

AMENDED NOTICE & AGENDA

Notice is hereby given that the Elk Ridge City Council will hold four **Public Hearings on Tuesday, January 10, 2005**; herein public comment will be heard on the following: The first Public Hearing, to be held at 6:00 PM, is to consider a General Plan Land Use Map Amendment & Zone Change Request by Burke Cloward form RR-1 to R-1-15,000 Zone; The second Public Hearing, at 6:10 PM, is on a proposed Ordinance regarding Landscaping Requirements for Single Home Lots, Planned Residential Developments & Planned Unit Developments; The third Public Hearing, to be held at 6:20 PM, is on a proposed Ordinance concerned with the Review of Petitions for Lot Line Adjustments; The fourth Public Hearing, at 6:30 PM, is on a proposed Ordinance Regarding the Installation of Secondary Water System Improvements.

These Public Hearings will be held in conjunction with the Regularly Scheduled City Council Meeting, to begin at 7:00 PM, and a City Council Work Session at 6:40 PM.

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

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

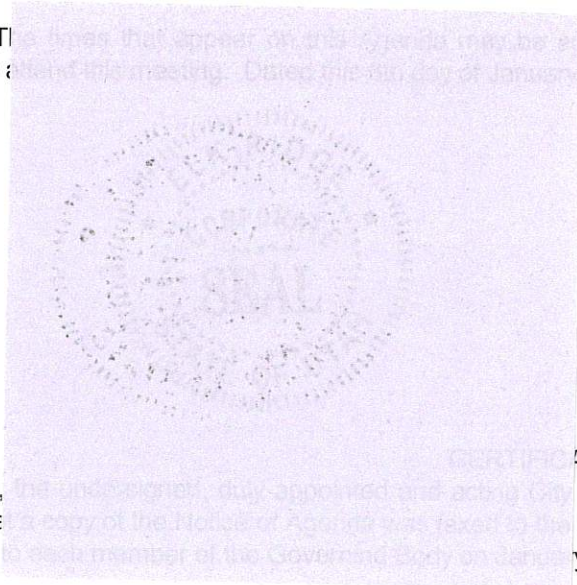
OATH OF OFFICE FOR NEWLY ELECTED MAYOR AND CITY COUNCIL MEMBERS

- 6:00 PM** **1. PUBLIC HEARING/GENERAL PLAN LAND USE MAP AMENDMENT & ZONE CHANGE REQUEST – BURKE CLOWARD**
Public Hearing/General Plan Land Use Amendment & Zone Change Request by Burke Cloward (Property located at approximately 200 East Gooseneast Drive from RR-1 to R-1-15,000 Zone)
- 6:10 PM** **2. PUBLIC HEARING/ORDINANCE RE: LANDSCAPING REQUIREMENTS FOR SINGLE HOME LOTS, PRD'S & PUD'S**
Public Hearing/Proposed Ordinance Amending the Elk Ridge City Code Providing for Landscaping Requirements for Single Home Lots, Planned Residential Developments & Planned Unit Developments
- 6:20 PM** **3. PUBLIC HEARING/ORDINANCE RE: REVIEW OF PETITIONS FOR LOT LINE ADJUSTMENTS**
Public Hearing/Proposed Ordinance Amending the Elk Ridge City Code Providing for the Review of Petitions for Lot Line Adjustments
- 6:30 PM** **4. PUBLIC HEARING/ORDINANCE RE: INSTALLATION OF SECONDARY WATER SYSTEM IMPROVEMENTS**
Public Hearing/Proposed Ordinance Amending the Elk Ridge City Code Providing for the Required Installation of Secondary Water System Improvements
- 6:40 – PM** **CITY COUNCIL WORK SESSION**
5. UDOT Grant/Trails – Mayor Dunn
6. Amended Budget/Discussion – City Recorder
7. Budget/Financial Training by City CPA (Auditors- Jones Simkins) – City Recorder
8. Discussion/Water Shares RE: Recommendation by Tony Fuller – Mayor Dunn
9. Discussion/Administration Policy – Mayor Dunn
- 7:00 - PM** **REGULAR CITY COUNCIL MEETING AGENDA ITEMS:**
Opening Remarks and Pledge of Allegiance
Approval/Agenda Time Frame
- 7:00 10. City Council Assignments – Mayor Dennis Dunn
7:10 11. Re- Appointment of City Recorder and City Treasurer – Mayor Dunn
7:15 12. Approval of City Council & Planning Commission Schedules for 2006 – Mayor Dunn
7:20 13. Norlund Subdivision, Plat A/Preliminary Plat Approval – Mayor Dunn
7:25 14. Snyder Subdivision, Plat A/Preliminary Plat Approval – Mayor Dunn
7:35 15. Action on Public Hearings:
 A. Land Use Map Amendment
 Cloward Zone Change Request (RR-1 to R-1-15,000 Zone)
 B. Ordinance/Landscaping Requirements for Single Home Lots
 C. Ordinance/Review of Petitions for Lot Line Adjustments
 D. Ordinance/Installation of Secondary Water System Improvements

- 7:45 16. Schedule Public Hearing:
Vacation of Salem Hills Subdivision, Plat "E", Lot 9
& Creation of the Norlund Subdivision, Plat "A", Lots 1 & 2
- 7:55 17. Amended Articles of Incorporation/Approval – City Recorder
- 8:00 18. Administration Policy
A. Deputy Recorder Position
- 8:15 19. Expenditures:
A. General
B. Check Registers for December, 2005
- 8:20 20. Minutes of Previous City Council Meeting(s)
Adjournment

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

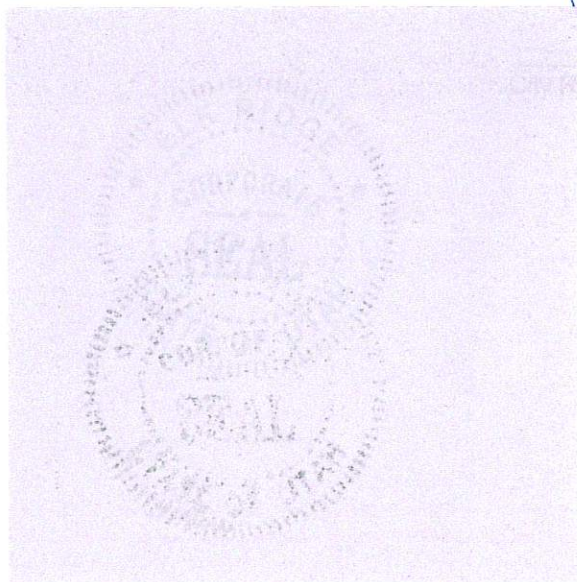
The times that appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting. Called for the day of January 10, 2006.





City Recorder

I, the undersigned, duly approved and acting as City Recorder for the municipality of Elk Ridge, do hereby certify that a copy of the Minutes of the City Council meeting held on January 5, 2006; and an Amended Agenda on 1-6-06. provided to each member of the Governing Body on January 6, 2006.





City Recorder

**ELK RIDGE
CITY COUNCIL MEETING
January 10, 2006**

**TIME & PLACE
OF MEETING**

The Elk Ridge City Council held **four Public Hearings on Tuesday, January 10, 2005**; in conjunction with the regularly scheduled City Council Meeting; wherein public comment was heard on the following: The **first Public Hearing, held at 6:00 PM**, was on a proposed General Land Use Map Amendment & Zone Change Request (Burke Cloward) from RR-1 to R-1-15,000 Zone. **The second Public Hearing, at 6:10 PM**, was on a proposed Ordinance RE: Landscaping Requirements for Single Home Lots, PRD's & PUD's. **The third Public Hearing, held at 6:20 PM**, was on a proposed Ordinance RE: Review of Petitions for Lot Line Adjustments. **The fourth Public Hearing, at 6:30 PM**, was on a proposed Ordinance RE: Installation of Secondary Water System Improvements. All interested persons were invited to be heard. The meetings were held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah.

Notice of the time, place and Agenda of the Scheduled Council Meetings & Public Hearings, was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on January 5, 2006, and an Amended Agenda on January 6, 2006.

OATH OF OFFICE FOR NEWLY ELECTED MAYOR AND CITY COUNCIL MEMBERS

ROLL CALL

Mayor: Dennis Dunn; *City Council:* Mary Rugg, Alvin Harward, Raymond Brown & Nelson Abbott (Absent-Mark Johnson); *Public:* (Non-residents: Anette Brigham, George Woodruff, Tiffini Abbott, Kenneth Abbott, Mr. & Mrs. Abbott ?, Anna Marie Fisher, Don Hopkins, Lila Christensen, Tori Ashton, James Armstrong; and *City Recorder:* Janice H. Davis

The Oath of Office was administered to the newly elected Mayor (Dennis Dunn) and City Councilmembers (Nelson Abbott & Raymond Brown) by the City Recorder on January 4, 2006; and also during this formal ceremony. There were many present to witness this action.

6:05 PM

1. PUBLIC HEARING/GENERAL PLAN LAND USE MAP AMENDMENT & ZONE CHANGE REQUEST – BURKE CLOWARD

Public Hearing/General Plan Land Use Amendment & Zone Change Request by Burke Cloward (Property located at approximately 200 East Goosenest Drive from RR-1 to R-1-15,000 Zone

ROLL CALL

Mayor: Vernon L. Fritz; *City Council:* Mary Rugg, Alvin Harward, Raymond Brown & Nelson Abbott (Absent-Mark Johnson); *Public:* (Non-residents: Anette Brigham, George Woodruff), Anna Marie Fisher, Don Hopkins, Lila Christensen, Tori Ashton, James Armstrong; and *City Recorder:* Janice H. Davis

Mayor Dunn opened the Public Hearing at 6:05 PM.
(Memo from City Planner to City Council)

Background

"This request concerns two areas of potential residential development by Mr. Burke Cloward, shown as Area 1 and Area 2, which are adjacent. The following is a breakdown of Mr. Cloward's request and the actions required for each area:

Area 1: The request is for a zone change only, since the General Plan land use Map has already been amended to reflect the requested land use in this area (proposed Plat "A" of Cloward Estates).

Area 2: The request involves both a General Plan Land Use Map amendment and a zone change for this area (proposed Plat "B" of Cloward Estates).

Earlier this year, Mr. Cloward submitted an application for his property at approximately 200 East Goosenest Drive to be changed from an RR-1 Zone to an R-1-15,000 Zone. At that time, the City was involved in reviewing and updating the Land use Element of the General Plan, including the Land Use Map. The existing map did not call for the type of Zone that Mr. Cloward was requesting.

On October 11, 2005, the General Plan Land Use Map was amended for Area 1 of Mr. Cloward's property, which now allows for the type of zoning being requested to be approved. However,

"On October 11, 2005, the General Plan Land Use Map was amended for Area 1 of Mr. Cloward's property, which now allows for the type of zoning being requested to be approved; however, it was Mr. Cloward's intention that Area 2 also be included in this Land Use Map amendment, but it was not. At this time, it is requested that the City amend the Land Use Map to reflect a Residential (R-1-15,000) land use, and then approve the zone change for the same.

Recommendation:

It was recommended that the City Council set a public hearing to review these requests."

Public Comments:

Anna Marie Fisher: (Resident of Elk Ridge; lives south of the new LDS Stake Center)

She received one of the letters sent to property owners within 300' of the proposed zone change. She asked for explanation of the zones: RR-1 (1/2 acre with rural animal rights) & R-1-15,000 (Residential on 1/3 acre).

She is concerned about the number of lots and the density, as related to the availability of water for all of Elk Ridge. She was also concerned about water rights.

(Mr. Cloward would have to provide the amount of water rights required for the 41 lots he proposes to develop at this time. The City would make sure there is adequate water for those additional lots.)

Lila Christensen: How would the number of lots proposed affect schools?

(Additional schools are planned in the near future for the areas of Woodland Hills, Salem, Payson and Elk Ridge; this would alleviate the pressure of more school-age children.)

City Recorder: Explained that sewerage with Payson City has to be in place before Final Plat approval would be granted.

Mayor Dunn: Though taxes are a concern, he feels that the City will be okay; he also mentioned that there are a "couple of things in the works" that would help with this.

Don Hopkins: Expressed concern that this property has enough water rights to meet its needs for development.

Alvin Harward: There is enough capacity to pump the water, we are "tight" on capacity for storage; sewerage capacity is the real issue. After the contract with Payson is in place, the lines should be laid approximately within one year. Home will not be built until the services can be supplied.

Jim Armstrong: He agrees with the removal of animal rights for this area; he also commented that 1/3 acre lots are still good-sized lots and the City will still have to maintain them.

Mrs. Fisher: The answer to water problems is not always to dig another well. The common water table has to be dealt with. If the aquifer goes down, the availability of water will, too. If too many homes are connected to the system and the City experiences more "drought" conditions, will the owners be able to take a shower?!

Mayor Dunn: Explained the current wells, as well as the plans for a new well, using engineering recommendations regarding the location for a new well. We are also talking with Payson about the possibility of a joint venture; it is just at the discussion stage at this point.

CUP Water is for secondary systems and the City is considering this option, as well.

He also answered a question about property taxes increasing as a result of this growth; Mayor Dunn does not feel taxes will go up as a result of this growth.

Regarding sewerage with Payson: once connected, there could be an adjustment in the rates.

Mayor Dunn closed the Public Hearing at 6:25 PM.

6:25 PM

2. PUBLIC HEARING/ORDINANCE RE: LANDSCAPING REQUIREMENTS FOR SINGLE HOME LOTS, PRD'S & PUD'S

Public Hearing/Proposed Ordinance Amending the Elk Ride City Code Providing for Landscaping Requirements for Single Home Lots, Planned Residential Developments & Planned Unit Developments

ROLL CALL

Mayor: Vernon L. Fritz; *City Council:* Mary Rugg, Alvin Harward, Raymond Brown & Nelson Abbott (Absent–Mark Johnson); *Public:* (Non-residents: Anette Brigham, George Woodruff), Anna Marie Fisher, Don Hopkins, Lila Christensen, Tori Ashton, James Armstrong; and *City Recorder:* Janice H. Davis

Mayor Dunn opened the Public Hearing at 6:27 PM.
(Memo form City Planner to Council)

Background:

"The Planning Commission has recently reviewed a proposal for landscaping requirements in the City Code, and has recommended that these amendments be made. The effect will be that all home lots or spaces will be landscaped at a minimal level, covering 50% of the lot or space, and providing for an 18 month performance guarantee for individual single family home lots. PUD's and PRD's will be required to install the landscaping as they are developed.

