a case of "fairness".

Scott Bell: Gave a brief history of the reasoning behind the proposed ordinance disallowing pigeons and animal units. This issue originally came before the Board of Adjustments when he (Mr. Bell) was a member of that Board. It was determined that Mr. Clark could have the pigeons unless they became a nuisance, then the Nuisance Ordinance would apply; the reasoning at the time being: what would you rather have living next to you...one noisy dog or 500 quiet pigeons that do not become nuisances? This issue has been considered from many different perspectives.

The Planner's point of view should be taken into consideration regarding enforcement. Mr. Bell has researched this matter in the past and has found that even though there are cities that allow pigeons, most cities deal more in pigeon "abatement". Is Elk Ridge capable of enforcement of regulating the care of pigeons?

Alvin Harward: Would like to see regulations for maintaining pigeons and then address enforcement, if any given situation becomes a nuisance.

(The enforcement of the Nuisance Ordinance is a very lengthy and frustrating experience with the legal system. Enforcement is taking place, but brings very little in the way of results in actually abating the problem.)

Mr. Bell added that the law requires signed complaints to be able to defend the Ordinance in court; in a small community, neighbors resist this.

Mark Johnson: Agrees with Councilmember Harward; but also feels enforcement would be an issue if pigeons were allowed.

Gary Prestwich: Currently, the Nuisance Ordinance does not allow pigeons to residents unless they have a Conditional Use Permit; this is not being enforced. There are existing violations now. The law should cater to those that wish to be within the law, since there will always be those who do not care if they are in violation.

Russell Sly: He believes it is obvious that when we rely on the Nuisance Ordinance, it is extremely difficult to enforce through the legal system. He feels an ordinance dealing directly with the problem would be preferable, even though enforcement is still somewhat of an issue.

Mayor Fritz: Is not the Sheriff, yet he has been placed in that role. He prefers to handle the situations by responding to complaints registered with the City.

Russ Adamson: It is easier to enforce an ordinance that says, "no pigeons" rather than one that has many regulations to enforce.

Mel LeBaron: The 2 bodies need to clarify how they see one another. He feels it is a simple matter; the City Council is the "Supreme" Body...they are responsible only to the public they represent. The Planning Commission is responsible to the Council.

*(Mayor Fritz agreed to a point; he is still committed to courtesy, politeness and the ability to communicate effectively with the members of both bodies. The work the Planning Commission does is important and valued and deserves to be acted upon. He will get this tracking system going for the benefit to both the Council and the Planning Commission.)

TRAFFIC – SPEED CONTROL

Shawn Eliot (M.A.G.):

1. Intersection: Mahogany & Hillside

Recommendation for speeding & wide turns:

A. Curb & Gutter Islands (two @ about \$20/sq foot...40 X 1 ft. = About \$1,600)

B. Signage: A few signs at the top of Alpine should be moved away from the corner:

- Slow/Children
- No Outlet (Not applicable)
- Hill blocks View (On Hillside)
- Stop signs (2 on Mahogany)
- Cost = 6 new signs = About \$360

C. Striping (Slows Traffic) – Perhaps \$200

2. Speeding Issues: Recommends a "Speed Study"

After the speed data is collected, an average of an 80th percentile of what the people are driving is taken to be the speed that would be recommended for that area. Orem did this on 800 East, with two elementary schools and a Jr. High, and found that people were driving about 36 mph, rather than 25 mph. They raised the speed limit to 35 mph, striped the road and installed pedestrian islands where the crosswalks are (school zones). This was a courageous move; but in 6 months, they conducted another speed study and found the speeds had dropped to 34 mph. This action slowed people down and kept the law-abiding drivers within the law; rather than setting the speed limit "artificially" low and having few driving the speed limit.

He suggested considering this method for Park Drive, Elk Meadow Drive, Salem Hills & Goosenest (collector roads) or other roads. He can check on the price of the Speed Study.

ELK RIDGE
CITY COUNCIL MEETING
July 12, 2005

145

TIME & PLACE
OF MEETING

This Regular Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, July 12, 2005, at 7:00 PM**. It was preceded by a **Joint Work Session with the Planning Commission and the City Council at 6:00 PM**.

All interested persons were invited to be heard.

The meetings were held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, UT.

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 July 7, 2005.

ROLL CALL

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

REGULAR CITY COUNCIL AGENDA ITEMS

OPENING REMARKS
& PLEDGE OF
ALLEGIANCE

An Opening Prayer was offered by Russell Sly; 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 GARY PRESTWICH TO APPROVE THE AGENDA TIME FRAME; WITH THE START TIME BEING ADJUSTED TO 7:47 PM

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

TRAFFIC CONTROL

Intersection: Hillside Drive & Mahogany Way:

Gary Prestwich:

He would like the Council to vote on Mr. Eliot's proposal.

Alvin Harward: Mr. Eliot has done a great deal of work on this project and it is appreciated; but he feels this area gets little traffic compared to some of the other roads in the City: Salem Hills Drive, Elk Meadows, Park Drive, etc.

He is opposed to any kind of island or curbing in the middle of the roads. He feels they would be a problem with snowplows and would generally create an added hazard.

Striping should be done of the collector class roads.

He would be in favor of the signage.

Russell Sly: Complaints have been registered by some of the citizens on Hillside; the City should not ignore those. He is in favor of the island, the striping and the signs.

Mark Johnson: Agree with Councilmember Harward; that Hillside is a lower priority than other busier streets. He does not have a problem with the signs and the striping.

Mayor Fritz: Suggested approving a portion of the proposal.

MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY RUSSELL SLY TO APPROVE THE SIGNAGE AND STRIPING FROM THE INTERSECTION OF MAHOGANY WAY & HILLSIDE DRIVE TO WHERE NEW DEVELOPMENT BEGINS (OAK HILL ESTATES, PLATS A & C)

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

*Councilmember Harward would like to have the problem addressed that exists where Goosenest leads onto Park Drive; this area should be striped properly to force traffic to stay on the appropriate sides of the road.

GRAND VIEW
ESTATES, PLATS
A & B
DURABILITY

The City Council accepted the subdivision improvements as complete, as per Aqua Engineering's letter of recommendation, dated July 11, 2005.

MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY MARK JOHNSON TO ACCEPT THE SUBDIVISION IMPROVEMENTS AS COMPLETE FOR GRAND VIEW ESTATES,

PLATS A & B; AND TO BEGIN THE TWO-YEAR DURABILITY RETAINER TIME PERIOD AS OF

JULY 12, 2005

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

RETAINER

EXPENDITURES: General: None

MINUTES None to approve.

ADJOURNMENT Mayor Fritz Adjourned the Meeting at 8:00 PM.



Janice H. Davis
City Recorder

Michael L. Lohme
Planning Commission

NOTICE & AGENDA

Notice is hereby given that the City Council of Elk Ridge will hold a regular City Council Meeting on Tuesday, July 26, 2005, at 7:00 PM; to be preceded by a City Council Work Session at 6:00 PM. The meeting will be held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

6:00 – PM

CITY COUNCIL WORK SESSION

1. Citizen of the Year Recognition – Mary Rugg
2. Walking Trail Proposal – Dale Bigler
3. Loafer Canyon Road/Sewer Line Extension – Russell Sly
4. Road Report – Gary Prestwich
5. Emergency Preparedness/Change in Leadership – Mayor Fritz
6. Discussion/Property Tax – Mayor Fritz

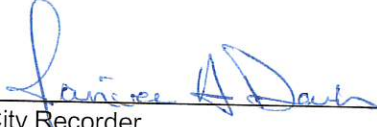
7:00 – PM

REGULAR COUNCIL MEETING AGENDA ITEMS:

- Opening Remarks and Pledge of Allegiance Invitation
Approval/Agenda Time Frame
- 7:05 7. Walking Trail Proposal/Approval of Bid – Dale Bigler
- 7:10 8. Proposed Road Abandonment – Blain Ogden
- 7:20 9. Eagle Project Reimbursement/Cameron Reece – Mary Rugg
- 7:25 10. Schedule Public Hearing:
A. Proposed Page Annexation
- 7:35 11. Water/Sewer Connection Request – Ortence Norlund
- 7:40 12. Expenditures:
General:
- 7:45 13. Approval of Minutes of Previous Meetings
Adjournment

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

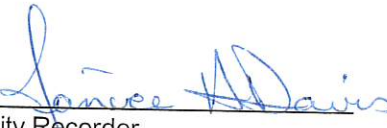
The times that appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting. Dated this 21st day of July, 2005.