Recommendation:

It was recommended that the City Council set a public hearing to review this proposal."

Mayor Dunn: The Planning Commission felt that there was a need to define how much, when and to what extent landscaping would be installed in side/front yards on residential lots or in PUD's & PRD's.

Comments:

Don Hopkins: He felt this was too much of a burden if the owners were just finishing the building process; they might not have enough money to install landscaping.

Ray Brown: Owners would have 18 months to complete the landscaping of their yards. If the landscaping is not in by 18 months, the bond (\$1,500) is forfeited. Once the landscaping is in, the owner gets the bond back...this would "reimburse" them of their expense, or part of it.

Mr. Hopkins: Perhaps "reasonable time" should be extended.

Mary Rugg: The proposed ordinance would not affect existing homes.

Suggestion: The City could provide a "Landscaping Suggestion Packet" to those building.

Alvin Harward: Is opposed to part of this proposed ordinance:

1. He does not feel a bond should be collected...usually peer pressure will suffice.
2. He is opposed to developers/builders having to go through a "landscape designer".

Don Hopkins: He also disagrees with the \$1,500 bond.

Annete Brigham: Run-off problems increase with no landscaping.

Mayor Dunn: Suggested that developers require certain landscaping in their covenants; sometimes they can be more restrictive.

City Recorder: If no bond were required, if after 18 months the landscaping were not in, the person would be in violation of the City Code, which comes with it a misdemeanor classification and a fine. This would provide the enforcement.

No further comments.

Mayor Dunn closed the Public Hearing at 6:45 PM.

6:45 PM

3. PUBLIC HEARING/ORDINANCE RE: REVIEW OF PETITIONS FOR LOT LINE ADJUSTMENTS

Public Hearing/Proposed Ordinance Amending the Elk Ridge City Code Providing for the Review of Petitions for Lot Line Adjustments

ROLL CALL

Mayor: Vernon L. Fritz; *City Council:* Mary Rugg, Alvin Harward, Raymond Brown & Nelson Abbott (Absent–Mark Johnson); *Public:* (Non-residents: Anette Brigham, George Woodruff), Anna Marie Fisher, Don Hopkins, Lila Christensen, Tori Ashton, James Armstrong; and *City Recorder:* Janice H. Davis

Mayor Dunn opened the Public Hearing at 6:45 PM.

(Memo from City Planner to Council)

Background:

"The Planning Commission has recently reviewed a proposal for a proposed amendment to the Code requirements for Lot Line Adjustments, and has recommended its review and approval by the City Council.

Two recent petitions for lot line adjustments have caused concern in meeting the needs of the City, including off-site improvements where necessary. In recent years, the City Code was amended to allow for a shortened, staff level review and approval of such petitions, without requiring the approval of a new final plat. The actual application of this new code has not served the City well. However, the existing requirements for final plat approval offer a more comprehensive procedure which covers the needs of the City. This proposal adds the final plat review procedures to that of lot line adjustment petitions.

Recommendation:

It was recommended that the City Council set a public hearing.

Comments:

Ray Brown: This will require that developers cover their own costs incurred for the drawing of plats, reviews, etc., as well as formalizing the submittal process.

There were no further comments.

Mayor Dunn closed the Public Hearing at 6:50 PM.

6:50 PM

4. PUBLIC HEARING/ORDINANCE RE: INSTALLATION OF SECONDARY WATER SYSTEM IMPROVEMENTS

Public Hearing/Proposed Ordinance Amending the Elk Ridge City Code Providing for the Required Installation of Secondary Water System Improvements

ROLL CALL

Mayor: Vernon L. Fritz; *City Council:* Mary Rugg, Alvin Harward, Raymond Brown & Nelson Abbott (Absent–Mark Johnson); *Public:* (Non-residents: Anette Brigham, George Woodruff), Anna Marie Fisher, Don Hopkins, Lila Christensen, Tori Ashton, James Armstrong; and *City Recorder:* Janice H. Davis

Mayor Dunn opened the Public Hearing at 6:50 PM.

(Memo from City Planner to Council)

Background:

The Planning Commission has recently reviewed a proposal to require secondary water system improvements on all new developments, with some exceptions for individual lots or other developments in areas where it is not deemed feasible or practical. Such requirements may place the City in a better position for an eventual community-wide system.

Recommendation:

It was recommended that the Council set a public hearing.

Comments:

Mayor Dunn: Salem was used as a model for this; they require that all new developments to have a "dry" secondary water system; capped and pressurized (to check for leaks). When the secondary water comes to the City, the lines are ready. This would be applicable to new development north of the City (from the City Center and north). CUP water will only come to the City Center, with pressure; anything south of the City Center would have to be pumped to a storage facility and disbursed to the lots. To require this at this time eliminates having to cut into the streets in the future.

There were no further comments.

Mayor Dunn closed the Public Hearing at 6:58 PM.

6:59 PM

CITY COUNCIL WORK SESSION

ROLL CALL

Mayor: Vernon L. Fritz; *City Council:* Mary Rugg, Alvin Harward, Raymond Brown & Nelson Abbott (Absent–Mark Johnson); *Public:* (Non-residents: Anette Brigham, George Woodruff), Anna Marie Fisher, Don Hopkins, Lila Christensen, Tori Ashton, James Armstrong; and *City Recorder:* Janice H. Davis

**UDOT GRANT –
TRAILS**

Mayor Dunn: Councilmember Brown and former Mayor Fritz attended a meeting in Richfield and picked up an application for a Grant from UDOT for Trails. The application is being reviewed by Shawn Eliot (works for Mountainland Assoc. of Governments or “MAG”); his specialty is in “transportation”. He feels the City has a good chance for success with this grant; it is in the amount of \$500,000. It would be for Phases 1 & 2 of a 5 Phase Project to install trails in Elk Ridge. It would follow the proposed trail on the map.

The trail would be: 8’ wide, 2 ½’ of asphalt on 8” of road base.

Ray Brown: This is a safety issue since there are no sidewalks. Phases 1 & 2 = about 2.2 miles. Councilmember Rugg is over Trails.

It is proposed to go in on the south side of Park Drive, west side of Salem Hills Dr., south side of E. Salem Hills Dr. and the east side of Elk Meadows Dr.

**AMENDED BUDGET
DISCUSSION**

City Recorder: The Audit Presentation is scheduled for 1-24-06. After the acceptance of the Audit for the 2004/2005 fiscal year, the Council needs to consider amending the current budget. This is usually done to bring the budget figures into line with the actual expenditures.

We will also begin the first phase of the new budget for the upcoming fiscal year of 2006/2007; the Tentative Budget needs to be adopted in May, 2006.

There was a brief discussion of the budget process with the Council.

The City Recorder complimented the Deputy Recorder, Andrea Muhlestein, for her part in a quick and “clean” audit. Much of the audit has to do with verifying expenditures and the leader of the audit team, Curtis Roberts, commented on the good job performed by staff, particularly with the organization of the expenditures.

**BUDGET &
FINANCIAL TRAINING
BY CPA**

City Recorder: Past Councils have had government financial training with the City’s CPA. It has been very useful. Would this Council like to continue this practice? If so, an appointment should be made as soon as possible with the CPA, since his schedule gets busy.
(The Council was generally in favor of this training.)

**WATER SHARES
DISCUSSION –
RE: STUDY BY
TONY FULLER**

Mayor Dunn: Mr. Tony Fuller (contracted with by Aqua Engineering) has been conducting a study of the City’s water rights to determine where we stand with the number of rights approved/certified with the State and the City’s future need for water rights. This is a key issue in that the City is on the verge of significant growth. Though the Study is not complete, it appears that Mr. Fuller’s recommendation will be for the City to get into a “sell” mode concerning water rights, rather than an “acquire” mode. If we have enough water rights to sell, then the revenue could be used elsewhere in the water system for needed improvements. This would require a Policy to be followed by staff in the office. Mr. Fuller is not ready to present to the Council yet.

*The Mayor will contact Mr. Fuller to determine how soon the Study would be finished.

The City Recorder contacted Curtis Roberts (CPA) regarding using water right revenue for improvements other than the purchase of more water rights; and he said that it could be done if the Council designates it to be so and the one purchasing the rights from the City is aware that this money would be spent on the water system, but necessarily on water rights. He said to think of the money like an “impact fee” until usage and the number of rights balances out, and then the City would be collecting more rights. He also suggested getting the attorney’s legal opinion.

*Mayor Dunn will contact David Church regarding this issue.

**ADMINISTRATION
POLICY –
DISCUSSION**

Mayor Dunn: He has been reviewing the Administration Policy Handbook and has noted that it needs to be updated. It has also come to his attention that currently the Policy is managed “online” and costs the City \$400-\$500/year. He recommends eliminating this charge and managing the Policy in-house. The online version is also difficult to manipulate, which is also the selling point, in that no one can get into the document and change it. The document cannot be copied from the online version. This requires getting it onto the City’s Town Documents. An electronic version would cost approximately \$2,500-\$3,000 and would be in “folio” software.

The Deputy Recorder is willing to type it up and include any changes that have been made and any corrections to be made. This process would require some additional hours on her part, but would still be more cost effective than purchasing the electronic version and then converting it over, if possible. The Council was in agreement.

**ELK RIDGE
CITY COUNCIL MEETING
January 10, 2006**

**TIME & PLACE
OF MEETING**

The Elk Ridge City Council held **four Public Hearings on Tuesday, January 10, 2005**; in conjunction with the regularly scheduled City Council Meeting; wherein public comment was heard on the following: The **first Public Hearing, held at 6:00 PM**, was on a proposed General Land Use Map Amendment & Zone Change Request (Burke Cloward) from RR-1 to R-1-15,000 Zone. **The second Public Hearing, at 6:10 PM**, was on a proposed Ordinance RE: Landscaping Requirements for Single Home Lots, PRD's & PUD's. **The third Public Hearing, held at 6:20 PM**, was on a proposed Ordinance RE: Review of Petitions for Lot Line Adjustments. **The fourth Public Hearing, at 6:30 PM**, was on a proposed Ordinance RE: Installation of Secondary Water System Improvements. All interested persons were invited to be heard. The meetings were held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah.

Notice of the time, place and Agenda of the Scheduled Council Meetings & Public Hearings, was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on January 5, 2006, and an Amended Agenda on January 6, 2006.

7:12 PM

REGULAR CITY COUNCIL AGENDA ITEMS:

ROLL CALL

Mayor: Vernon L. Fritz; *City Council:* Mary Rugg, Alvin Harward, Raymond Brown & Nelson Abbott (Absent–Mark Johnson); *Public:* (Non-residents: Anette Brigham, George Woodruff), Anna Marie Fisher, Don Hopkins, Lila Christensen, Tori Ashton, James Armstrong; and *City Recorder:* Janice H. Davis

**OPENING REMARKS
& PLEDGE OF
ALLEGIANCE**

An Invocation was offered by Alvin Harward and Mayor Dunn led those present in the Pledge of Allegiance, for those willing to participate.

**AGENDA TIME
FRAME**

MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY ALVIN HARWARD TO APPROVE THE AGENDA TIME FRAME, ADJUSTING THE STARTIN GTIME TO 7:15 PM
VOTE: YES (4) NO (0) ABSENT (1) MARK JOHNSON

**CITY COUNCIL
APPOINTMENTS**

Mayor Dunn: The Mayor has spoken to each of the Councilmembers and they have agreed to fill the following assignments:

Raymond Brown – Roads

Alvin Harward – Water Dept. (Including a secondary water system, wells & tanks)

Mary Rugg – Parks & Trails (Including the 4th of July Celebration)

Nelson Abbott – Sewer Dept.

Mark Johnson – Public Safety (Police & Fire Dept.)

Councilmember Johnson expressed concern that there might be a "conflict of interest" since he now works for the County as a sheriff.

Mayor Dunn met with the Lieutenant from the Sheriff's Dept. and Deputy Larsen. The current contract we have with the Utah County Sheriff's Dept. is up in June, 2006. They discussed the current status of the City: 120 call-outs of various violations.

This information will come to the Mayor twice per month and he (the Mayor) intends on getting the information to the Councilmembers so that they will be informed what the violations are in Elk Ridge. The information is generally public; but, some of the information regarding juveniles should remain confidential and protected.

He feels it is important to be informed what the needs are in the City since currently we share an officer with Woodland Hills (20 hours of patrol time each...call-outs are on top of this). The standard for law enforcement is one officer per 1,000 people; we are at ½ an officer for about 2,100 people. As the City grows, the needs will also grow. A jump from ½ an officer to a full officer would take the City from about \$44,000/year to about \$82,000/year. The Lieutenant suggested some changes to the new contract, which will be discussed at another time.
Raymond Brown: Suggested assisting Councilmember with Police Protection and he can assist Councilmember Brown with Roads; then he feels there would be no “conflict of interest”.

RE-APPOINTMENT -
CITY RECORDER
& TREASURER

MOTION WAS MADE BY MARY RUGG AND SECONDED BY NELSON ABBOTT TO RE-APPOINT JANICE DAVIS AS THE CITY RECORDER AND LINDA COOPER AS THE CITY TREASURER FOR ELK RIDGE
VOTE: YES (4) NO (0) ABSENT (1) MARK JOHNSON

CITY COUNCIL -
PLANNING
COMMISSION
SCHEDULES FOR
2006

MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY RAYMOND BROWN TO APPROVE THE 2006 MEETING SCHEDULES FOR THE CITY COUNCIL AS THE 2ND AND 4TH TUESDAYS, OF EACH MONTH, EXCEPT THE 26TH OF DECEMBER, WHICH WILL BE CANCELLED; AND THE SCHEDULE FOR THE PLANNING COMMISSION WILL BE THE 1ST AND 3RD THURSDAYS OF EACH MONTH, WITH THE EXCEPTION OF DECEMBER 21ST WHICH MEETING WILL BE CANCELLED
VOTE: YES (4) NO (0) ABSENT (1) MARK JOHNSON

Mayor Dunn did mention the possibility of moving the Council Meetings to Thursdays to give more time for packets to be distributed. It was pointed out that not only had Councilmember Johnson scheduled his work schedules around Council Meetings being on Tuesdays, but other obligatory meetings are purposefully scheduled on Thursdays to miss the Council Meetings on Tuesdays. The schedule stays the same.

NORLUND
SUBDIVISION,
PLAT A -
PRELIMINARY PLAT

Mrs. Norlund owns Lot 9, Salem Hills Subdivision, Plat E. She purchased the lot of record to the east of her lot. She wishes to move the lot line to create a larger lot out of the lot of record that she purchased. The City Planner suggested she go through the subdivision process to vacate and amend Plat E, creating a new 2-lot subdivision. This is on the agenda for Preliminary Plat Approval.

The question was raised as to the reasoning for not doing a simple lot line adjustment. The City Planner felt that since the one parcel was never a part of a subdivision, that it would be preferable to actually include this parcel into a subdivision. There was a question on the old gas line easement (it has been abandoned and the easement purchased by the previous owner of the parcel). The line must be capped off on both ends of the line.

The extra parcel is considered an “infill lot”.

There were no further comments.

MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY NELSON ABBOTT TO GRANT PRELIMINARY PLAT APPROVAL TO THE NORLUND SUBDIVISION, PLAT A, LOTS 1 & 2

VOTE: YES (4) NO (0) ABSENT (1) MARK JOHNSON

SNYDER
SUBDIVISION,
PLAT A -
PRELIMINARY PLAT

Mr. Snyder purchased over five acres at the north end of Loafer Drive. He is going through the subdivision process and is on the agenda for Preliminary approval. The process began as a “lot split” and was approved in the Planning Commission as a “subdivision – single lot-split”. It is either a lot split or a subdivision; it can’t be both. It is being handled as a subdivision.

Originally, this was being handled as a lot split by Mr. Hansen, who owned the original 9+ acres; however, the process has changed to a subdivision.

The City Planner included on the memo to the Planning Commission that there was “a” water share associated with his subdivision; however, there should be 13.66 acre-feet attached to this subdivision. At the Technical Review Meeting, 10+ acre feet of water right was discussed. The Mayor has been in contact with Mr. Snyder and he (Mr. Snyder) has been looking for water shares to purchase. He has counseled Mr. Snyder to wait and see what will happen with the Study being conducted by Tony Fuller...perhaps purchasing additional water rights will be unnecessary. Mayor Dunn told him that he would need about \$31,000 worth of water shares.

There will be a “hammer-head” turn around (allowed by the City Code) at the end of Loafer Drive. The Public Works Superintendent said this would work for the snowplows. The City Recorder checked with BFI (garbage collection) and was told that their trucks may back up and that this design would be fine.

Mary Rugg: Brought up a problem of plowing snow and the fact that a huge snow bank would build up. (That does tend to occur on dead end-type roads.)

Question: What type of edge will be required on the turn around? (According to Councilmember Brown, this issue has not been addressed.)

A fire hydrant needs to be shown on the Final Plat.

Problem: Mr. Snyder has not filled out any subdivision applications (Concept, Preliminary, Final).

The Preliminary fees were paid by Mr. Hansen.

The Council tabled Preliminary approval until Mr. Snyder submits an application. He could go forward with Preliminary and Final at the same time.

*Mayor Dunn will contact Ken Young to inform him of the Council’s decision.

ACTION ON
PUBLIC HEARINGS:

1. Land Use Map Amendment (Cloward Zone Change Request (RR-1 to R-1-15,000 Zone):
MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY ALVIN HARWARD TO GRANT MR. CLOWRD’S REQUEST TO CHANGE THE GENERAL PLAN LAND USE MAP AND AMEND THE ZONE FOR HIS PROPERTY LOCATED AT APPROXIMATELY 200 EAST GOOSENEST DRIVE FROM RR-1 ZONE TO R-1-15,000 ZONE
VOTE: YES (4) NO (0) ABSENT (1) MARK JOHNSON

Comment: Councilmember Harward pointed out that normally RR-1 would refer to one-acre lots, not ½ acre lots. This should be addressed and changed accordingly.

*Mayor Dunn will mention this to Ken Young (Planner) to place on the Planning Commission agenda.

2. Ordinance/Landscaping requirements for Single Home Lots:

Comments:

Raymond Brown: He agrees that that it should not be required to have a professional, civil engineer design the landscaping.

Mary Rugg: Also agrees with this. She has an additional suggestion: that the 18 month time limit be changed to the following: at 18 months, the work is in progress and the time limit be extended to 2 years (24 months) for completion. With season changes, 18 months would be difficult to meet.

Mayor Dunn: Advised that when the Planning Commission makes a recommendation to the Council, the Council can accept it, reject it or modify it...which would the Council prefer? They decided they would prefer to modify the proposed ordinance.

Alvin Harward: Feels the \$1,500 bond requirement should be eliminated. Add wording that refers to the penalty already stated in the City Code. The Council must decide if the violation would be considered a “Class C” Misdemeanor or a “Class B” Misdemeanor.

Discussion:

Under the Penalty Clause, a Class B Misdemeanor would have a \$1,000 fine attached to it and possible jail time; a Class C Misdemeanor has a \$750 fine attached to it. Each day could be considered a separate offence or violation. This would not be considered a “nuisance” and fall under this type of enforcement.

Mayor Dunn: The intent was to not have a single lot owner responsible for professional engineering, only if there were a PUD or a PRD. (That should be indicated as a point of clarity.)

The Council went through the document point by point:

Page 2: Chapter 12...

A. “Applicability; Exceptions”: (Leave as it is.)

B. “Plan Review”: Discussion: Raymond Brown: The intent is that there are some controls on what goes into the landscaping to avoid any unsightly plans.

Question: Does the Planning Commission want to approve all the landscaping coming in with permits? This would be very time consuming with in the Meeting time schedule. Should there be another form of approval?

The Mayor suggested striking the entire Subsection B out of the document. All were in agreement except Councilmember Brown.

Decision: Strike all of B.

C. "Landscape Design Standards" Add (PUD's & PRD's) in the title after the existing title and before the "...".

1. "All landscaping plans submitted. ~~must be drawn, designed and certified by a licensed landscape architect.~~ (Strike the above part of the sentence.)
2. Leave as it is.
3. Leave as it is.
4. "Upon approval of a landscaping plan, ~~building permit and site plan, as applicable,...~~"
(Strike the above part of the sentence)

D. "Single-Family Lots:"

- "1. Each dwelling unit on a single-family lot shall landscape the front and side yard areas of the lot or parcel within ~~eighteen (18) months~~ (change to 24 months) of issuance of a Certificate of Occupancy. (Strike the remainder of 1.) and add at the end of the paragraph: "If in non-compliance after 24 months, this will be considered a violation of the Elk Ridge City Code and will be classified as a Class C misdemeanor, with all the applicable penalties and fines."

(After much discussion, there was a split decision on striking the \$1,500 bond...

Mayor Dunn decided in favor of removing the bonding requirement. Councilmembers Abbott & Brown in favor of leaving it in; Councilmembers Harward & Rugg in favor of removing the bond.)

Leave the rest of "D." as it is written.

The remainder of the proposed ordinance will remain as written.

*A copy of this ordinance, as modified, will be included in the Building Permit Packet, to be given to the applicant at the beginning of the Building Permit process.

MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY MARY RUGG TO APPROVE AN ORDINANCE AMENDING THE ELK RIDGE CITY CODE PROVIDING FOR LANDSCAPING REQUIREMENTS FOR SINGLE FAMILY HOME LOTS, PLANNED RESIDENTIAL DEVELOPMENTS AND PLANNED UNTI DEVELOPMENTS, CODIFICATION, INCLUSION IN THE CODE, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILTIY AND PROVIDING AN EFFECTIVE DATE; AS MODIFIED TO:

1. STRIKE ALL OF "B"
2. (C): ADD "PUD'S & PRD'S" TO THE HEADING
3. (C)(1): STRIKE "MUST BE DRAWN, DESIGNED & CERTIFIED BY A LANDSCAPE ARCHITECT"
4. (C)(4): STRIKE "BUILDING PERMIT AND SITE PLAN,"
5. (D)(1): LEAVE IN THE FIRST SENTENCE AND STRIKE THE REEST OF #1; ADDING TO THE END: "IF IN NON-COMPLIANCE AFTER 24 MONTHS, THIS WILL BE A VIOLATION OF THE ELK RIDGE CITY CODE AND WILL BE CLASSIFIED AS A 'CLASS C' MISDEMEANOR, WITH ALL OF THE APPLICABLE PENALTIES AND FINES."

VOTE (POLL): MARY RUGG-AYE, NELSON ABBOTT-AYE, ALVIN HARWARD-AYE, RAYMOND BROWN-AYE

NO (0)

ABSENT (1) MARK JOHNSON

Passes 4-0

3. Ordinance/Review of Petitions for Lot Line Adjustments:

No further comments.

MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY ALVIN HARWARD TO ADOPT AN ORDINANCE AMENDING THE ELK RIDGE CITY CODE PROVIDING FOR THE REVIEW OF PETITIONS FOR LOT LINE ADJUSTMENTS, CODIFICATION, INCLUSION IN THE CODE, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING AN EFFECTIVE DATE; AS WRITTEN

VOTE (POLL): MARY RUGG-AYE, NELSON ABBOTT-AYE, ALVIN HARWARD-AYE, RAYMOND BROWN-AYE

NO (0)

ABSENT (1) MARK JOHNSON

Passes 4-0

4. Ordinance/RE: Installation of Secondary Water System Improvements:

Alvin Harward: Questioned if the Council is sure about the future of secondary water; if not, then he feels this is too much of a burden to place on developers. (The Council is in favor of CUP water, when available. If the system is not installed, it would be too cost prohibitive to install it at the time.)

No further comments.

MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY NELSON ABBOTT TO ADOPT AN ORDINANCE AMENDING THE ELK RIDGE CITY CODE PROVIDING FOR THE REQUIRED INSTALLATIO OF SECONDARY WATER SYSTEM IMPROVEMENTS, CODIFICATION, INCLUSION IN THE CODE, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING AN EFFECTIVE DATE; AS WRITTEN

VOTE (POLL): MARY RUGG-AYE, NELSON ABBOTT-AYE, ALVIN HARWARD-AYE, RAYMOND BROWN-AYE NO (0) ABSENT (1) MARK JOHNSON

Passes 4-0

SCHEDULE
PUBLIC HEARING

Vacation of Salem Hills Subdivision, Plat "E", Lot 9 & the Creation of the Norlund Subdivision, Plat "A", Lots 1 & 2:

Mrs. Norlund has now been granted Preliminary Approval from the Council; in order for her to receive Final Plat, she must "vacate" her current Subdivision and create another. Notice will go out to property owners within 300' of this proposed vacation.

No further comments.

MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY MARY RUGG TO SCHEDULE A PUBLIC HEARING TO CONSIDER THE PROPOSED VACATION OF SALEM HILLS SUBDIVISION, PLAT "E", LOT 9 & THE CREATION OF THE NORLUND SUBDIVISION, PLAT "A", LOTS 1 & 2; FOR FEBRUARY 14, 2006, AT 6:00 PM

VOTE: YES (4) NO (0) ABSENT (1) MARK JOHNSON

AMENDED ARTICLES
OF INCORPORATION

City Recorder: When property is annexed into the City, the Articles of Incorporation must be amended to include the annexed portion into the overall description of the City; this is accomplished by resolution. The City Planner, with the assistance of the City Engineer for the description, has prepared this document. After approval, it will be sent into the Lt. Governor's Office for certification; this will indicate the "effective date" of the annexation.

MOTION WAS MADE BY NELSON ABBOTT AND SECONDED BY ALVIN HARWARD TO APPROVE A RESOLUTION OF THE CITY COUNCIL OC ELK RIDGE, UTAH, AMENDING THE ARTICLES OF INCORPORATION OF THE CITY OF ELK RIDGE

VOTE: YES (4) NO (0) ABSENT (1) MARK JOHNSON

ADMINISTRATION
POLICY

City Recorder: (Mayor Dunn asked Ms. Davis to explain what has been discussed)

The need for changes to the Administration Policy Handbook was discussed in the Work Session. This will take some time to type up and get the document into the computer. The Deputy Recorder said she will take this responsibility on, but it will require more hours to do this.

Deputy Recorder's Position:

There are many projects that need to be in place prior to the major growth Elk Ridge will experience: Impact Fees spread sheets ties into the Building Permit process (possibly adding Road Impact Fees, reimbursement of Fees to Randy Young for \$700,000 upfront payment for the water system), Records Management...besides the normal operations of the City. Mayor Fritz had considered taking the Deputy Recorder's position from 20hours/week to 30 hours/week. He instructed that Mrs. Muhlestein be consulted to determine if there was willingness on her part to do this. She is currently working on her off days at Kara Chocolates to earn extra money and she would rather work more hours for the City There is the option of benefits on a prorated basis for part time employees; Mrs. Muhlestein might be interested in this option.

Mrs. Muhlestein is good at her job; it would be good to keep her on and utilized a current employee rather than hiring another employee and have two people over-lapping on the same responsibilities. Training a new person is always costly, as well.

Is the Council willing to consider taking her position . to 30 hours/week?

*This should be addressed at a future Council Meeting.

EXPENDITURES:

General:

Raymond Brown: There is an opportunity to purchase a new chip & seal spreader with the other South County cities; the old one does not work well. Cost = \$105,000; the old one would be sold for about \$50,000, bringing the cost of the new one to \$55,000.

Elk Ridge's portion would be 2.2% = \$1,210.