City Recorder

CERTIFICATION

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 every member of the Governing Body on July 21, 2005.



City Recorder



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

**TIME & PLACE
OF MEETING**

The regular Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, July 26, 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 July 21, 2005.

CITY COUNCIL WORK SESSION AGENDA ITEMS

ROLL CALL

Mayor: Vernon L. Fritz; *City Council:* Alvin L. Harward, Gary Prestwich, Mary Rugg, Russell Sly, Mark Johnson; *Public:* Linda & Robert Goodwin, K.D. Taylor, Dale & JoAnn Bigler, Paul Curtis, Marjan Martin, Bevan & Dolores F. Jones, Anette Brigham, Linda Jones, Tim & Susie Young, Jennie Olson, Troy Richardson, Blain & Cathie Ogden; & *City Recorder:* Janice H. Davis

**CITIZEN OF THE
YEAR**

Presentation (Mary Rugg):

Every year the citizens of Elk Ridge nominate one or two residents to be "Citizen of the Year", based on their contributions to the City and service to their neighbors.

This year there are two recipients of the award, with another being nominated: JoAnn Bigler (ever a popular choice in the City) was presented with the letter that nominated her and it was read to those present. Congratulations to JoAnn!

Linda Goodwin was elected due to her service to the City with the Emergency Preparedness Program; she actually got the whole Program going again and raised it to a new level.

Linda Jones was also elected to receive the award due to her work with the EMT's and the Fire Dept.

These ladies are wonderful people and serve people individually as well collectively. Plaques and flowers were presented to them.

**WALKING TRAIL
PROPOSAL**

Dale Bigler:

Proposal:

1. Elk Ridge at present has no sidewalk or off road trails available to the many citizens who walk on the roads on a daily or frequent basis.
2. Elk Ride has limited financial capacity in which to construct a trail system.
3. Citizens in area near the golf course have expressed a great deal of concern about the safety of their children who have to walk on the road to their bus stop.
4. The Trails Committee established by the City Council has studied the situation & various options & feels that they have a workable & affordable proposal that would address all of the concerns.
5. We had a bid from Staker Paving to construct the 1 & 2/10 mile distance from the bus stop at Park Dr. up the south side of Park Dr. to Salem Hills Dr., then up the west side of Salem Hills Dr. to E. Salem Hills Dr., & across the south side of E. Salem Hills Dr. to meet the dirt portion of the street. That bid was approximately \$112,000 & cost prohibitive.
6. We then discussed the option of renting or borrowing a grader with Salem City. Their Public Works Director indicated that he is willing to let us use their grader, but we would need to provide an operator.
7. Option 3: This would involve hiring Denis Jacobson, who has just finished a road project on the Indian reservation & has a new grader and operator available for a limited period. He feels s that all of the rough grading work could be completed for \$5,000 to \$7,000.
The cost of road base was discussed with H.E. Davis; the price = \$4/ton for material & \$3.50/ton delivery charge for a total of \$7.50/ton delivered. It is estimated that it would take about 1,200 tons for a 4" road base x 10' wide for 1 mile. Total = \$9,000
(Cost of crushed rock: \$110/ton (we could only afford to do the main runoff areas with our current proposal.)
8. We have contacted over 80% of the 26 homeowners whose property adjoins the proposed trail & all of them are supportive of the proposal & agree that this would give a uniform frontage line & a much needed place for their children to walk.

9. The area has been blue staked to see if there are any major problems with utilities & there do not seem to be any major concerns.

10. The City has a 66' right-of-way on all of these roads as main access roads. We have measured and staked along the proposed route & have no problem with the width of the right-of-way. There are only a few areas that will require a minor adjustment & all residents except 2 have indicated they are willing to make those adjustments, if needed.

Committee's Recommendation:

Arrange with Dennis Jacobson to excavate & level a 13' trail along the proposed route. We would then plan to have HE Davis haul the material for a 3' crushed-rock border between the asphalt & the trail & a 10' wide walking trail with 4" of road base.

Our estimated cost to do 1 mile is \$20,000.

We believe that we can have the entire southern route from the golf course to the dirt road on Salem Hills Dr. graded within this proposed cost. (1.4 miles)

We have looked at the areas that have the most potential for runoff problems & plan to place the 3' crushed rock shoulder in those areas first. We also discussed studying the normal runoff flows and to look at installing a drainpipe in the areas where those cross the trail.

Conclusion: This plan provides the best opportunity for our City to finally establish a long-talked about walking trail in an area where many see a major need & we have an affordable way to fill that need.

It is our opinion that by doing the work ourselves now that we can get much more of the project completed than if we wait to try to get matching funds & use a commercial company such as Staker Paving. We could not even get the grading prep work done for the proposed amount.

Request: That the City Council reviews this proposal and authorizes the start of this work & approve the requested amount of \$20,000. We will personally oversee and address concerns that may develop & coordinate with the Council on any issues, as the project proceeds. (A map of the proposed route was also provided.)

The Committee would like to begin within the next 2 weeks.

Mayor Fritz: Wondered why the urgency of beginning so soon.

Comments:

Mary Rugg: (She had already spoken to Mr. Bigler regarding her concerns with the Committee's proposal.)

Councilmember Rugg is not in favor of the proposal, as presented.

1. Blading & contouring: She feels this is a waste of money, if nothing else is done for a while, due to erosion & weeds.

2. She does not agree with a trails system on Salem Hills Dr. None of the school age children have to walk more than 2 or 3 houses to catch the bus and the time of day is not in the middle of heavier traffic.

3. She is against a paced trail running through the dirt road at the end of Hillside Dr. (E. Salem Hills Dr.) The most she would agree to would be to grade that area more frequently; anything else would be a waste of money when that area develops.

4. Her first concern is to finish the proposed trail leading from Mahogany Way through to the Playground area.

5. Elk Meadows Dr. would also be an appropriate priority, since the children have to walk quite a distance to the bus stop. A "natural" trail would be much more conducive to the slope of Elk Meadows Dr., perhaps with steps, placed off the side of the road.

6. Magnesium Chloride and any other hard surface would cause run-off and added problems.

Dale Bigler: Disagrees that there is no need for a trail along Salem Hills Dr. and Park Dr. It is not safe to force citizens to walk in the middle of the street.

He also feels the road edges should be finished off. He feels the majority of the residents would be in favor of this trail system.

Russell Sly: He feels a Trails System of some sort should be pursued. The residents he has spoken to are in favor of a system. The City does not have sidewalks and trails would enhance the Community, as well as providing a safe place for exercise.

There are Impact Fees that must be spent on Parks & Trails. The City should do all that can be done, for a reasonable cost (\$20,000), to "make this happen".

Alvin Harward: Agrees with Councilmember Sly that a trails system would add to the City. He does not see anything wrong with the proposed plan, presented by Mr. Bigler.

Mark Johnson: Agrees with Councilmembers Sly & Harward, that some type of trails system should be installed.

Gary Prestwich: He suggested a "compromise"...to install a trail system, but one section at a time. E. Salem Hills Dr., to W. Salem Hills Dr.: he agrees that it should just be graded for now.

Russell Sly: There are existing issues with this dirt road, with 4-wheelers, ATV's & trucks. Could there be gates wide enough for pedestrians only, but with the ability to be unlocked for emergency equipment? (Gates tend to be knocked down.)

Jenny Olson (resident of Salem Hills Drive): Is in favor of a trails system; with one concern: that the approach to her property (quite sloped) being taken into consideration. She has a home business that uses this area for parking, will there be a problem if the trail is on her side of the road? She is concerned that there will be a drop-off into her property.

Gary Prestwich: He thinks the City should contact each resident along the proposed trail and work out each approach to their property.

Mark Johnson: Expressed his concern with maintenance of the trails...both the "natural" walkway style and the hard-surface type...at any time of the year, but particularly in the winter months. It is the City's responsibility to maintain these trails. (Mayor Fritz suggested closing the trails in the winter.)