There have been many complaints, some in writing about the last chip & seal projects in Elk Ridge. Councilmember Brown has responded to the letters in writing that the City's policy for chip & seal is changing. He is in favor of chip & seal on well-traveled roads, but other options would be considered for cul-de-sacs and roads with less traffic.

*The Council was in favor of Councilmember Brown going forward with the proposed purchase and coming back to the Council with firm figures.

A. Check Registers for December, 2005:

Questions:

1. Left hand side of registers: why do totals appear after some of the invoices?

2. What are the letters "M" & "V" (right margin)?

*The City Recorder will have this information for the Council at the next Meeting.

MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY MARY RUGG TO APPROVE THE CHECK REGISTERS FOR DECEMBER, 2005

VOTE: YES (4)

NO (0)

ABSENT (1) MARK JOHNSON

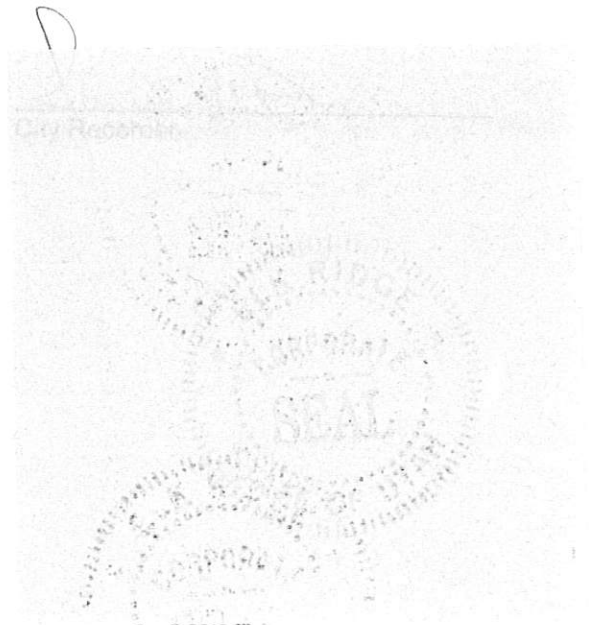
MINUTES

The Council Minutes of 12-13-05 & 12-19-05:

*The City Council will review them and place on the Agenda for next Meeting for approval.

ADJOURNMENT

Mayor Dunn adjourned the Meeting at 9:35 PM.



NOTICE & AGENDA

Notice is hereby given that the City Council of Elk Ridge will hold a regular **City Council Meeting on Tuesday, January 24, 2006, at 7:00 PM, to be preceded by a Council Work Session at 6:00 PM**

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

6:00 PM CITY COUNCIL WORK SESSION

1. Audit Presentation – Jones Simkins LLP

7:00 - PM REGULAR COUNCIL MEETING AGENDA ITEMS:

Opening Remarks and Pledge of Allegiance Invitation

Approval/Agenda Time Frame

- | | |
|------|---|
| 7:05 | 2. Kacey Gunnerson – Eagle Scout Project – Mayor Dunn |
| 7:10 | 3. Norlund Subdivision, Plat A., Lot #2/Water Right – Mayor Dunn |
| 7:15 | 4. Marilyn Tipton/Proposed Lot (65 Salem Hills Dr)/Request for Sewer Connection & Water Right |
| 7:20 | 5. 2004/2005 Fiscal Year Audit – Approval |
| 7:25 | 6. City Government Finances – Training with CPA/Approval of Date |
| 7:30 | 7. Lien Release/Marvin Jarvis (Lot 12, Block 4, Plat A, Salem Hills Subdivision) |
| 7:35 | 8. Planning Commission Members: |
| | A. Re-Appointment (Shawn Eliot) – Replaced Dennis Dunn |
| | B. Re-Appointment (Chad Christensen) - Term ended |
| 7:40 | 9. Proposed Road Name Changes – Mayor Dunn |
| 7:45 | 10. Trails Grant Application/Finance Sources – Ray Brown |
| 7:55 | 11. Book Mobile Contract Renewal – Mayor Dunn |
| 8:00 | 12. Management/Fraud Prevention – Mayor Dunn |
| 8:05 | 13. Excavation Permit/RL Yergensen – Mayor Dunn |
| 8:10 | 14. Joint Work Session - Woodland Hills/Elk Ridge & Strawberry Water Users
(Scheduled for February 28, 2006) |
| 8:15 | 15. Expenditures: |
| | General: |
| | A. Check Registers for December, 2005 |
| 8:20 | 16. Approval of Minutes of Previous Meeting |
| 8:25 | 17. Review of Water Right Requirement for 468 N. Loafer Dr./Proposed Snyder Subdivision |
| 8:35 | Adjournment |

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

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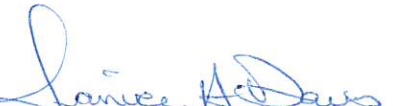
f time permits. All interested persons are invited to attend this



City Recorder

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ON
ecorder for the municipality of Elk Ridge,
d to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and
, 2006.



City Recorder

**ELK RIDGE
CITY COUNCIL MEETING
January 24, 2006**

**TIME & PLACE
OF MEETING**

This regular Meeting of the Elk Ridge City Council, was scheduled for Tuesday, January 24, 2006, at 7:00 PM; this was preceded by a Council Work Session at 6:00 PM. The meetings were held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah.

Notice of 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 January 20, 2006.

6:00 PM

-

CITY COUNCIL WORK SESSION AGENDA ITEMS

ROLL CALL

Mayor: Dennis Dunn; *City Council:* Alvin L. Harward, Mary Rugg, Mark Johnson, Nelson Abbott & Raymond Brown; *City CPA:* Curtis Roberts (Jones Simkins LLP); *Planning Commission:* Shawn Eliot, Dayna Hughes; *Public:* Kacey Gunnerson (Scout), Tricia Gunnerson, Laura Turner, Heather Barker, Ortencia Norlund, Ernestine Folks; & *City Recorder:* Janice H. Davis

**AUDIT
PRESENTATION**

Curtis Roberts (Representing Jones Simkins, LLP):

Mr. Roberts introduced himself to the new Councilmembers.

Review of Audit:

He began with an overview of the various funds in Government Accounting and an explanation of the differences, including "Governmental" (including Capital Projects & one Special Revenue Fund) & "Proprietary" (Enterprise) Funds.

Management Letter:

This communicates the Auditor's findings, including anything considered "material weaknesses". Accounting policies are related, with any changes. Audit adjustments are mentioned; these are common in small municipalities. Internal Controls are examined.

The Audit disclosed no material weaknesses; however, there was a recommendation under "State Compliance": The City's general fund balance exceeds the statutory limit of 18% of the estimated revenues for the General Fund of the City.

(Management's Response: This will be adjusted with the Budget Amendment.)

There was a brief explanation of "fund balance" to the Council.

Mr. Roberts complimented the staff and added that most cities would love to have just one recommendation in their Management Letter.

Financial Statements:

- Page 1 & 2: Independent Auditor's Report

This basically states that all the financials were tested and the numbers represented can be relied upon as accurate. This is considered a "clean audit".

- Page 3: Management Discussion & Analysis:

This is a report generated by the City Recorder and is an overview and analysis of the financial activities of the City for the fiscal year ending in June 30, 2005. (The Auditors will check it over to make sure there is nothing that contradicts the audit numbers.

- Page 11 (Actual Financial Statements):

Summarizes Assets (what we own), Liabilities (who we owe money to) & Net Assets (what is left over).

There is also a summary of impact fees:

Governmental (Parks) = 58,395

Business-type (Water & Sewer) = 104,736

- Page 12 (Statement of Activities for the year):

(An overview of what happened during 2004/2005) What was brought in; what did we spend Money on; & how much did we increase or decrease our equity by?

Costs to the citizens are covered by taxes and other miscellaneous revenues. Services cannot be charged directly to the citizens; example: the Fire Dept. is supported by taxes and grants, etc.; when they fight a fire, the citizen is not going to be charged for the service of protecting that home.

Pages 13-15: Do the figure comply with the Budget?

Explanation of "Capital Projects/Future Improvements" (the fund where excess fund balance accrues for future improvements in the General Fund) This is how the General Fund maintains the 18%...the excess revenue gets transferred to this fund.

Capital Projects Funds can be thought of a "savings accounts" for future purchases.

(Pg 15) This is the "Operations" for the year for Governmental type funds.

The General Fund, "fund balance" was brought down by 53,251 in an attempt to comply with the 18% requirement...this was the correct move, it just was not enough to bring the total down below the 18%. Overall the City's change in fund balance for Government Activities increased only 22,288...he considers that to be good management.

Proprietary Funds (Business-type Funds):

Pages 17 & 18: (Page 18) "Operations":

Water Fund: Revenues were down slightly due to a "wet year", so water sales were down substantially; however, "Operating Income" = 101,114 (net) (This indicates what kind of "return" the City got on its investment in the Water Dept.) The City got about a 6% return on our assets. Most business owners want to get that return so that it covers inflation and perhaps a bit more. Inflation ran about 4% last year. So the City covered inflation + a bit extra. Fixed Asset should have a range of return that covers inflation and up to about 10%; once we hit 10%, perhaps water rates should be reconsidered. 6% is solidly in that range.

Comment: Even though the Water Fund is doing well, there are very costly improvements in the near future to consider. (This point was made by Mr. Roberts several times throughout the presentation.)

Sewer Fund: Operating Income = 2,584...this is operating at less than 1%. This Fund is not as "healthy". Not enough "return" is being generated to replace the assets, at their inflationary costs. This Fund is struggling.

Non-major Fund: (Is the Storm Drainage Fund) It is still a new fund and is at the stage of building up enough revenue to invest in assets.

Page 17: Available Net Assets" (Available to spend)

Water Fund: 254,413 (Less about 2 - 6 months of operating needs: 75,000 to 100,000)
= 154,413

This upward swing in this Fund is important when the City goes out to bond for future improvements.)

Sewer Fund: 299,102 (Less 2 or more months of operating needs: about 50,000) = 249,102

(However, with the uncertainty with sewerage, it would be wise to leave this available cash alone for now.)

Storm Drainage: 9,010 (This Fund is still building up for the future.)

Bond Pay-off Information:

During the Audit, Mr. Roberts reviewed the current bond and compared them to the money the City has on hand and in reserve in the Water Fund; and made the recommendation that the City may want to consider paying off several of the outstanding water parity bonds...all but the newest 2002 bond for the Cloward Well (including Series 1993 1, 2 & 3: and the 1997 Series. (Handout to the Council)

Pg 1: Review of current bonds and the amounts of outstanding debt for each:

1. Series 1993R-1 (Portion of the bond for the Upper Loafer Well):
After 1/2006 payment = 60,000
Scheduled to terminate in 2018
2. Series 1993R-2 (Portion of the bond for the Upper Loafer Well):
After 1/2006 payment = 71,000
Scheduled to terminate in 2018
3. Series 1993R-3 (Connecting water line from Upper Loafer Well to Upper tank):
After 10/2005 payment = 84,994
Scheduled to terminate in 2022
4. Series 1997 (New Tank): After last payment = 33,081
Total to pay off = 249,075
Scheduled to terminate in 2007

Pg 2: Payment Schedules:

Pay off dates and amounts (includes money owed to Dallas Young for water rights and the 2002 Cloward Well and a portion of a note to Hal Shuler that is due to pay off)

Pg 3: Lists the Water Bond Restricted Accounts:

Reserve Accounts associated with the various water bonds:

(These accounts are at the State Treasury)

PTIF Accounts: 1166, 1167, 1580, 1582 = Just shy of \$153,000 as of June 30, 2005.

So the City is within about \$100,000 from paying off these bonds.

Options to consider drawing the extra 100,000 from:

- Capital Facility Replacement Fund has 136,305 balance (The State allowed the City to use the same account for all of the bonds rather than having a separate one for each of the bonds. We would not want to deplete this fund entirely...but a portion of it could be used.

*The terms of this fund will have to be reviewed; but he feels that the City might be able to draw this fund down by about 1/2.; then only about 32,000 would have to come from Retained Earnings. Perhaps the State would allow the City to use the full 100,000 from this account. When they are informed of a pending pay-off, they could be consulted on this point.

- Retained Earnings = 254,413 already addressed.

Why Pay Off?

The bonds are not at a high interest rate; but based on previous discussions with staff and previous Councilmembers, there are future water projects where bonding will be a necessity:

- New Well

- New Tank

- All associated water lines to connect these projects to the system

If the City only has one outstanding bond, we will be in a stronger position to obtain another bond. Bonding agents do not bond based on what the City may have "in hand"; they base it on what it would take to pay on the existing bonds. They will add "principal + interest" to get "total debt service" and if this runs at a high rate compared to "operating income", the bonding agent "gets nervous". If all the cash the fund generates goes to make bond payments and the associated supporting reserve funds; this does not place the City as a good risk.

Paying off some of these bonds would free-up some of the City's ability to borrow; because the City's total debt service would be lower by the elimination of those four bonds.

- Due to all of the above, a more favorable interest rate may be available to the City; as well as a more favorable debt payment schedule.

Raymond Brown: Questioned why not pay off the bond with the higher interest rate (2002 Bond), rather than the other bonds with lower rates?

Mr. Roberts: The Reserve Funds are associated to specific bonds; we could not use Reserve Funds for other bonds to pay off the 2002 Bond. It would be the same as using an escrow for one mortgage and pay off another mortgage.

Nelson Abbott: Asked about the possibility of "refinancing" the debt on the 2002 Bond.

Mr. Roberts: Yes, but he is not sure if the City would be able to get a better interest rate in a whole new package for the 2002 Bond.

These options are available for the Council to consider.

Mr. Roberts concluded the Audit Presentation with comments concerning new laws and regulations being discussed, which makes the job of the City's staff more difficult and the job of the Auditors more difficult.

There was further discussion:

- Operating vs. Non-operating Income and Expenses

- Debt to Income ratio: The State structures their bond documents in such a way that the "Operating Income" number needs to be 125% of the bond payment.

Pg 69: "Net Revenue Bond Requirement/Water Fund"

This shows the "Operating Income" as $101,114 + 27,089$ (interest) + $66,222$ (depreciation) = $194,425$

Then the Debt service (principal & interest) = $84,542 \times 125\% = 105,678$ (excess of net revenue over bond requirement = $88,748$) The closer the City is to the $105,678$, the worse the interest is going to be. Paying off the 4 bond would dramatically reduce the total debt service figure and the 125% figure.

As cash flow goes up, then there is more flexibility to set this money aside so the City would not have to bond for as much, or this money could be used to pay down the existing 2002 Bond.

There were no further questions or comments.

There is a proposed training session for the Council, with the CPA. Dates were discussed: February 11, 2006, was the date discussed with Mr. Roberts. Some of the Council could not attend on that date; the Council said they would discuss it further and let Mr. Roberts know if that date or another date would work.

Mr. Roberts thanked the Council for allowing Jones Simkins to be a part of the City's growth.

**ELK RIDGE
CITY COUNCIL MEETING
January 24, 2006**

**TIME & PLACE
OF MEETING**

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ROLL CALL

Mayor: Dennis Dunn; *City Council:* Alvin L. Harward, Mary Rugg, Mark Johnson, Nelson Abbott & Raymond Brown; *City CPA:* Curtis Roberts (Jones Simkins LLP); *Planning Commission:* Shawn Eliot, Dayna Hughes; *Public:* Kacey Gunnerson (Scout), Tricia Gunnerson, Laura Turner, Heather Barker, Ortencia Norlund, Ernestine Folks; & *City Recorder:* Janice H. Davis

7:10 PM -

CITY COUNCIL REGULAR AGENDA ITEMS

**OPENING
REMARKS &
PLEDGE OF
ALLEGIANCE**

Opening Remarks (prayer) were offered by Councilmember Ray Brown, after which the Pledge of Allegiance was led by Scout Kacey Gunnerson, for those wishing to participate.

**AGENDA TIME
FRAME**

MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY RAYMOND BROWN TO APPROVE THE AGENDA TIME FRAME; ADJUSTING THE STARTING TIME BY 12 MINUTES; AND STRIKING ITEMS 8 & 17
VOTE: YES (5) NO (0)

**EAGLE SCOUT
PRESENTATION**

Scout Kacey Gunnerson:

Scout Kacey Gunnerson proposed to create 6 "Triage" Kits (1st Aid Jump Kits) for the CERT Teams in Elk Ridge. The CERT Teams are in need of these. The cost would be \$31.74/kit. He gave a list of the items he will need to collect for the kits; and he said he will try to get these items donated to the Project. Some of the supplies will have to be ordered. He requested \$100 from the City to assist in the purchase of the supplies. He also listed ways he could raise the money himself.

Mayor Dunn: This proposed project is supported by the CERT Leaders; and there is a need. Scout Gunnerson is CERT –trained. (Kacey has contacted LaRon Taylor, who is the Program Director for the CERT Program in Elk Ridge; and his list was approved.)

*Dale Allred may be a source for the shears, 4X4's, tape and perhaps some zipper bags for the kits (his business is in Spanish Fork).

Mayor Dunn recommended granting Kacey's request for \$100 to support his Project.

*Councilmember Rugg can get the construction paper for his Project.

MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY MARY RUGG TO SUPPORT SCOUT GUNNERSON'S EAGLE PROJECT WITH \$100 FROM THE CITY'S "VOLUNTEER FUND"

VOTE: YES (5) NO (0)

**NORLUND
SUBDIVISION,
PLAT A, LOT 2
WATER RIGHT**

City Recorder: Ms. Norlund, who is in the process of vacating and amending the subdivision in which she resides, is also seeking final plat approval from the City Council on Feb. 14, 2006. In conjunction with final plat, she needs to have a water right assigned to the parcel she purchased. 1.3 acre ft. of water right is the minimum for a lot.

Ms. Norlund has already been granted a sewer connection for Lot 2 of the proposed subdivision. The Dallas Young water rights were purchased by the City for the purpose of providing small amounts of water rights to "infill lots" in the City. Ms. Norlund's Lot 2 would be considered an "infill" lot.

MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY MARK JOHNSON TO APPROVE 1.3 ACRE-FEET OF WATER RIGHT TO BE ASSIGNED TO LOT 2, NORLUND SUBDIVISION, PLAT A

VOTE: YES (5) NO (0)

MARILYN TIPTON
PROPOSED LOT
@ 65 SALEM HILLS
REQUEST FOR
SEWER
CONNECTION
& WATER RIGHT
ASSIGNMENT

(Memo from Planner to the City Council)

"Background:

Marilyn Tipton would like to begin the process for a new subdivision plat, which would create a new lot at approximately 65 Salem Hills Drive. It appears that the minimum subdivision requirements for the creation of such a lot can be met. Before proceeding, she would need to receive approval for a sewer connection at that location. Ashe is also requesting 1.3 acre-feet of water right be assigned to this new lot."

(A map was provided, showing the location of the proposed lot.)

Mayor Dunn: This also fits into the classification of an "infill lot".

The size of the proposed lot was questioned. It does meet the requirements; set-backs must also be met.

MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY ALVIN HARWARD TO APPROVE 1.3 ACRE-FEET OF WATER RIGHT AND ONE SEWER CONNECTION, TO BE ASSIGNED TO MARILYN TIPTON'S PROPOSED LOT AT 65 SALEM HILLS DRIVE

VOTE: YES (5)

NO (0)

2004/2005 FISCAL
YEAR AUDIT

MOTION WAS MADE BY MARY RUGG AND SECONDED BY MARK JOHNSON TO APPROVE THE 2004/2005 FISCAL YEAR AUDIT

VOTE: YES (5)

NO (0)

CITY
GOVERNMENT
FINANCES –
TRAINING WITH
CPA

After discussion, the entire Council could not be present on February 11; and they all felt it important that as many as possible attend. The CPA is to be contacted regarding the possibility of March 25th.

LIEN RELEASE -
MARVIN JARVIS

Lot 12, Block 4, Plat A, Salem Hills Subdivision: Curb & Gutter assessment owed on this lot. The full amount of \$1,072.50 was paid to the City. A Release of the Lien filed with Utah County must now be filed, after approval by the Council.

MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY MARK JOHNSON TO RELEASE THE LIEN FOR CURB & GUTTER ASSESSMENT FILED ON LOT 12, BLOCK 4, PLAT A, SALEM HILLS SUBDIVISION, IN THE AMOUNT OF \$1,072.50

VOTE: YES (5)

NO (0)

*(The Release needs to be recorded at the County.)

PLANNING
COMMISSION
MEMBER RE-
APPOINTMENT

Shawn Eliot replaced Dennis Dunn for the remainder of his term on the Planning Commission; that term has expired and Mr. Eliot has agreed to re-appointment for a 5-year term.

MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY NELSON ABBOTT TO RE-APPOINT SHAWN ELIOT TO A 5-YEAR TERM OF OFFICE ON THE PLANNING COMMISSION, BEGINNING IN FEBRUARY, 2006

VOTE: YES (5)

NO (0)

ROAD NAME
CHANGES

Mayor Dunn: Mayor Dunn asked Shawn Eliot to re-visit with the Planning Commission the topic of road name changes. They had some discussion that resulted in a motion being made to the Council. This will be discussed at the Council Meeting on 2-14-06.

The Mayor recommends that the Council review the motion and make what may be an unpopular decision on road name changes; that will be in the best interest of the citizens, for safety reasons.

Mayor Dunn has spoken to the Fire Dept. and the Sheriff's Dept.; they agree that there is confusion regarding streets with odd names or similar names. Departments coming into town for support or back-up also get confused with directions from dispatch.

Mark Johnson: Stated that dispatch could be clearer in their directions, as well.

Mayor Dunn: Reviewed some of the street names that could be changed.

*Raymond Brown: Is to check out Goosenest Drive as it turns into Rocky Mountain Wy...is it a 90° turn? Or does one curve into the other?

There was quite a long list, but they are presenting just a few at a time.

Mayor Dunn: Certain citizens living on Jamileh Circle has requested their street be renamed Cougar Crt. There will be a public hearing to gather public input at the Planning Commission.

Shawn Eliot:

- Gooseneck Drive does not have a 90° turn into Rocky Mountain Wy. It is a curve; that is why the Planning Commission felt it should be a continuation of Gooseneck Drive.
- Salem Hills Drive has north, south, east and west directives attached to the same street name, which is very confusing.
- Salem hills Drive also leads into Canyon View Drive at the south end...as the road continues, generally it would retain the same name. Perhaps East Salem Hills Drive could become Canyon View Drive.
- Park Drive/Elk Meadows Drive/Elk Ridge Drive: The issue is that it is one continuous road and perhaps should be Elk Ridge Drive all the way up from the Highway.

*This will be on the Agenda for additional discussion on February 14, 2006.

TRAILS GRANT APPLICATION

Raymond Brown: The Trails Grant Application is ready except for some of the financial information. He hoped to mail it in the next day. Planning Commission Members Hughes & Eliot worked together to fill it out. The Grant amounts to about \$406,000 of Federal money; with the total Project at about \$512,000.

The trail width will be 10 feet, (which is the new standard). The Project includes plans for drainage (sumps), lighting and landscaping. This is a matching grant of about a 70/30 split; "soft funds" can be taken into consideration for part of the City's portion. "Soft funds": time spent on Project, money spent thus far on the trail, wages of City employees, design of trails + engineering associated with this. Each stage of the over-all Project will be billed separately, so the City would not have to come up with our portion all at once; plus any work the City does us. The City will need to provide about \$70,000.

The Grant Committee seems very favorable on the City's application. They are please with the amount of information that has been provided to them.

Shawn Eliot: This year three years of projects are being funded rather than just one year; so that is three years' worth of money available. This gives the City a better chance to receive the grant.

Mary Rugg: Is the City bound to the particular proposal as submitted with the Application?

Ray Brown: No. There can be minor changes in the actual installation of the trail (not major ones) as compared to the Application submitted.

The portion of the trail that has been partially graded and slag laid out is useful in that it demonstrates that the City is serious about the Project and has already put forth effort and funding for a part of the proposed Project.

Shawn Eliot: The City is basically turning in a "concept report"; if the concept changes during the engineering part of the process, then there would be a "change order" to accommodate this modification. If there were radical changes, that would require the Committee to review the information. Ideally, it should stay close to what was presented.

Mary Rugg: She asked for clarification of which side the trail would go on Salem Hills Drive (Mr. Eliot and Councilmember Brown responded that it would go in on the east side). It was further clarified that it would be the side that Loafer Canyon is on.

Who will be responsible for the upkeep?

(The City would have to make arrangements with Public Works and ask citizens to assist in the upkeep as community project.

Cash funding could come from Park Impact Fees (\$58,000 as of June 30 2005), and the Roads Dept. (Franchise Fees) Councilmember Brown said he would be willing to take 50% of the nearly \$70,000; but the remainder would have to come from other places. Councilmember Rugg said she could be responsible for \$20,000; the remainder would have to be made up with Fund Balance I the General Fund (Perhaps \$13,500-14,000).

BOOK MOBILE
CONTRACT

Mayor Dunn: The City's contract for the Bookmobile services is due. Does the Council feel it is worth the cost of \$2,880.00/year to renew the contract?
Councilmember Abbott and the Mayor planned on meeting with mayor Bills and Andy Hall (Payson City), to follow up on the sewer contract and to ask about the possibility of Elk Ridge citizens being able to purchase a dump pass and a library card at a discounted rate.
Alvin Harward: He checked with the Bookmobile and found out that only about 1,000 books/year are going out. That is about \$2.80/book. He feels it is not worth it to the City to renew the contract. The Council agreed to discontinue the contract.
Mary Rugg: Many parents sign books out of the library at Mount Loafer Elementary School. That is a source for citizens.

MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY MARY RUGG TO NOT RENEW THE CITY'S CONTRACT FOR THE BOOKMOBILE CONTRACT
VOTE: YES(5) NO (0)

MANAGEMENT -
FRAUD
PREVENTION

Mayor Dunn: This is for the information to the Council. A document came to the Mayor about a week prior to the meeting and he thought it prudent that the Council review it. It is a "Guide to help prevent and deter fraud".

EXCAVATION
PERMIT -
RL YERGENSEN

Mayor Dunn: (Memo from Mayor to Council)
"One of our citizens called the City office and expressed some concerns about an excavation crew working on Cove Drive. I drove over to the lot and found work taking place without an excavation permit. This work is in a Critical Environmental Zone. I asked them to stop work and called RL Yergensen to come in and visit with me."
(Mr. Yergensen did come in and visit with the Mayor and was informed of the situation and that he had to present a grading plan to the Planning Commission.)
"RL has hired an engineering firm to layout the excavation work and talked to Corbett (Stephens) to receive some direction on the project. A final stamped drawing will be presented to the Planning Commission at their next meeting."
Mr. Yergensen brought in a stamped, engineered plan on that day (1-24-06) and has paid for an excavation permit; however, he still needs to go before the Planning Commission. The order of the process is out of sequence, but the steps are being and will be met.
The property next door (existing homeowner) also needs to follow the same plan and process. (There is also a problem at the south end of Hillside Drive. This will be addressed, as well.)
Alvin Harward: Re: excavation on Hillside drive...
Dirt in the middle of the road is also a problem; the gutters and road surrounding the area are filled with mud and debris.
Mayor Dunn: Mr. Yergensen claims that former Mayor Fritz said he could go ahead and move the dirt
If he stayed within a certain area; that area is all within CE-1 Zone, except where he is cutting (that is R-1-15,000). He is moving the dirt to a future building lot. If that is the direction given from former Mayor Fritz, Mayor Dunn will honor that arrangement; but Mayor Dunn will contact former Mayor Fritz to verify the arrangement.
Raymond Brown: He feels that any developer's agreement should be in writing, with both parties signing it. If he doesn't have that, then he should abide by whatever the current regulations are. He has received numerous phone calls on this issue.
Alvin Harward: A mayor cannot do a "handshake agreement" and have it binding on another on another mayor.