Mary Rugg: If the Council is going to approve a trail along Salem Hills Dr., the east side should be considered due to more space to install it. She told the residents along the west side of Salem Hills, that are opposed to having a trail in front their yard, that she would do all she could to see if the east side could be considered.

Mayor Fritz: Though not totally in favor of a trails system in the City, would support what the majority of the citizens want. He suggested waiting until the spring to begin any work. (Mr. Bigler still feels some preliminary grading & contouring could be done now.)

Mary Rugg: Does not feel \$8,000 should be wasted on road grading; just to have to sustain a winter; with possible erosion. The road could be graded later as easily as now.

Gary Prestwich: Brought up the legal issues: The City is legally liable for any project conducted by the City. If there is any damage to anyone's property through erosion, or if someone were to get hurt, again the City could be responsible. These safety issues should be investigated. Closed signs could be put up in the winter or the trails would have to be properly maintained for safe walking.

Jan Davis: (Resident on east side of Salem Hills Drive) Agrees with the suggestion to have the trail along the east side of the road. There would be no problem with run-off or trees in the way.

Mayor Fritz: Agrees with the east side of Salem Hills Dr. He thanked Mr., Bigler for the work he has put into this proposal.

LOAFER CANYON RD. Russell Sly:

SEWER LINE EXTENSION

1. There have been complaints on the closures during the construction period. The closures have been adjusted to allow emergency passage.
2. The expectation is that road will be open every night.

ROAD REPORT

Gary Prestwich:

1. Chip & Seal is finished. There have been complaints about chip & seal, but there is justification from UDOT and a gentleman from ULTA (Utah Local Technical Assistance) who came to inspect the City's roads; he commented that the City has an excellent maintenance program for the roads and recommended we continue the way we are going now. He came primarily to look at Loafer Canyon Rd. and the Canyon wall ("dugway"). He feels the Canyon is fairly stable. As run-off continues, rocks will continue to fall. He has some long-term suggestions he will get to the City.

EMERGENCY PREPAREDNESS – CHANGE IN LEADERSHIP

Mayor Fritz: Linda Goodwin has served the City well in organizing the Emergency Preparedness Program; she is being replaced by LaRon Taylor as the Chairperson. Councilmember Prestwich has agreed to operate the radio communications.

ELK RIDGE
CITY COUNCIL MEETING
July 26, 2005

155

TIME & PLACE
OF MEETING

The regular Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, July 26, 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 July 21, 2005.

7:20 PM

CITY COUNCIL REGULAR SESSION AGENDA ITEMS

OPENING
REMARKS &
PLEDGE OF
ALLEGIANCE

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

AGENDA TIME
FRAME

MOTION WAS MADE BY GARY PRESTWICH AND SECONDED BY ALVIN HARWARD TO APPROVE THE AGENDA TIME FRAME, ADJUSTING THE START TIME BY 20 MINUTES AND PLACING AGENDA ITEM #6 AFTER #12
VOTE: YES (5) NO (0)

WALKING TRAIL
PROPOSAL –
APPROVAL OF BID

Mayor Fritz: Asked the Council to summarize their comments:

Mary Rugg: She asked that the Council consider the priorities in how a project like this should proceed. She repeated her suggestion:

1. Trail from Mahogany to the Park area.
2. Elk Meadows Drive (Natural Trail System)

She is not in favor of the proposal, as presented.

Gary Prestwich: Though he recognizes that Mr. Bigler has done a great deal of work on this presentation, he is not in favor of the proposal, as presented. He would like to see the Project done in sections; with one section completed prior to advancing to the next section. He would not be opposed to another proposal.

Mark Johnson: He would vote no on the proposal; he agrees that the overall Project would be better if done in segments.

Alvin Harward: Would vote in favor of the proposal, as presented by Mr. Bigler.

Russell Sly: He is not in favor of the plan, as outlined. He does not feel the City is ready for the entire Project at this time. He is definitely in favor of the Trails System. He agrees with Councilmember Rugg, that there are issues to be addressed; such as the safety issues on Elk Meadows Drive; and he agrees with Councilmember Prestwich, that the Project should be done in sections.

Dale Bigler: Suggested moving the proposal to the East side of Salem Hills Drive and to grade both sides of the road, to "dress-up" the sides of our streets.

*He will return to the Council with a revised proposal; to include grade work for the sides of the streets.

*Councilmember Prestwich is to provide costs on asphalt.

The Council expressed their appreciation for the work Mr. Bigler has done.

PROPOSED ROAD
ABANDONMENT

Blain Ogden: (Troy Richardson was also present)

They were sent to the Council from the Planning Commission to determine the direction they should take with their proposed abandonment of the future road that is shown on the map of the City. Each of the affected property owners was notified of the proposed vacation of the future road. Mr. Ogden and Mr. Richardson find it very inconvenient to access their property off of this proposed road, through the mud and dirt.

If abandoned, the remaining access to the other parcels west of the property in question would be forced to form cul-de-sac. The other property owners are generally not in favor of abandoning the road.

Mayor Fritz: Concerns...

0. Access for emergency vehicles
0. Snow plowing
0. Opinion of adjacent property owners

Blain Ogden: Something must be done with the land to allow access to their property. The proposed road currently belongs to the City. If it were abandoned, Mr. Ogden and Mr. Richardson would install their own driveways. No house building will be built on the adjoining property. He does not believe there are any utility lines that would be affected

Troy Richardson: They would maintain the private drives.

Mary Rugg: This action would create a very long cul-de-sac on the remaining portion of the road. A cul-de-sac would take a good portion of the parcels. Would the property owners agree to this?

Alvin Harward: He does not feel there would be sufficient property to consider a cul-de-sac.

Mayor Fritz: Has received responses from four property owners in that area who are opposed to the proposed vacation of the proposed road.

Troy Richardson: Suggested the City takes another option and actually installs the road to the end of their property.

(Mr. Richardson would need to pay a road assessment to the City, as Mr. Ogden has.)

It was suggested:

1. Mr. Richardson and Mr. Ogden contact the same property owners with the details of a cul-de-sac rather than simply abandoning the proposed road; to determine their support level and then contact the Mayor to get back on the Council Agenda on August 9, 2005.
2. If the property owners do not agree, that Mr. Richardson and Mr. Ogden would be willing to install their portion of the road.

EAGLE PROJECT REIMBURSEMENT

Mary Rugg: Scout Cameron Reece installed a park bench as an Eagle Project (approved by the City). He was unable to raise all of the funds and requests a partial reimbursement of up to \$100, for materials. The Council does have a policy to provide up to \$100 toward a project.

Russell Sly: Does not feel the bench is located in a good place. That would be a good place for bleachers, should the City decide to provide bleachers.

(The bench is removable)

MOTION WAS MADE BY MARY RUGG AND SECONDED BY MARK JOHNSON TO REIMBURSE CAMERON REECE \$100 FOR EXPENSES ASSOCIATED WITH HIS EAGLE PROJECT

VOTE: YES (5)

NO (0)

There was further discussion regarding the appropriateness of the City providing reimbursement for Eagle Projects.

Though it has been City policy to do so (up to \$100/Project), it was questioned if the Scouts should be raising all of the money required.

SCHEDULE PUBLIC HEARING

Proposed Page Annexation:

MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY MARK JOHNSON TO SCHEDULE A PUBLIC HEARING ON THE PROPOSED PAGE FARMS – CROCKATT ANNEXATION FOR AUGUST 23, 2005, AT 6:05 PM

VOTE: YES (5)

NO (0)

WATER/SEWER CONNECTION REQUEST

Ortence Norlund: In her absence, Jan Davis presented Mrs. Norlund's request for a water/sewer connection. She would like to purchase the parcel next door to her on Magellan Ln. To develop the parcel, she needs the Council's approval for additional water & sewer connections. All Councilmembers except Councilmember Harward preferred to be consistent with past policy and wait until the sewer contract is in place with Payson City before any further connections are approved. Councilmember Harward felt the request could be granted if applied for properly through a concept plan.

EXPENDITURES

General:

Computers: Purchase has been approved; the cost estimates needs to be voted on.

MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY ALVIN HARWARD TO REPLACE THE OFFICE COMPUTERS WITH DELL COMPUTERS, AT A PRICE NOT TO EXCEED \$6,000

VOTE: YES (5)

NO (0)

*The Council noted that whatever the cost is, if close to the approved amount, the computers need to be replaced.