JOINT WORK
SESSION WITH
WOODLAND HILLS
& STRAWBERRY
WATER USERS

Mayor Dunn: (Memo to Council)
"This will be a power point presentation from Strawberry Water on their program and services. It will last about 30 minutes. Neither Elk Ridge nor Woodland Hills use Strawberry Water, yet we do have a voting position on the SUVMWA committee and need to have knowledge of their place and involvement in the south County communities. When we are involved in inter-local agreements that require the Council to make a decision and a vote, we need to know how we fit in."
The Mayor recommends having the presentation with Woodland Hills at the Elk Ridge City building as a work session on February 28, 2006, at 6:00 PM.

EXPENDITURES

General:

1. (Information only) The City Recorder was asked for an explanation of certain codes and symbols on the Check Registers: that was explained to the Council.

2. Snowplow drivers/wages: It was suggested to raise the wages of the snowplow drivers from \$10/hour to \$12/hour. The pay has not been raised since the position was created. The Council agreed.

MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY MARY RUGG TO INCREASE THE WAGE FOR THE BACK-UP SNOWPLOW DRIVERS FROM \$10/HOUR TO \$12/HOUR; EFFECTIVE FEBRUARY 1, 2006.

VOTE: YES (5)

NO (0)

3. Alvin Harward: Suggested raising the Mayor's stipend from \$500/month to \$1,000/month. The Mayor puts in long hours and deserves to be paid more for his time.

Discussion:

Mayor Dunn: Appreciates the offer, but would prefer to get over his learning curve first.

MOTION WAS MADE BY ALVIN HARWARD TO INCREASE THE STIPEND FOR THE POSITION OF MAYOR FROM \$500/MONTH TO \$1,000/MONTH

Discussion:

Raymond Brown: He agrees with this suggestion and feels it is well-deserved; but feels it is premature.

The rest of the Council agreed that it should be re-considered later.

The motion died due to lack of a second.

MINUTES

City Council Minutes of 12-13-05 & 12-19-05:

MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY MARK JOHNSON TO APPROVE THE CITY COUNCIL MINUTES OF 12-13-05 (WITH CORRECTIONS ON PAGE 1: CHANGE GARY "PROCTOR" TO "PRESTWICH"; AND PAGE 2: CHANGE "MATER" TO "METER"

VOTE: YES (5)

NO (0)

MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY NELSON ABBOTT TO APPROVE THE CITY COUNCIL MINUTES OF 12-19-05, AS WRITTEN

VOTE: YES (5)

NO (0)

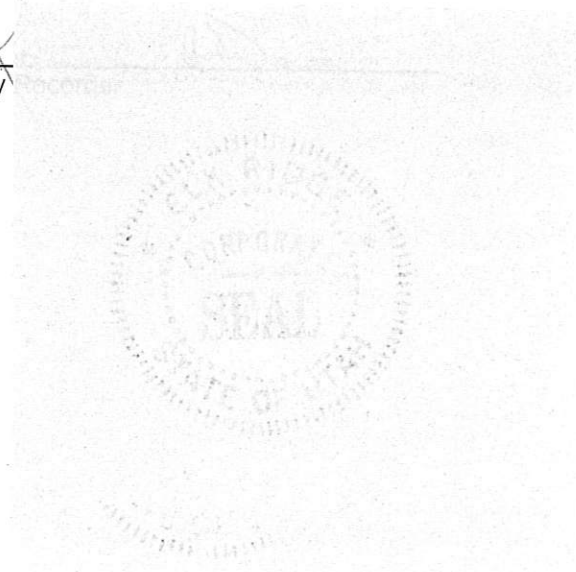
NON-AGENDA
ITEM

*Polled Council vote: To schedule a Public Hearing to Amend the 2005/2006 Fiscal Year Budget, for February 28, 2006, at 6:45 PM. All Councilmembers were in agreement. The polled vote will be ratified at the next Council Meeting.

ADJOURNMENT

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


City



NOTICE & AGENDA

Notice is hereby given that the Elk Ridge City Council will hold a **Public Hearing on Tuesday, February 14, 2006; at 6:00 PM**; for the purpose of hearing public comment on the Proposed Vacation of Lot 9, Salem Hills Subdivision, Plat "E" and the creation of Norlund Subdivision, Plat "A", Lots 1 & 2.

This Public Hearing will be held in conjunction with the Regularly Scheduled City Council Meeting, to begin at 7:00; and the City Council Work Session, at 6:10 PM.

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

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

6:00 PM 1. PUBLIC HEARING/VACATION OF LOT 9, SALEM HILLS SUBDIVISION, PLAT "E"; AND FINAL PLAT APPROVAL OF NORLUND SUBDIVISION, PLAT A, LOTS 1 & 2

Public Hearing/Proposed Vacation of Lot 9, Salem Hills Subdivision, Plat E

Final Plat Approval – Norlund Subdivision, Plat A Lots 1 & 2

6:10 – PM CITY COUNCIL WORK SESSION

- 6:10 2. Discussion/Priority List for Developers for Water Rights Assignments – Mayor Dunn
- 6:15 3. Payson & Elk Ridge/ Water, Sewer, Garbage – Mayor Dunn
- 6:25 4. City Code Amendment/Building Heights – Mayor Dunn
- 6:35 5. City Street name Changes/Discussion – Mayor Dunn
- 6:50 6. Original Elk Ridge Citizens Tribute – Mayor Dunn
- 6:55 7. Grant Applications/Wal Mart – Mayor Dunn

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

Opening Remarks and Pledge of Allegiance

Approval/Agenda Time Frame

- 7:00 8. Vacation of Lot 9, Salem Hills Subdivision, Plat "E"
 - A. Final Plat Approval – Norlund Subdivision, Plat "A", Lots 1 & 2
- 7:10 9. Water Rights Recommendations/Tony Fuller & Jeff Budge
 - A. Ratify Polled Vote to Transfer the Current Standing on Certain Water Rights
- 8:00 10. Water Parity Bonds/Pay-off – Alvin Harward
- 8:10 11. Ordinance Amendment/Elected Official & City Employee Compensation
- 8:15 12. Parks/Retention Wall – Mary Rugg
- 8:20 13. 4th of July Budget Increase – Mary Rugg
- 8:25 14. Ratify Polled Vote: Schedule Public Hearing/Amer
- 8:30 15. "Pigeon" Ordinance/Discussion – Nelson Abbott/M
- 8:40 16. Resolution Opposing Senate Bill 170 – Mayor Dur
- 8:50 17. Expenditures:
 - A. General
- 8:55 18. Minutes of Previous City Council Meeting(s)
Adjournment

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

The times that appear on this Agenda may be accelerated if time permits at this meeting. Dated this 9th day of February, 2006.

Cit.

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 February 9, 2006.


City Recorder

**ELK RIDGE
CITY COUNCIL MEETING
February 14, 2006**

**TIME & PLACE
OF MEETING**

This Regular Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, February 14, 2006, at 7:00 PM.** It was preceded by a **Council Work Session at 6:10 PM** and a **Public Hearing at 6:00 PM**, for the purpose of hearing public comment regarding the Proposed Vacation of Lot 9, Salem Hills Subdivision, Plat "E"; and Final Plat Approval of the Norlund Subdivision, Plat "A", Lots 1 & 2.

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 February 9, 2006.

6:00 PM

PUBLIC HEARING/VACATION OF LOT 9, SALEM HILLS SUBDIVISION, PLAT "E"; & FINAL PLAT APPROVAL OF NORLUND SUBDIVISION, PLAT "A", LOTS 1 & 2

Public Hearing/Proposed Vacation of Lot 9, Salem Hills Subdivision, Plat "E": the subsequent Final Plat Approval of the newly created Norlund Subdivision, Plat "A", Lots 1 & 2.

ROLL CALL

Mayor: Dennis A. Dunn; *City Council:* Mary Rugg, Alvin Harward, Raymond Brown, Mark Johnson & Nelson Abbott; *Public:* Hayden Rugg, Ortence Norlund, Janine Nilsson and *City Recorder:* Janice H. Davis

Mayor Dunn opened the Public Hearing at 6:02 PM.

(Memo to Planning Commission from the City Planner, dated January 5, 2006)

"Background:

The application submitted by Mrs. Norlund seeks to adjust the lot lines of her current lot at 339 Magellan Ln; creating a new platted lot from the land she purchased." Part of this parcel was held as a utility easement by Questar Gas Company. Questar has relocated the gas main to avoid housing where possible and has gone to E. Park Dr. "The easement for the gas line has been relinquished by quitclaim deed, which allows Ms. Norlund to plat and build upon the new lot."

The Planning Commission recommended to the Council to approve both the vacation and the final Plat for the new lot."

(Memo form City Recorder to the Council):

"Since this memo was written for the Planning Commission at the beginning of January, the following is an update on actions taken since that time: Planning Commission (on Feb. 2, 2006) did vote to recommend approval of the proposed vacation & Final Plat."

It appears that the only requirement to be addressed is the bonding, and that will be taken care of prior to recording the Plat.

There were no written protests to the proposed vacation and there were no individuals present to oppose the action.

The Council all agreed that there would be found "no material injury" caused by the proposed vacation and that they would approve the Plat in the regular session. This assurance allowed Mrs. Norlund to not have to stay for the regular session of the Meeting.

The Public Hearing was closed by Mayor Dunn at 6:10 PM.

CITY COUNCIL WORK SESSION:

ROLL CALL

Mayor: Dennis A. Dunn; *City Council:* Mary Rugg, Alvin Harward, Raymond Brown, Mark Johnson & Nelson Abbott; *Public:* Hayden Rugg, Ortence Norlund, Janine Nilsson and *City Recorder:* Janice H. Davis

**WATER RIGHTS –
PRIORITY LIST**

Mayor Dunn: As the Water Right Study is approved, City-owned water rights will free up for distribution to developers. There are already a number of developers seeking these rights. They would pay "cash-in-lieu" of surrendering more water rights to the City as part of the subdivision process. There needs to be a system of prioritizing those developers wanting to purchase water rights from the City.

After discussion, the Council decided the following:

1. Developers must have obtained Preliminary Approval.
 2. The water rights will be distributed on a "first come first serve" basis.
- * The "mortgaged connections should be accounted for in the allocation of water rights.

David Church reminded the Mayor that the City needs to classify the cash-in-lieu of the water Rights as "impact fees" for water rights. This is what the City has been doing; simply assigning rights already designated to the City's points of diversion to individual lots.

PAYSON/ELK RIDGE
WATER, SEWER &
GARBAGE

Mayor Dunn: Mayor Dunn and Councilmember Abbott met with Payson City on January 26, 2006, to discuss the progress of the ongoing negotiations between Payson & Elk Ridge. (Minutes of the meeting were supplied to the Council)

The Mayor asked questions regarding:

- How far the engineering has come for the sewer?
- When can Elk Ridge sign the contract?
- When will Payson cut ground?
- When will the sewer line get to Elk Ridge?

Answers:

- Engineering is two months behind schedule. It will be March or April to start the construction. The line will be laid during the summer and be installed by September or October.

Payson's estimate to install the line is \$3.2 million.

Present sewer fees were discussed, as well as proposed fees:

	<u>Elk Ridge</u>	<u>Payson</u>
	\$22.50	\$24.00
Impact fees	\$1,700	\$2,590

- Elk Ridge's monthly sewer fees would have to increase.
- It would take ten years for Payson to pay for the line; after which, the money would then go towards the sewer plant.
- Elk Ridge would eventually impact the sewer with approximately 1,500 connections.
- Pre-treatment was suggested for commercial, industrial sewer, if needed.
- Jeff Hiatt (Payson) needs the annual growth projections for the next five years, if everything fell into line.
- Also discussed: Possibility of providing water and sewer to the Knoll where the Payson golf Building is located; and the future development on Gladstan Drive.
- Garbage pick-up using Payson was discussed at \$11.00/month (to include a 6-punch landfill pass).
- Talk of public safety (police) was referred to for future discussion.

*A follow-up meeting was tentatively scheduled for the week of February 14th.

There is the possibility of an industrial development just south of what was known as the Brown Ranch (corner of N. Park Drive & Goosenest Drive). The Mayor has assigned the City's Economic Development Committee consider this area for "soft industrial". Payson would like to bring a road into the area and extend it to the current RV Park (Golf Course).

(The City's Committee will meet in March to discuss this.)

Payson also suggested consideration of a Convention Center in this area. It could be considered as a joint venture. The structures would need to blend in with the lovely atmosphere.

This would provide a better tax base for the City.

*Payson City will meet again in Elk Ridge, on March 13, 2006, with Councilmember Abbott and the Mayor; then come again on 3-14-06 to speak to the Council (Woodland Hills may come to the Meeting, as well).

They expect the contract will be signed at the end of March, 2006.

There is the possibility that Salem City will want to connect onto this line for the land that lies in that area; a lift station may be required for that to happen.

There is also the possibility that Don Mecham will bring a sewer line down to Loafer canyon Rd. Just north of the Loafer Recreation gate; then north to connect to the existing line. Mr. Mecham wants to develop some homes in the area northeast of the Association's gate.

Other topics: Regional sewer plant, common trails between the two cities.

CITY CODE
AMENDMENT –
BUILDING HEIGHTS

Mayor Dunn: (Memo from Mayor to Council)

"This concern came to light when Ron Parr (building a home in Elk Ridge) visited with Corbett Stephens to have his house plans signed. According to our present code, many homes that have been built can no longer be built because the height requirement was changed in 2002 From 35' to 30'. The definition for the measurement was changed from "highest grade" to "median grade".

The Mayor spoke with David Church about a solution to the problem. He suggested that we amend the code to reflect a standard that will allow a home to be built as in the past.

Recommendation:

Change the Code to 36' and measured from the highest point of grade. Allow the Planning & Zoning to set the Public Hearing; and make a recommendation to the Council for approval."

The problem is with the pitch of the roof when the snow-loads are higher due to higher elevations. If the pitch of the roof accommodates the appropriate snow-load, under current regulations, the height would be beyond what is allowed by Code.

City Recorder: Corbett Stephens and Mr. Parr seem to be confused as to what is expected of them at this point in time. Mr. Parr wants to get his building permit now and Mr. Stephens feels the Planning Commission should hold the Public Hearing first.