BUDGET
DISCUSSION
CONTINUED

Mayor Fritz: The Mayor, in considering the City's current financial position of budgeting the use of Fund Balance in the General Fund. He prepared a handout that summarizes the budget figures for 2005/2006; including some cost projections.

(The Year-to-date figures have changed slightly and so have the budget figures from the Tentative Budget adopted in May, 2005.)

There has been some discussion regarding cutting expenditures to help in balancing the General Fund.

Alvin Harward: Expressed concern at only considering the General Fund; the Sewer Fund is also short on revenue. He feels the rates should be raised to meet the needs. More money can be spent on an engineering study; but it does not take a study to adjust the sewer rates. We will not be spending as much on road repair as we have in the past few years.

Mayor Fritz: Recognizes the need to review the sewer rates; however, the Sewer Fund does not have anything to do with the General Fund Taxes.

Russell Sly: Agrees that the sewer rates need to be reviewed; but he understands that there should be "back up" in the form of a study to adjust the rates.

Alvin Harward: The back up is the fact that the City is not meeting its expenses.

City Recorder: Discussion of Fund Balance as compared to Retained Earnings in the Enterprise Funds. All need to be considered as part of a "balanced budget". The Council could look at the figures in the Enterprise Funds (Water, Sewer & Storm Drainage) after the Audit is completed and then consider a rate change.

Mayor Fritz: The Mayor went over the summary of the budget with the Council and feels that the City is already "running a pretty tight ship".

There are many costs that we can be sure are going to increase:

- Police Protection
- Storm Drainage improvements that need to be addressed
- New snow plow
- Cut the Fire Dept.
- Simply the cost of living

A comparison was prepared to show the amount of revenue that would be generated by various property tax rates. The Mayor recommends increasing the revenue from Property Tax to bring in about \$25,000 more than was budgeted last fiscal year.

The Mayor requested the Council consider his summary and come up with suggestions of where to cut the expenditures in the General Fund.

Mary Rugg: Besides ways to cut expenditures, more responsible spending also needs to be considered...how can the gap be closed in the General Fund?

City Recorder: Increase revenues or cut expenditures. Costs go up and the City must meet those increases; fuel & oil is a prime cost that is experiencing huge increases.

Closing the gap is not going to happen in one year, it will happen through a combination of efforts...over time.

Gray Prestwich: Discussed road expenses vs. revenues dedicated specifically to roads. The total deficit in the Roads Dept. was only about \$15,000 this past fiscal year (meaning money that came from the regular General Fund revenues, or fund balance).

Mayor Fritz: No decision will be made this night. The Public Hearing is scheduled for 8-9-05; however, the Mayor would like to be contacted about the Council's input on cutting expenditures. Mayor Fritz wanted to discuss these options in a meeting prior to the Public Hearing, which is why it was on the agenda this night. He feels a \$25,000 increase in the budget for the General Fund is a modest request...it represents less than \$50/year.

MINUTE

City Council Minutes of 8-28-05

MOTION WAS MADE BY MARY RUGG AND

APPROVE THE CITY COUNCIL MINUTES OF 6-28-05

VOTE: YES (0)

RY RUGG AND SECONDED BY GARY PRESTWICH TO
MINUTES OF 6-28-05
NO (0)

ADJOURNMENT

At 8:55 PM, Mayor Fritz adjourned the Council Meeting.


City Recorder


AMENDED NOTICE & AGENDA

Notice is hereby given that the City Council of Elk Ridge will hold a regular City Council Meeting on Tuesday, August 9, 2005, at 7:00 PM, to be preceded by Two Public Hearings on the following: The **First Public Hearing, at 6:00 PM**, is on a Proposed Property Tax Increase; The **Second Public Hearing, at 6:45 PM**, is on the Adoption of the 2005/2006 Fiscal Year Budget & 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/TRUTH IN TAXATION HEARING – PROPOSED PROPERTY TAX INCREASE** – Proposed Increase in Property Tax for Elk Ridge City, for the 2005 Tax Year
- 6:45 PM** **2. PUBLIC HEARING/ADOPTION OF THE 2005/2006 FISCAL YEAR BUDGET & CAPITAL IMPROVEMENT PLAN**
Public Hearing/Proposed Adoption of the 2005/2006 Fiscal Year Budget & Capital Improvement Plan for the Operation of Elk Ridge City
- 7:00 - PM** **REGULAR CITY COUNCIL MEETING AGENDA ITEMS:**
Opening Remarks and Pledge of Allegiance
Approval/Agenda Time Frame
- 7:05 3. Adoption of the Property Tax Rate for the 2005 Tax Year
- 7:15 4. Revised Trail Committee Plan – Dale Bigler
- 7:35 5. Gating off Hillside Way/Dirt Road – Mary Rugg
- 7:45 6. Sewer Impact Fee Study – Russell Sly
- 8:00 7. Adoption of the 2005/2006 Fiscal Year Budget & Capital Improvement Plan
- 8:10 8. Road Extension/Salem Hills Dr.-Planning Commission Recommendation – Mayor Fritz
- 8:15 9. Schedule Public Hearings:
A. Ordinance/Planned Unit Developments
B. Ordinance/Land Use Elements of the General Plan
C. Page Annexation (Re-schedule)
- 8:20 10. Expenditures:
General
- 8:25 11. Minutes of Previous City Council Meetings
Adjournment


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

The times that appear on the Agenda may be accelerated if time permits. All interested persons are invited to attend this meeting. Dated this 21st day of August, 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 as faxed to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and published on August 5, 2005; & an Amended Agenda on 8-8-05;


City Recorder

**ELK RIDGE
CITY COUNCIL MEETING
August 9, 2005**

**TIME & PLACE
OF MEETING**

This Regular Meeting of the Elk Ridge City Council, was scheduled for Tuesday, August 9, 2005, at 7:00 PM. It was preceded by a two Public Hearings for the purpose of hearing public comment regarding the following: The first Public Hearing, at 6:05 PM, was on a Proposed Increase in Property Tax for Elk Ridge City, for the 2005 Tax Year; the second Public Hearing, at 6:45 PM, was concerned with the proposed adoption of the 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 Hearings, was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on August 5, 2005; and an Amended Agenda on 8-8-05.

6:05 PM

**PUBLIC HEARING/TRUTH IN TAXATION HEARING – PROPOSED PROPERTY TAX
RATE INCREASE**

ROLL CALL

Mayor Pro tempore: Gary Prestwich; *City Council:* Mary Rugg, Russell Sly & Alvin Harward (Absent: Mayor Vernon L. Fritz, Mark Johnson); *Daily Herald:* ; *Planning Commission:* Ray Brown; *Public:* Geniel Sly, Marc Rugg, Nelson Abbott, Anette Brigham, Joe Marrott, Dale & Joann Bigler, Doug Lindsay, Russell Brown & Lauce Pape; and *City Recorder:* Janice H. Davis

In the absence of Mayor Fritz, the City Recorder reviewed the proposed tax rate increase with those present. The Proposed tax rate from the State is .002122, which would generate \$156,380 in Property Taxes for the City in 2005. In an effort to eliminate the deficit in the General Fund, the Mayor recommends increasing the tax rate to .002382, which would generate \$175,541 in Property Tax. This rate would result in an increase of 12%, which is \$35.04 per year (\$2.92/month) on a \$245,000 residence. This proposed tax rate would generate about \$25,000 more in property tax than was budgeted last fiscal year.

The City Recorder reviewed some of the General Fund Revenues. The school taxes for Nebo School District are also increasing; but this should not be confused with the City's tax rate.

Public Comments:

Geniel Sly: Complimented the City Council on all they have accomplished; she feels the City has been "improved" in many ways: Improved roads, beautification of the Park, water & sewer problems have been addressed & more families are taking pride in their yards. There is no commercial tax base in Elk Ridge, and there has to be enough revenue to maintain our great City. The increase would be under \$3.00...perhaps the cost of a couple of drinks & fries while we are out.

Marc Rugg: He is not in favor of tax increases without first examining how efficiently the City is being run currently. There are several dozen cities, including Woodland Hills, that currently operate at a lower tax rate than Elk Ridge. Is our City operating in a financially sound manner? Over the years, as a member of the Planning Commission, he has seen many studies that the City has had done, that have not been warranted nor utilized...this costs the City money. He feels a study should be conducted to determine if the City is being run with financial efficiency. There are other surrounding cities that operate at a much lower salary base than we do. We should find out why and ask some hard questions of the Council.

City Recorder: Comment: Woodland Hills is just now building a City Hall and increasing staff from one part-time clerk...to include a public works dept. They have recently asked to have Elk Ridge's wage ranges and salary base + benefits sent to them to use as a guide for their increasing needs. (Their population is also about ½ of that of Elk Ridge.)

Gary Prestwich: Added that the roads in Woodland Hills are not maintained at the level that Elk Ridge's roads are. The Council has also decided against certain studies because they would cost the City too much money for the information that would be provided.

Nelson Abbott: Taxes are going up and is concerned at the raising costs. Questioned if the assessments are based on this years valuations or last years. (They are based on figures for the 2005 tax year.) Referring to a handout re: tax rate comparisons with other Utah County cities, provided to those present: How do the values compare and what is the overall operating budget comparison?

He feels it is "time to make it work"...to find a way to balance the budget without raising taxes. Perhaps the homes & property in Elk Ridge need to be re-assessed.

Annette Brigham: Individuals can and do protest the appraisals on their homes at the County. This can be done online or at the County building; one can discover comparisons of valuations.

Dale Bigler: Is the rate based off of actual appraised values? (Yes, from 2005.)

Marc Rugg: There are more homes in Elk Ridge; with new homes, doesn't the tax base go up accordingly and create more revenue?

City Recorder: Recalled that studies and information in the past have indicated that new homes do not cover all of their maintenance costs...perhaps 80%.
(Councilmembers Prestwich and Sly agree with this...Ms. Cary Nakamora (Utah League of Cities & Towns – State Budget Analyst) states that it always costs more to maintain a home than the revenue it brings in.)

Marc Rugg: If new homes are costing the City money, why not declare a moratorium on building?
(Councilmembers Sly and Harward agreed that the Council must be careful in declaring moratoriums...people have a right to develop and there must be good reason or legal problems could result.)

Dale Bigler: (Commenting on the Mayor's letter to the citizens) Does the City need to have a full-time officer? Does the level of crime warrant this goal?

Gray Prestwich: Reviewed the possible costs for increased police coverage, as the City grows.

Mary Rugg: She would like to see the crime reports for Elk Ridge that the Mayor receives copied and disbursed to the other Councilmembers on a regular basis.

Councilmember Rugg had a list of questions and suggestions regarding the efficiency of the current administration of the City finances (as requested by Mayor Fritz):
Purchasing Policy: Should Dept. Heads be consulted prior to spending from their Depts.? What is the level of participation the Dept. Heads should have in purchases?
(Mayor Fritz oversees spending up to \$500; however, Dept. Heads should oversee the spending in their various Depts., if possible. There are times when situations come up (like the purchase of tires for a City vehicle) when the purchase is inevitable, that Public Works will go ahead and inform the Mayor; he approves the purchase. Purchasing policy states that staff can approve spending up to \$100 without Mayor approval. There are also times when purchases in Public Works are split between Water, Sewer, Parks & Roads. A purchase over \$500 should have Council approval. The Council also approves the Check Registers and should be checking over the invoices when any one of the Council signs checks.)

Gary Prestwich: There is a certain level of trust that needs to be placed in the employees; that they will not make unnecessary purchases.
"Fleet Fuel pricing" (discount pricing) and purchasing through the State Surplus can save the City money and was discussed by Councilmembers Rugg and Prestwich.

Gary Prestwich: The co-op the City is part of to do chip & seal is a good example of discounted work in the City.

Alvin Harward: Felt that Councilmember Rugg's suggestions and concerns would be better discussed outside of the current Public Hearing on the proposed tax rate increase.
(Councilmember Rugg was happy to postpone further discussion on her list of questions/suggestions until later in the Regular Session; however she did feel that her concerns do have a bearing on whether the tax rate is increased or not and the Mayor had requested the Council's input on cutting expenses.)

Councilmember Harward understands that costs keep going up and that the finances must be balanced; however, he does agree that the Council must also examine where/how money is being spent. He is not in favor of increasing taxes when Elk Ridge's taxes are already higher than many communities.

Russell Sly: The only other city he is aware of that has no commercial tax base is Woodland Hills and they are going to be seeing increased spending to meet their needs resulting from growth. He does not feel this Public Hearing should involve discussion of taxes from other entities (County & School District). He feels it is clear that the budgeted deficit must be covered and that it would be irresponsible for the Council not to address how to get out of this financial situation. Overall expenses are not going to go down. The proposed increase is only \$2.92/month per household; he does not feel this even keeps up with inflation. He is in favor of the proposed tax increase.

Gary Prestwich: He encouraged the Councilmembers to attend the various conferences; some conducted by the Utah League of Cities & Towns, that provide valuable information to Councilmembers regarding municipal administration. He maintains that costs are going to continue to climb; he listed rising road costs as an example.

Mary Rugg: She realizes the City needs to run on a budget and that means, "sometimes you cut things out and you wait until you have the money to spend". The Council needs to do more than look for ways to raise more revenue, we need to look for ways to spend money more responsibly. (She did discuss her list of concerns later in the Regular Session.)

City Recorder: Explanation of the deficit in the General Fund: In 1999 there was no deficit in the General Fund. It began with the over-runs associated with the installation of the two roads, Loafer Canyon Rd. and Fremont Way. From that time forward, the General Fund has been using Fund Balance to balance the General Fund Budget. Eventually, there will be no more Fund Balance to draw from.

Gary Prestwich: The over-runs were incurred prior to the current Administration. Since that time, efforts have been made to spend more responsibly; example: Lakeview Drive...was restored back to an improved version of what the road was originally. Many of the residents wanted the more expensive options; but the City simply does not have sufficient money to install the "Cadillac" version. The road restoration turned out well and the residents are very happy with the result. The Council is making an effort to save money where possible; but has not caught up with the "gap" created back in 1999.

Ray Brown (Planning Commission Chairman): Questioned what is happening with the Road Impact Fee Ordinance. The Planning Commission sent a recommendation to the Council about a year ago to consider a road impact fee for the City.

Gary Prestwich: An impact fee study is required to back-up charging for the fee...this costs money for the engineering necessary for the study. The Council gave this to the City Planner for consideration and that is where the progress stopped. (The City has changed Planners since that time.) It was suggested that he (Planner) be contacted as to what the next step would be.

*It needs to be determined what types of road projects would be appropriate for impact fees.

Marc Rugg: Questioned why Hillside Drive is being repaired this year, is it due to poor maintenance since last year?

Gary Prestwich: Explained how he schedules road maintenance, using the UDOT manual as a guide: When "blocking" occurs, it is time to replace the road...it is beyond chip & seal and regular maintenance. Since Oak Lane was being rebuilt, which connects onto Hillside, this was a good time to do it...it costs less when work is being done in the area.

Mayor Pro-tempore Gary Prestwich closed the Public hearing at 7:15 PM.

7:15 PM

PUNLIC HEARING/ADOPTION OF THE 2005/2006 FISCAL YEAR BUDGET & CAPITAL IMPROVEMENT PLAN

Public Hearing/Proposed adoption of the 2005/2006 Fiscal year Budget & Capital Improvement Plan for the Operation of Elk Ridge City

Mayor Pro-tempore Gary Prestwich opened the Public Hearing at 7:15 PM.

ROLL CALL

Mayor Pro tempore: Gary Prestwich; *City Council*: Mary Rugg, Russell Sly & Alvin Harward (Absent: Mayor Vernon L. Fritz, Mark Johnson); *Daily Herald*: ; *Planning Commission*: Ray Brown; *Public*: Geniel Sly, Marc Rugg, Nelson Abbott, Anette Brigham, Joe Marrott, Dale & Joann Bigler, Doug Lindsay, Russell Brown & Lauce Pape; and *City Recorder*: Janice H. Davis

City Recorder: There have not been many changes since the Tentative Budget for 2005/2006 was adopted in Mayo, 2005. The main figure that will be affected is the Property Tax amount, which will be determined by the rate adopted...this will also affect the amount of Fund Balance used to balance the Budget.

Some figures were adjusted to meet the actual figures. In the Sewer Fund, \$12,000 was added to extend the sewer main to the Dugway. It appears that there is an \$18,000 short-fall; however this will be covered by the Sewer Reserve Fund, where money accrues for the Sewer Bond Payment.

Water Fund: It appears that the Water Fund is doing better; but we also had some one-time revenue additions: Water Rights = About \$90,000 from the sale of rights to Rocky Mountain Subdivision & the sale of Springville Irrigation shares. This money is restricted and can only be spent on the purchase of more water rights.

It is difficult to understand the "health" of the Water Fund due to all the restricted funds; this is the reason for the 5-year forecast performed by the Auditors.

Recommendation: Attempt to close the gap in the General Fund, little by little, through various options already mentioned. Perhaps have a complete Work Session to go through the Budget and look for ways to be more responsible.

There were no further comments.

ELK RIDGE
CITY COUNCIL MEETING
August 9, 2005

**TIME & PLACE
OF MEETING**

This Regular Meeting of the Elk Ridge City Council, was scheduled for Tuesday, August 9, 2005, at 7:00 PM. It was preceded by a two Public Hearings for the purpose of hearing public comment regarding the following: The first Public Hearing, at 6:05 PM, was on a Proposed Increase in Property Tax for Elk Ridge City, for the 2005 Tax Year; the second Public Hearing, at 6:45 PM, was concerned with the proposed adoption of the 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 Hearings, was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on August 5, 2005; and an Amended Agenda on 8-8-05.

7:30 PM

REGULAR CITY COUNCIL AGENDA ITEMS:

ROLL CALL

Mayor Pro tempore: Gary Prestwich; *City Council:* Mary Rugg, Russell Sly, Mark Johnson & Alvin Harward (Absent: Mayor Vernon L. Fritz); *Daily Herald:* Heidi Toth; *Planning Commission:* Ray Brown; *Public:* Geniel Sly, Marc Rugg, Nelson Abbott, Anette Brigham, Joe Marrott, Dale & Joann Bigler, Doug Lindsay, Russell Brown & Lauce Pape; and *City Recorder:* Janice H. Davis

**OPENING REMARKS
& PLEDGE OF
ALLEGIANCE**

An Invocation was offered by Joann Bigler and Dale Bigler led those present in the Pledge of Allegiance, for those willing to participate.

**AGENDA TIME
FRAME**

**MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY MARK JOHNSON TO
APPROVE THE AGENDA TIME FRAME, ADJUSTING THE START TIME TO 7:30 PM
VOTE: YES (5) NO (0) ABSENT (1) MAYOR FRITZ**

**PROPERTY TAX
RATE FOR 2005**

Discussion:

Mary Rugg: She has reviewed Mayor Fritz's summary of the Budget figures and has many concerns & questions:

1. Check on Revenue vs. Expenditure regarding "Refuse Collection"...We seem to be spending more than we are taking in.

Looking at 2004/2005:

Containers: Rev.= 8,249

Exp.=8,350 (\$101 difference)

(This difference can come from "bad debt"...which is written off at the end of the fiscal year. The City does not "make money" off of the refuse collection system; it is designed to be a "wash".)

Collection: Rev.=60,400

Exp.=58,381 (Revenue is over exp.)

*The City Council may want to raise the cost on containers; but we did accrue \$2,019 revenue over expenditures in collections, which more than covers the short-fall with containers.

2. Road Assessment/Loafer Canyon and Road Assessment/Lakeview Dr.
Difference:
Loafer Canyon Rd. – Developers were assessed for Road Improvements, rather than them installing the improvements. (The amount in 2004/05 reflects the amount paid by Robert Nelson for the Slurry coat and repairs to Valley View Cr. Weather prohibited him from performing these corrections earlier in the year.)
Lakeview Dr. – This was the assessment paid by Cregg Ingram for road improvements when he developed this one-lot subdivision. (There is no amount budgeted now.)
3. Road Impact Fee: *(This needs to be brought forward and considered by the Council.)*
4. Employee Benefits: (On all accounts other than staff Administration)
(This reflects the mandatory State and Federal withholdings wages.)
5. Bookmobile: *(Does the use warrant the expense?)*
*Suggestion: eliminate the \$2,880/year for the Bookmobile or share expense with Woodland Hills
6. Fire Station for \$1,000,000...listed on Mayor's summary for Future Capital Improvements for the City. *(The Fire Dept. has only spent \$133 for fuel & oil this past year; this indicates a lack of action...thankfully; but does this warrant a new Fire Station?)*
(Mark Johnson): This building would be part of a Joint (Regional) Fire District involving Elk Ridge, Woodland Hills & perhaps Salem & Payson. The expense of the Fire Station would be a shared expense.)
7. Fire Dept. "Purchase of Equipment":
\$47,852 seems high for the Fire Dept.) 27,794 of this amount is from a "matching grant",
(Mark Johnson): The Fire Fighters were wearing turnouts (clothing) that was 11 or 12 years old...new clothing was purchased, tanks & fillers...all equipment that was needed. The expenditure will always be higher than the grant, due to the matching aspect. This will not be an annual expense.)
8. Building Inspection "Contracted Services": *(Money comes in through building permits fees And is paid out to LEI Engineering, who then pays the Building Inspector, Corbett Stephens.)* The City brought in 51,623 in Permit Fees; and paid out 34,046 to LEI for inspections.
9. Animal Control: Over 3,000 expended on what? *(Picking up stray dogs and other animals, Boarding & caring for them and possibly euthanizing them...all covered under this account.)*
10. Purchase of Land (Listed under Parks, Roads, Water & Sewer): Where is the land?
It is the Public Works' land behind the Brown property...purchased from Hal Shuler.
The last payment of 10,000/year will be paid this fiscal year. The payment is split 4 ways @ 2,500 for each Dept.
11. Class "C" Road Money; what is that?
(Gary Prestwich): This is revenue that comes in from the State, derived from gasoline sales tax and is based on the miles of roads in the City. It is restricted specifically for road repair and associated costs.) Councilmember Rugg also asked for an explanation of "blocking" on the roads. (It is when the asphalt actually cracks into "blocks" and the road is past the point of repair.)
Councilmember Prestwich reported that a representative of LTAP (Local Technical Assistance Program), Mr. Doyt Bowling, came to Elk Ridge to inspect the roads and gave us high marks. He commented that we have an excellent roads maintenance program and that this would save us a great deal of money in the long run. He was also here to inspect Loafer Canyon (dugway); there is a concern about the road collapsing in the future. He is going to submit a report with recommendations regarding this area of the road. There is some disagreement about the value of chip & seal; Councilmember Prestwich draws his information from the UDOT manual and the many classes he attends on road maintenance.
12. Parks Dept. - "Athletics": What is this? *(Expenditures for Soccer & Baseball)*
2,000 is budgeted for 2005/06 for both Revenue & Expenditures; however, in 2004/05 3,745 was the final figure for revenue and 2,510 in Expenditures.
13. Telephone bills seem very high for 2004/05 (\$964 in the Roads & Parks Depts.) Has the City ever considered a two-way radio system?
(Gary Prestwich): The people they are talking to are not in town. They are talking to contractors and suppliers outside of the City and this is essential.

Mark Johnson: When they are out on a job, they would have to come all the way in to the City Hall to speak to someone outside the City.
Councilmember Rugg's only concern is that is used properly.

14. Police Protection: Are the needs of a City, as listed by the Mayor, taking into consideration the needs of a rural community or a metro community?
(Standard: One officer per 1,000 people...Elk Ridge has ½ of an officer's time for about 2,300 citizens)

Mark Johnson: He believes more officers are needed per 1,000...but most communities should have this ratio. He does not know if the Mayor quoted form rural or metro communities.

Russell Sly: If the Mayor were at the Meeting, he would say how unhappy he is to have to act as the "Sheriff" if the City. Enforcement of ordinances becomes a problem when officers are not around to enforce them.

Example: The Nuisance Ordinance has been nearly useless due to the problems with enforcement and due process of the law in the court system.

Councilmember Rugg concluded by agreeing with the suggestion to have meetings (work session) where the Council can discuss the budget and finances and decide the direction the City should go on issues of concern.

Proposed Tax Rate Increase - Council comments:

Russell Sly: The proposed tax rate is small and would go a long way to assist in getting rid of the current deficit in the general Fund. This, along with other options will get us out of debt.

Alvin Harward: Although he realizes there is a deficit in the General Fund, he also feels the Council should examine spending to determine where the problems are. It seems to be a "Catch 22", he does not see how an increase can be avoided; yet, with Elk Ridge's tax rate higher than other communities, he agrees that the Council needs to meet and review proposed spending.

Mark Johnson: Agreed with Councilmember Harward.

Gary Prestwich: Though Councilmember Rugg went over a lot of numbers and accounts, he did not see where the City will save much money on any of the items she discussed.

**MOTION WAS MADE BY RUSSELL SLY TO ADOPT .002382 AS THE TAX RATE FOR ELK RIDGE CITY FOR THE 2005 TAX YEAR
(MOTION DIED DUE TO THE LACK OF A SECOND)**

**MOTION WAS MADE BY ALVIN HARWARD TO ADOPT THE PROPOSED TAX RATE FROM THE STATE OF .002122 AS THE TAX RATE FOR ELK RIDGE FOR THE 2005 TAX YEAR
(MOTION DIED DUE TO THE LACK OF A SECOND)**

**MOTION WAS MADE BY MARY RUGG AND SECONDED BY ALVIN HARWARD TO ADOPT .002209 AS THE TAX RAE FOR ELK RIDGE CITY FOR THE 2005 TAX YEAR
VOTE (POLL): RUSSELL SLY – NAY, ALVIN HARWARD – YEA, MARK JOHNSON – YEA, MARY RUGG – YEA, GARY PRESTWICH – NAY
MOTION PASSES 3-1**

REVISED TRAIL COMMITTEE PLAN

Dale Bigler: Mr. Bigler presented a revised proposal:

From the first presentation to the Council, it appeared that the majority of the Council was in favor of the walking trail system, but preferred to do it in smaller increments and have a more Finished and permanent trail. There were also concerns expressed about runoff & erosion problems; as well as the feeling that this could require major maintenance time and expense. The Trails Committee has discussed these concerns and proposes the following:

1. Council approval of grading, excavation & laying of a 3 to 4" slag trail base on a short section of initial trail. (South side of Park Drive from Escalante Dr. to Salem Hills Drive & up the east side of Salem Hills Dr. to Maple Ln. = 3/10 mile...10'wide, 8' is the minimum allowed)

Advantages:

- This is a short/less expensive section & will provide actual experience to draw from to base future project on.
- This will give residents a chance to see what proposed trail would be and give feed back.
- Staker Paving advised using slag as a trail base if pavement is not affordable. It is a good base for paving later.

The cost for this revised portion of the project would be \$5,500...total cost with pavement would be \$15,000.

Mary Rugg: Recognizes the amount of work that Mr. Bigler has put in on this proposal; but there is a chance that this will create run-off problems. She does not feel the Council should step into a project "blindly". There are things associated with this type of project that require professional opinions; such as surveying to determine correct rights of way, perhaps engineering.

Dale Bigler: A study by an engineer would be costly. There is not any proof that there would be run-off problems. This is a flat section and is on the up-hill side of the road.

Mary Rugg: Maintains that a trail system on Elk Meadow Drive should take priority over the present proposal due to the safety issues with children having to walk down to the bus stop at the corner of Park & Elk Meadows. There is also a plan to run a trail from Mahogany Way to the Park Playground. These are the projects she feels should be addressed first.

(Mr. Bigler responded that there are safety issues equal to those on Elk Meadow Dr. with children walking on any of the busier streets. There is room for both of the projects within the overall system. The Council cannot "shut down" every proposal that comes before them.)

Comments:

Alvin Harward: Agrees with Mr. Bigler's proposal for E. Park Drive & Salem hills Drive. He feels the safety issues are equal to those on Elk Meadows. It is his opinion that the trail along the current proposed route would serve more people than those in the subdivision above Elk Meadows Dr. He feels the project could be done in part now and then look at asphalt.

Mark Johnson: Expressed appreciation for all the work done by Mr. Bigler and the Committee on the Trails proposal; he is in favor of the project as well as with the direction Councilmember Rugg would like to go with the project.

(There is about \$50,000 in Park Impact Fees...this can also be spent on Trails.)

Mary Rugg: Still cautions the Council regarding the safety issues that exist in the Elk Meadows Drive area and she urged them to place this at the top of the priority list for Trails.

Russell Sly: Would like to see the current proposal with asphalt.

Mark Johnson: Feels the main problem lies in the maintenance of the trails. He feels the trail should be approved with the slag.

MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY MARK JOHNSON TO ACCEPT THE REVISED PROPOSAL MADE BY THE TRAILS COMMITTEE, UP TO A COST OF \$5,500, WITHOUT THE BLACK TOP AT THIS POINT

VOTE: YES (4)

NO (1) MARY RUGG

ABSENT (1) MAYOR FRITZ

DISTURBING THE
PEACE – END OF
HILLSIDE DRIVE

Mary Rugg: Several residents have complained about an existing & growing concern with a situation at the end of Hillside Drive. Some people are driving up beyond the end of the Road at odd hours of the day and night. The complaint is that they disturb the peace and behave in a manner that causes concern for the neighboring home owners.

Request: To gate off the end of Hillside Drive to prevent this disturbance.

Robin Brown (Concerned citizen...reading a letter addressed to the Council from his wife, Robin):

Her main concerns are for the safety of the neighbors, specifically the children in the area.

This "lack of respect for others" has been going on for some time. The noise comes from "trucks and cars coming down the mountain road" and the fact that "some people try to camp up there".

Example: About 2 years ago, "a couple of guys came to my house at 10:30 pm, looking for the deer that they had just shot". The men were told they should not be hunting so close to homes and they were warned that the sheriff would be called if they continued.

The sheriff has been called to the area on this and other related issues.

She realizes this is an access road to the City Tank; but it should be blocked off and keys provided to the City, fire fighters and property owners.

Issues: Noise, careless and disrespectful behavior, litter left along with cigarette butts...this presents the added danger of fire. Over the last 8 years, she has seen police officers forced into bringing people back down off of the hill. She feels it is the City's obligation to keep our area safe from people that will not abide by and follow laws. She feels "the town should invest in the safety issues of our community first and foremost".

Mr. Brown added his opinion that the actions are extremely disrespectful and dangerous.

Alvin Harward: This is private property and any action taken on this land is up to the property owner, not the City. The owner could be contacted and informed of the situation and the growing concern for the safety of the Community; perhaps he would not be opposed to putting up a gate. The police should also be called and kept current on the activities in this area.

Russell Sly: With the owners permission, the City could install a gate (it would have to be a substantial size) to restrict access.

Mark Johnson: Mentioned that there is more than one way to get into the area. Emergency vehicles would need access.

Mary Rugg: The concern is for that entrance. Deer have been shot and dressed right in the neighborhood. (The Fish & Game Dept. should be notified.)

Gray Prestwich: He has spoken to the citizens concerned with the situation.

1. He feels the first thing to be done would be to install a "no trespassing" sign.
2. Call the Sheriff; enforcement of the current laws is effective.
3. Perhaps install a gate at the end of Hillside Dr.

Marc Rugg: The replacement of Hillside Drive would not be an issue if it were not for the vehicles going up and down the road in that area, including the traffic headed off the pavement. During the Winter and Spring months the mud builds up at the end and covers the road; then it gets channeled.

Alvin Harward: Recommended that the residents interested should contact the property owner and get his permission to install a gate. The name of the owner can be obtained from Councilmember Harward.

Gary Prestwich: Responding to the request to actually install the gate: If the citizens can obtain the permission and a cost estimate, then Council would entertain a request to install the gate. He cannot predict if the matter would pass the Council's vote.

SEWER IMPACT FEE
STUDY

Russell Sly:

1. The proposal from Aqua Engineering will be presented at the next Council
2. There will also be a sewer rate increase proposal before long.

2005/2006 FISCAL YR.
BUDGET & CAPITAL
IMPROVEMENT PLAN

MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY MARK JOHNSON TO ADOPT THE 2005/2006 FISCAL YEAR BUDGET, WITH THE ADJUSTMENT TO THE PAROPERTY TAX AMOUNT TO REFLECT THE ADOPTED TAX RATE FOR THE 2005 TAX YEAR; ALSO TO INCLUDE THE CAPITAL IMPROVEMENT PLAN
VOTE: YES (5) NO (0) ABSENT (1) MAYOR FRITZ

ROAD EXTENSION –
SLAEM HILLS DR.

Ray Brown (Planning Commission Chairman): The Planning Commission's recommendation is to allow the proposed road to be extended to the back property line of the two lots involved. Discussion: The property owners agreed to install the road.

Question: What happens to the escrow account in place, with Mr. Ogden's money in it?

Alvin Harward: Feels the money should be returned to Mr. Ogden and to allow the property owners to get bids for the work and install the improvements.

MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY MARK JOHNSON TO REFUND THE MONEY TO MR. OGDEN, HELD IN ESCROW FOR THE PURPOSE OF INSTALLING HIS PORTION OF THE ROAD; AND TO HAVE MR. OGDEN AND MR. RICHARDSON WORK TOGETHER TO ACT AS DEVELOPERS OF THAT PORTION OF THE ROAD

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

SCHEDULE PUBLIC
HEARINGS

1. Ordinance/PUD's:

MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY ALVIN HARWARD TO SCHEDULE A PUBLIC HEARING ON SEPTEMBER 13, 2005, AT 6:05 PM, TO CONSIDER A PROPOSED ORDINANCE REGARDING PLANNED UNIT DEVELOPMENTS

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

2. Ordinance/Land Use Elements of the General Plan:

MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY RUSSELL SLY TO SCHEDULE A PUBLIC HEARING ON SEPTEMBER 13, 2005, AT 6:20 PM, TO CONSIDER AN ORDINANCE ON LAND USE ELEMENTS OF THE GENERAL PLAN

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

3. Page Farms –Crockatt Annexation:

MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY MARK JOHNSON TO SCHEDULE A PUBLIC HEARING ON SEPTEMBER 13, 2005, AT 6:30 PM, TO CONSIDER THE PAGE FARMS – CROCKATT ANNEXATION

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

EXPENDITURES: General: None

MINUTES The Council Minutes of 7-12-05:

MOTION WAS MADE BY RUSSELL SLY AND SECONDED BY MARY RUGG TO APPROVE THE CITY COUNCIL MINUTES OF 7-12-05

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

ADJOURNMENT Mayor Pro tempore adjourned the Meeting AT 9:10 PM.


City Recorder



NOTICE & AGENDA

Notice is hereby given that the regular City Council Meeting scheduled for Tuesday, August 23, 2005, at 7:00 PM, is hereby CANCELLED due to lack of business.

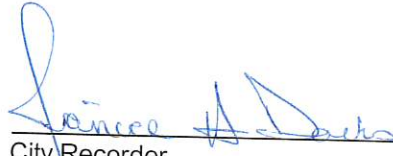
The meetings are usually held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

6:00 – PM COUNCIL WORK SESSION

CANCELLED!

7:00 - PM REGULAR CITY COUNCIL MEETING


CANCELLED!



City Recorder

CERTIFICATION

I, the undersigned, duly appointed and acting City Recorder for the municipality of Elk Ridge, hereby certify that a copy of the Notice of Cancellation was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and mailed to each member of the Governing Body on August 19, 2005.



City Recorder



NOTICE & AGENDA

Notice is hereby given that the City Council of Elk Ridge will hold a Special Joint City Council Meeting with the City Council of Woodland Hills City & Strawberry Electric Service District (SESD), on Tuesday, August 30, 2005, at 6:00 PM.

The meeting will be held at the SESD offices, at 803 N. 500 E. Payson, Utah.

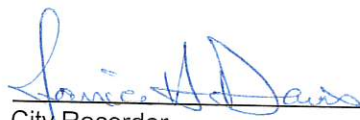
6:00 – PM

MEETING AGENDA SUBJECT MATTER:

1. To consider a proposed Impact Fee per new connection of \$7,000 per unit or \$3,500 per unit
2. Purchase of Water Shares

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

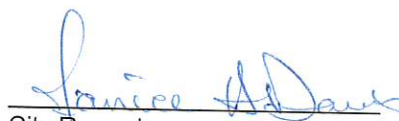
The times that appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting. Dated this 24th day of August, 2005.



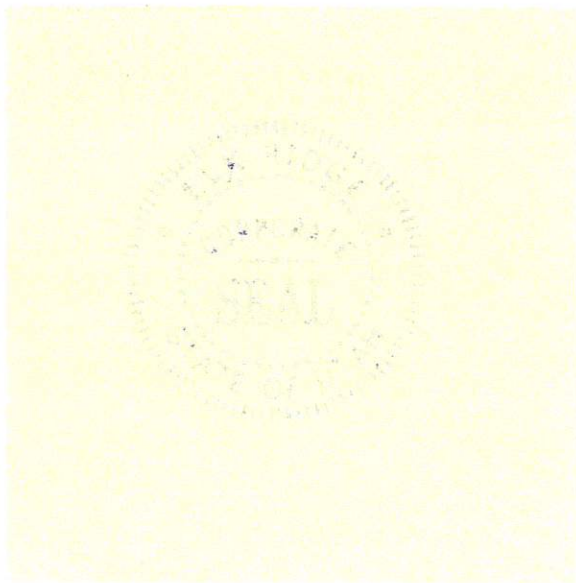
City Recorder

CERTIFICATION

I, the undersigned, duly appointed and acting City Recorder for the municipality of Elk Ridge, do hereby certify that a copy of the Notice of Agenda was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and mailed to each member of the Elk Ridge Governing Body on August 24, 2005.



City Recorder



**ELK RIDGE
CITY COUNCIL MEETING
August 30, 2005**

**TIME & PLACE
OF MEETING**

This Special Joint Meeting of the Elk Ridge City Council with the City Council of Woodland Hills and Strawberry Electric Service District (SESD) was scheduled for **August 30, 2005, at 6:00 PM.**

The meeting was held at the Offices of SESD, 803 North 500 East, Payson, Utah.

Notice of the time, place and Agenda of this Special Meeting was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on August 24, 2005.

SPECIAL JOINT CITY COUNCIL MEETING AGENDA ITEMS

ROLL CALL

Elk Ridge City: Mayor: Vernon L. Fritz; City Council: Gary Prestwich & Mark Johnson; Public Works: Kent Haskell; & City Recorder: Janice H. Davis
Woodland Hills City: Mayor: Toby Harding; City Council: Mac Baldwin, Jody Stones; Public: Chris Kynaston, Milan Malkovich
SESD: Dan Ellsworth, Mary Ann James (Ed Yoshinaza & _____)

**PROPOSED
ELECTRIC IMPACT
FEE**

SESD has had an Impact Fee Study done to determine what they should be charging for connection to their system for new development. Through their Study, they are proposing increases to the Power Impact Fee, to be charged to new homes.
"The calculation of the Power Impact Fee for electrical or district power facilities is based on the Spatial Load Forecast, a prediction of future electric demand that includes location and magnitude, anticipated growth rates, which identifies the need to build additional substation capacity and main distribution facilities, and the district's Action Plan for capital facility additions. The cost of these facilities was estimated at today's prices and will need to be reviewed and periodically adjusted for inflation, as needed."

Power Impact Fee

Residential Single Phase Service

200 Amps.....\$3,500
400 Amps.....\$6,125

Commercial 3 Phase Service

400 Amps.....\$27,563

Service Standard: "The standard of service for all customers is based on having sufficient installed capacity to meet the maximum system demand and not exceed 50% loading on substation transformers."

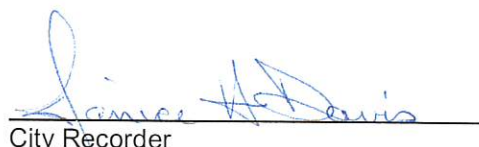
SESD plans on additional and changed substations:

Currently, there are 5 substations: (Locations) Sorenson, Arrow Head, Strawberry, Suter & Loafer.

By 2010 (Location) Sorenson, Arrow Head, Strawberry, Suter (new location), Loafer (Add 2nd location).
This increase will begin by mid September, 2005.

At the meeting when the resolution is passed, representatives who are on the Board will vote on the proposed Impact Fee. The meeting is scheduled for September 13, 2005.

The meeting will begin at 6:00 PM.


City Recorder