(The Public Hearing was scheduled for February 16; however, noticing requirements were not met and the Public Hearing was rescheduled for March 2.)

Mayor Dunn: This is an additional problem needing to be addressed as an amendment to the Code: the notice for Public Hearing has changed in the State Code to 10 days prior to a Public Hearing; however, the City Code still requires 14 days notice. David Church counseled to adhere to the more restrictive, which in this case would be the City's requirement of 14 days.

This change will also go to the Planning Commission.

*Mayor Dunn will speak to Mr. Stephens to clarify the issues.

CITY STREET
NAME CHANGES

Mayor Dunn: The Mayor asked Shawn Eliot to re-visit the topic of road name changes with the Planning Commission. They had some discussion that resulted in a recommendation to the Council; it will come to the Council at the next Council Meeting. The Mayor would like the Councilmembers to review this motion by the Planning Commission and be prepared to consider what could be an unpopular decision on road name changes that will be in the best interest of the City and its citizens, for safety reasons.

There are many street names which, because of similarities, have caused or could cause problems with emergency services. This matter has come up again due to the street sign project and the need to correct these long-standing safety issues. These changes have been considered in the past and have been abandoned for one reason or another; and the Mayor felt that they should be reconsidered, since safety is the main issue.

Handout form Mr. Eliot:

Recommendations:

1. Adopt naming policy for street names in new developments
2. Allow new signage and coordinate system to be in place and see how it performs before trying to change all of the like named streets.
3. Name or rename the streets shown on this map. (Refer to map as part of handout showing streets needing to be changed.)

The Planning Commission will conduct a Public Hearing to receive public comment on these proposed changes.

Mr. Eliot has also informed Mayor Dunn that there will be approximately \$500 added to Phase 1 of the Street Sign Project for uniform post replacement.

When the issue of name changes reaches the Council, the Mayor has asked Shawn Eliot to take 10 minutes to explain the safety issues; it would also be advantages to have both Elk Ridge and Payson Emergency Services representatives present at the meeting.

There will be personal notice of the Hearings to those affected by the proposed street name changes.

Cindi Ellis was asked to see if there have been any recent situations where emergency services have been called out to an address when they have gotten lost; she reported that there was a recent call to an address on W. Salem Hills Drive and they were clear over on the east side of Salem Hills Drive, the snowplow went after them to direct them to the correct address; they arrived about five minutes later than they should have if they had gone straight to the correct address. If someone had died in that five minutes, Mayor Dunn said he would feel the responsibility. This is why this subject should be revisited.

Alvin Harward: If the City is going to do this; it should be done right:

1. The City could go to a straight "grid" system (It would be no problem to the Postal Department).
 - A. For two years, the signs could have both the street names and the coordinates on the signs
 - B. After two years, go to just the "grid" system
 - C. This would eliminate the confusion altogether.
2. Currently, the signs are being replaced with both the names and the coordinates.

Ray Brown & Mark Johnson: Agree with Councilmember Harward.

There are also business owners that would have to change over.

Mayor Dunn: This will be highly controversial with the citizens; many prefer the street names. The Council needs to be prepared for the various strong opinions.

TRIBUTE WALL

Mayor Dunn: (Memo to Council)

"A request has been made by a citizen to give honor to one of the early settlers of Elk Ridge that is now deceased."

The request was to have a road named after this former citizen.

The Mayor feels that "If such a need is deemed appropriate, and then find a way to recognize those who have been a major part of the building of Elk Ridge."

Suggestion: Perhaps something like a "tribute wall" where names would be listed. The wall would be put in place and the citizens could have a plaque of something made and placed onto the wall, themselves. (Spanish Fork does this.) The question would be where to install the wall.

GRANT APPLICATIONS

Mayor Dunn: (Memo to Council)

"Two grant applications have come to us that would, if granted, help in the areas of emergency and safety needs. I (the Mayor) gave copies to LaRon Taylor to consider for the purpose of printing a safety pamphlet that would be handed out to all of the households in Elk Ridge."

The Mayor wanted the Council to suggest any other needs that could be met with either of these grants.

(One is through Wal Mart and the other came through the Utah County Commissioner's Office.)

Mary Rugg: The grant through the County was applied for last year and seem to have fallen through the cracks. She does not mind applying for it again; but there needs to be follow-up on the actual reimbursement portion of the process.

*The Mayor will follow up on this with Councilmember Rugg.

ELK RIDGE CITY COUNCIL MEETING February 14, 2006

TIME & PLACE OF MEETING

This Regular Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, February 14, 2006, at 7:00 PM.** It was preceded by a **Council Work Session at 6:10 PM** and a **Public Hearing at 6:00 PM**, for the purpose of hearing public comment regarding the Proposed Vacation of Lot 9, Salem Hills Subdivision, Plat "E"; and Final Plat Approval of the Norlund Subdivision, Plat "A", Lots 1 & 2.

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 February 9, 2006.

REGULAR CITY COUNCIL AGENDA ITEMS:

ROLL CALL

Mayor: Dennis A. Dunn; *City Council*: Mary Rugg, Alvin Harward, Raymond Brown, Mark Johnson & Nelson Abbott; *Aqua Engineering*: Jeff Budge & Tony Fuller; *Public*: (Scouts) Hayden Rugg, Jordan Johnson, Steven Nielson, Cayden Christensen, Devin Peatross, Mark Christensen; and *City Recorder*: Janice H. Davis

OPENING REMARKS & PLEDGE OF ALLEGIANCE An Invocation was offered by Alvin Harward and Mayor Dunn led those present in the Pledge of Allegiance, for those willing to participate.

AGENDA TIME FRAME **MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY MARK JOHNSON TO APPROVE THE AGENDA TIME FRAME, ADJUSTING THE START TIME TO 7:25 PM;**
VOTE: YES (5) NO (0)

VACATION OF SALEM HILLS, PLAT "E" – FINAL PLAT NORLUND SUBD., PLAT A Vacation of Lot 9, Salem Hills Subdivision, Plat "E"; and Final Plat Approval of the newly-created Norlund Subdivision, Plat A, Lots 1 & 2:
MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY RAYMOND BROWN THAT THERE WAS NO MATERIAL INJURY FOUND AND TO APPROVE ORTENCE NORLUND'S REQUEST TO VACATE LOT 9, SALEM HILLS SUBDIVISION, PLAT "E"
VOTE: YES (5) NO (0)

MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY ALVIN HARWARD TO GRANT FINAL PLAT APPROVAL TO THE NORLUND SUBDIVISION, PLAT "A", LOTS 1 & 2
VOTE: YES (5) NO (0)

WATER RIGHTS STUDY Jeff Budge (Aqua Engineering & Tony Fuller: Aqua Engineering contracted with Tony Fuller to assist in the study being performed on the City's water rights. There have been discrepancies for years due to conflicting advice from various engineering firms and city planners. Mr. Fuller is an expert in the field of water rights. There have been many problems to straighten out concerning deeds, proving up on the rights, figuring out what rights the City actually owns and has put to "beneficial use", etc.

A letter from Aqua Engineering, dated February 8, 2006, was placed in the Council packets with the recommendations resulting from the Water Right Study. Jeff Budge presented the findings of the Study:

1. Individuals/Entities that still own title to water rights permitted for use in Elk Ridge should be notified that these individual ownerships will not be permitted indefinitely and should be transferred fully to the City as soon as practical.

Discussion:

There are times when cities can co-sign change applications for the transfer of water rights.

Elk Ridge has done this on many of the rights used in the City. This procedure is common and is recognized and permitted by the State Engineer's Office; however, it was not intended by the State to promulgate this process and that rights pre-approved in this manner would be carried in individual or non-municipal use indefinitely. Some of the City's rights fall into this category and Aqua feels it is not wise to continue on.

Advice: The City should ask those who hold title to water rights permitted by change for use in Elk Ridge to deed them to the City; if they choose not to do so, it is advised that the City withdraw support for those portions of the water rights that it cannot gain title to, and to so notify the State Engineer's Office. If they choose to follow this advice, the owner would be credited with an equal amount of water right to be used in the City for future development.

The City Council agrees.

*Aqua Engineering prepared a draft of these letters, which Aqua will provide to the City.

The letters would go out on City letterhead.

Aqua has volunteered to answer call coming in as a result of the letters sent out; phone numbers should be included on the letters.

2. Non-use Applications on sufficiently certificated rights should be filed to make room for use of Water Rights No. 51-1138 (a16511), which carries 136.50 acre feet.

(Non-use status is good for five years and may be revoked within that time period, if the right is proven in use.) If we don't make room for this right to be proven up, then the State could take the right away from the City.

*This needs action by the Council to file this Non-use Application and an extension of time.

MOTION WASMADE BY ALVIN HARWARD AND SECONDED BY MARK JOHNSON TO RATIFY THE POLL TAKEN TO FILE WITH THE STATE OF UTAH THE FOLLOWING:

- 1. EXTENSION OF TIME ON WATER RIGHT NO. 51-1138 (a16511)**
- 2. NON-USE APPLICATION ON WATER RIGHTS NUMBERS:**
 - A. 51-4885 (119.88 ACRE-FEET)**
 - B. 51-6900 (25.64 ACRE-FEET)**

VOTE: YES (5)

NO (0)

Place a moratorium on accepting title to new water rights for up to 5 years; in the interim, take “cash-in-lieu” of water right for the portion of the water impact fee that the City currently takes as water right.

Discussion: The City has a surplus of water rights that also stands in jeopardy of being lost if the usage is not there to justify those water rights. The suggestion is to allow growth to match the available water. When usage and water rights are balanced out, the City can go back to accepting water rights with development again.

Amount of Water Right available = 940 acre-feet (Mr. Fuller changes to 928 due to unknown status on one of the rights). 928 less 653 (Platted lots) = 275 “Excess Water Rights” The City could accept “cash-in-lieu” of water rights for this 275 acre-feet.

“The analysis of the City’s water data indicates that average usage has been about 1 acre-foot per connection, somewhat less than the 1.3 acre-foot minimum per current policy, and substantially less than the 2.6 acre-feet currently mandated for full acre lots.”

The water rights requirement would be broken down according to outdoor use/indoor use, lot size, house size, zone; as shown on the chart attached to the Aqua Engineering letter.

There are further recommendations regarding how to determine the various types of usage and resulting water right requirement.

Aqua also prepared a draft amendment to the current City policy for water rights; it has been forwarded to the City Attorney for review.

- 3. “We suggest that the water right requirement for building permits/water connections be reduced from 2.6 acre-feet per acre (finished lot size) to numbers from the attached “Water Requirement By Zone” matrix.”**

Discussion: See discussion under Recommendation #2.

- 4. “We recommend that the City obtain legal recommendations from the City Attorney so that these additional Impact Fee funds will be utilized strictly in accordance with law.”**

Discussion: “Although we (Aqua Engineering & Tony Fuller) collectively have experience in Municipal water, including calculating impact fees and related subjects, we are not attorneys and suggest you rely on the City Attorney for advice on this subject.”

- 5. We suggest that the “cash-in-lieu” of amount, for the required water right, be based on fair market value. This value should be reviewed every six months and adjusted to fit the market, but we suggest that it currently be set at \$2,750.00 per acre foot.”**

Discussion: It is believed that this is fairer for both the would-be buyer and the City, than the cost being set at a particular rate. The discussion in the letter gave a way to deal with the situation where a developer proposes that the City accept a water right they claim has a lower fair market value than paying the “cash-in-lieu” of value set by the City.

The recommendation of \$2,750 is based on the effort of former Mayor Fritz to locate and purchase water rights over the past several months. This was the average price being charged.

- 6. We recommend that the City’s water right usage be thoroughly reviewed again in February, 2009, prior to the Proof Due date for the CUWCD water right (51-7755 (a27554); this due date is 4/30/09. If a “cash-in-lieu” of policy is implemented in the near future, the diversion figures for 2008 will be available at this time, prior to the April 2009 Proof Due date, and it can be determined at that time if a Proof can be filed on this water right and also how the new policy is working with respect to putting to use the water rights the City currently owns.”**

Discussion: It is expected that the City’s growth rate will pick up again in the near future. When periods of rapid growth are experienced, it is wise to frequently check the current status against future projections, and verify that growth is proceeding in accordance with the Master Plan.

Course corrections that are needed are easier when made a little at a time, rather than being surprised when an emergency situation occurs.”

7. As the City grows under this new policy, Proofs of Resumption of Use should be filed, as soon as they are justified, on any rights that are approved for Non-use, as suggested in item 32 above.

Discussion: “Non-use applications can only be approved for a maximum of 5 years. Either a Proof of Resumption of Use or an additional Application for Non-use must be filed before the end of the 5-year (or other term, if approved for less) expires.”

8. Sufficient water right will need to be transferred by Change Application for use in the proposed Well #8, once the exact location has been identified.

Discussion: “Prior to this being utilized on the system, the State Engineer must approve adequate water right for withdrawal at this location.”

Alvin Harward: Asked about putting all the water rights into all of the wells as the points of diversion.

Tony Fuller: It is not always a good recommendation to place all water rights into all of the wells or any of the rights into any one well.

Jim Riley (another consultant) made the following point to Mr. Fuller: We want to make every effort to accommodate the people that own these rights because it is very difficult to get the State Engineer to grant any new approvals. We want to keep all the approval we can; so we want to work with these people to get the rights into the City's name and not just withdraw the City's support and lose the rights.

*David Church is reviewing the proposed Code amendments. These amendments will require a Public Hearing. The Hearing can be scheduled now, pending receipt of the Code Amendments and Mr. Church's approval; the Hearing can always be changed. Mayor Dunn is to contact City Attorney.

MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY RAYMOND BROWN TO SCHEDULE A PUBLIC HEARING FOR MARCH 14, 2006, AT 6:00 PM, TO CONSIDER CITY CODE AMENDMENTS REGARDING WATER RIGHTS

VOTE: YES (5)

NO (0)

Mr. Budge reported on other projects they are currently working on:

1. Payson Sewer System/Contract: Mayor Dunn is to update the Council on this project later that same evening.
2. Water System:
 - A. They were authorized to review the LEI Water Study and to get the City's pipe system into a water model.
The drawings are in to Kent Haskell to review; once that is done, Aqua can start to calibrate the model to be sure it will function correctly. (This will analyze the City's water pressure, town-wide.) This project is coming in at about the estimated \$3,000.
 - B. From the review of LEI's report, Aqua feels LEI did come up with proper recommendations and adequate population growth. Based on what Mr. Budge has, he would like to compare this with the figures that the Mayor has discussed with Payson. LEI's recommendations that the City needs more storage capacity (additional 1,000,000 gal.) and additional pump capacity are good recommendations. That water tank needs to be online preferably in 2007; which means the City needs to look at this fairly quickly due to the time it takes for the whole process. It would be good to have it online before the heavy water usage.
New Well: The pumps are currently working at capacity. The other recommendation is to either re-equip the Cloward Well with a larger pump or to drill a new well. There is another line in Park Drive that needs to be upgraded to a 10" line. (Crestview Estates will take care of this with their new development.) Either option should also be online by 2007.
 - C. Aqua recommends upgrading the Cloward Well and to also obtain the drill permit to drill a new well from the State while permits are still available. It could lie "dormant" until needed.

Councilmember Harward asked Mr. Budge to consider the area where the "Dead Well", drilled in 1990, is located. He did and he consulted and IGS (geotechnical engineers) and they reported that there is actually a "band" that runs right across the City, including the location of this 1990 well, that they have determined (& this has been proven out) that it produces very little water. There is a current well in that band that only produces 45 gpm. Based on this information, Mr. Budge does not believe it would benefit the City to re-drill the 1990 well or to drill it deeper.

D. Any consideration of a joint project with Payson up around the 4-Bay area could be considered after Aqua gets the water pressure model up

**WATER PARITY
BONDS –
PAY-OFF**

Alvin Harward: Recommends the City follow the advice of Mr. Roberts from Jones Simkins (CPA/Auditor) to pay-off four of the Water Parity Bonds (3 for the Loafer Well and one for the 1996 tank). The pay-off amount would be about 250,000. about ½ of this would come from "Reserve Funds" particular to each of the bonds; the balance would come from Retained Earnings in the Water Fund.

1. After we pay off the four bonds, we can build up a reserve to help with a new storage tank.
2. This also puts the City in a better position to bond for a new well or storage tank.

* This will show up in the Amended Budget for 2005/2006.

MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY MARY RUGG TO APPROVE THE EARLY PAY-OFF OF THE FOLLOWING BONDS:

SERIES 1993R-1, SERIES 1993R-2, 1993R-3 AND SERIES 1997; AS RECOMMENDED BY THE CITY CPA, CURTIS ROBERTS FROM JONES SIMKINS, LLP; TO BE PAID OFF BEFORE THE END OF THE CURRENT FISCAL YEAR

VOTE: YES (5)

NO (0)

**AMEND ORDINANCE
RE: ELECTED
OFFICIALS & CITY
EMPLOYEES**

City Recorder: The previous City Council approved an increase of \$50/month for the Mayor Pro-tempore and the current Council voted to increase the wages for Alternate Snowplow Drivers from \$10/hour to \$12/hour. This needs to be in the form of an amending ordinance.

Mayor Dunn: Explained the choice of Councilmember Harward as Mayor Pro-tempore. There was no further discussion.

MOTION WAS MADE BY MARY RUGG AND SECONDED BY NELSON ABBOTT TO APPROVE THE AMENDING ORDINANCE TO THE CURRENT ELECTED OFFICIAL & CITY EMPLOYEE COMPENSATION ORDINANCE; TO INCLUDE A \$50/MONTH INCREASE FOR THE POSITION OF MAYOR PRO-TEMPORE AND AN INCREASE FOR THE BACK-UP SNOWPLOW DRIVERS FROM \$10/HOUR TO \$12/HOUR

VOTE: YES (POLLED) MARK JOHNSON-AYE, RAYMOND BROWN-AYE, MARY RUGG-AYE & NELSON ABBOTT-AYE

ABSENT FROM VOTE (1) ALVIN HARWARD

NO (0)

Passes 4-0

**PARKS –
RETENSION WALL**

Mary Rugg: Councilmember Rugg brought a bid for approval by the Council for a Rock Retaining Wall to finish off the north (front) side of the ballpark (Ingram Field).

Mark Johnson: He will not approve this proposal if it removes the road salt from the loading zone that was installed to facilitate the loading of road salt into the sanders on the snowplows. Perhaps the area could be asphalted. There needs to be a loading ramp to keep from damaging the trucks.

Discussion:

Mary Rugg: The salt is not good for the soil and it is unattractive in the current place.

Raymond Brown: Suggested an alternate access to the parking to the ballpark area; perhaps a circular drive off of Park Drive, with angled parking would be safer. Drivers could come in on one end and leave on the other end.

Nelson Abbott: If the salt is moved, there would have to be a place to move it to.

Various locations were discussed.

*Councilmember Rugg would rather postpone the vote on this matter until Councilmember Harward has the opportunity to vote. The issue will be on the next Council Agenda.

**4th OF JULY
BUDGET**

May Rugg: Requested a \$500 increase to the City Celebration budget due to growth and inflation. (\$2,000 to \$2,500) The Council agreed and this change will be in the amended budget. The date of the Celebration is July 1, 2006.

Suggestion to call the 5K run to the "Cregg Ingram 5K Run" (He started it & ran it.) This would have to be approved by JoAnn Ingram. The Council agreed.
*Mayor Dunn will contact her.

SCHEDULE PUBLIC
HEARING –
AMENDED
BUDGET

The Public Hearing was scheduled at the last Council Meeting, but it was not on the Agenda; so the Council was polled at the Meeting to schedule the public hearing. This polled vote must be ratified:

MOTION WAS MADE BY MARY RUGG AND SECONDED BY NELSON ABBOTT TO RATIFY THE POLLED VOTE TO SCHEDULE A PUBLIC HEARING FOR FEBRUARY 28, 2006, AT 6:00 PM, TO AMEND THE 2005/2006 FISCAL YEAR BUDGET

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

"PIGEON"
ORDINANCE

Mayor Dunn: Due to this ordinance having been re-written from the form it was in for the last Public Hearing, there needs to be another Public Hearing at the Planning Commission level. After that Public Hearing, it will come back to the Council with the Planning Commission's recommendation.

Nelson Abbott: Requested that the Council discuss any potential problem now and send the proposed ordinance back to the Planning Commission with specific instructions. This issue has been before both bodies too many times in various forms.

The proposed ordinance is taken from a Pleasant Grove ordinance with some modifications (Steve Nielson assisted in the re-write):

1. This ordinance is non-specific as to the types of pigeons.
2. Removed from the draft: the necessity of returning to the Planning Commission on an annual basis and paying more fees.

Mark Johnson: Questioned the lack of any fee to be charged; dog owners have to pay a fee to register their pets.

Nelson Abbott: It was felt that if the situations became a "nuisance" then fees could be charged to cover animal control costs.

Pleasant Grove charged a fee to continually go before the Planning Commission and to process the paperwork. That has been eliminated.

Mark Johnson: Wages have to be paid for City employees to check on the pigeons and the coops, etc. Who covers those costs?

Nelson Abbott: If pigeons become a problem, they will not be sheltered at an animal shelter. That is part of what dog licensing goes for.

Councilmember Abbott realizes he has a "conflict of interest" due to the fact that he owns pigeons; but, his birds are cooped up; how is that any different than fish in a pond? He feels they are not a problem until they become a nuisance.

Mark Johnson: Is concerned about the number of pigeons.

Nelson Abbott: The maximum number of birds is addressed in the draft ordinance: There is a provision which allows up to 120 birds, but only from March 1 to May 31; otherwise, the maximum is 90 birds. These owners only have 50 or so. Currently there is no limit set.

Mayor Dunn: Enforcement would be through the Zoning Administrator (Planner). If he deems there is a violation, the owner would be given a citation by an officer and the violation would be a "Class C Misdemeanor". Those expenses could be passed onto the owner.

Mark Johnson: The ordinance has to be followed; but, if the owners do not register with the City, how does the City know and how will the ordinance be enforced? He feels there should be a registration fee with the registration.

City Recorder: A City Code violation that is a Class C Misdemeanor is punishable with a fine of up to \$750 per day, with each day considered a separate violation. That would certainly be motivation to staying within the law for pigeon owners.

Steve Nielson (Pigeon owner): It is not his desire to be a "nuisance" to his neighbors. He wants birds and he does not want his neighbors complaining.

Mark Johnson: Not every pigeon owner will be responsible.

Nelson Abbott: One thing that was added into the ordinance is to limit the size lot to 15,000 sq. ft. so that pigeons would not be permitted on smaller lots. They also added regulations on storage feed.

Mark Johnson: Suggested that the Planning Commission weigh in the factor of a fee and allow them to recommend the amount and circumstances,

RESOLUTION –
OPPOSING HB 170

Mayor Dunn: House Bill 170 is a proposed piece of legislature that is lengthy; he has read through it and is concerned about the intent of this bill, as are most legislative bodies across the State. “This proposed bill is simply one of the worst thought-out and one-sided bills that the House is looking at.” He has discussed it with the Council of Governments and other County Commissioners. The bill would strip away powers for individual legislative bodies and place the advantage with the developers. It would also require that city codes would have to be re-written and policies changed.

This proposed resolution came from the Utah League of Cities and Towns (ULCT) and is expressing opposition to this proposed bill. It is to be passed and sent in to our State Senator and House Representative. There are about 256 communities that have this resolution.

Raymond Brown: Has also looked into this proposed bill and agrees that it would not be beneficial to the cities.

The Council agreed.

MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY NELSON ABBOTT TO APPROVE A RESOLUTION OF THE CITY COUNCIL EXPRESSING STRONG OPPOSITION TO SENATE BILL 170, LAND USE AMENDMENTS, AND REQUESTING THAT OUR SENATORS AND REPRESENTATIVES VOTE AGAINST THIS BILL

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

EXPENDITURES:

General: None

Mayor Dunn: Wanted to clarify the “green fees” associated with the upcoming conference in Saint George: they were paid by the City, but reimbursed by him and Councilmember Harward to the City.

MINUTES

City Council Minutes of January 10 and January 24, 2006:


Nelson Abbott: Correction to Page 3 of the minutes of 1-24-06: Change his name from Abbott Nelson to Nelson Abbott.

MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY MARY RUGG TO APPROVE THE CITY COUNCIL MINUTES OF 1-10-06 AND OF 1-24-06, WITH CORRECTIONS

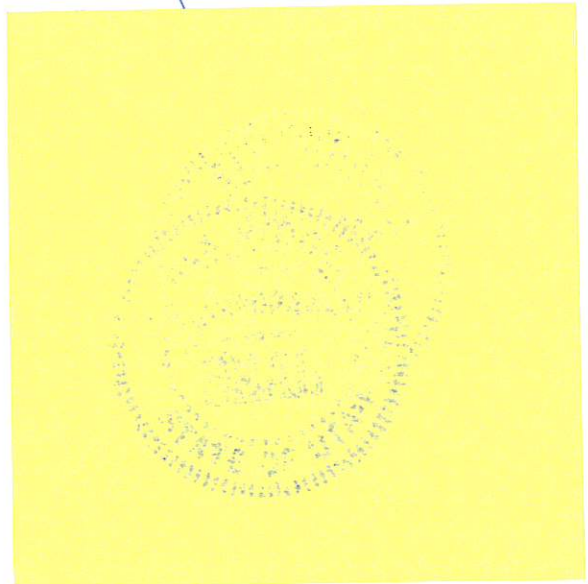
VOTE: YES (4) NO (0) ABSENT (1) ALVIN HARWARD

ADJOURNMENT

Mayor Dunn adjourned the Meeting at 8:50 PM.



City Recorder



AMENDED NOTICE & AGENDA

Notice is hereby given that the Elk Ridge City Council will hold a **Public Hearing on Tuesday, February 28, 2006; at 6:00 PM**; for the purpose of hearing public comment on the Proposed Amendment of the 2005/2006 Fiscal Year Budget. This Public Hearing will be held in conjunction with the Regularly Scheduled City Council Meeting, to begin at 7:00; and the City Council Work Session, at 6:30 PM.

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

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

6:00 PM

1. PUBLIC HEARING/AMENDED 2005/2006 FISCAL YEAR BUDGET

Public Hearing/Proposed Amendment to the 2005/2006 Fiscal Year Budget for the Operation of Elk Ridge City

6:30 – PM

CITY COUNCIL WORK SESSION

6:30

2. Strawberry Water Users

7:00 - PM

REGULAR CITY COUNCIL MEETING AGENDA ITEMS:

Opening Remarks and Pledge of Allegiance

Approval/Agenda Time Frame

7:00

3. Crestview Estates, Plat "A" – Preliminary Approval

7:15

4. Amended Budget/Continuation of Discussion & Adoption

7:30

5. Parks/Rock Retention Wall – Mary Rugg

7:40

6. Salem Sewer Connections – Mayor Dunn

7:50

7. Public Forum Time – Mayor Dunn

7:55

8. City Council Field Trip – Discussion/Schedule – May

8:00

9. Resolution/Utah Local Governments Trust - Agreement

8:05

10. Proposal: "Citizen Mediation Board" – Raymond Br

8:15

11. Three-Way Stop @ Park Drive & Elk Meadows

8:20

12. Expenditures:

A. General

B. Check Registers for January, 2006

8:25

13. Bond Payoff – City Recorder

8:30

14. Minutes of Previous City Council Meeting(s)

Adjournment

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

The times that appear on this Agenda may be accelerated if time permits. All persons invited to attend this meeting. Dated this 24th day of February, 2006.



City Recorder

CERTIFICATION

I, the undersigned, City Recorder for the municipality of Elk Ridge, do hereby certify that a copy of this Notice of Agenda was filed in the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and in February 24, 2006.



City Recorder

**ELK RIDGE
CITY COUNCIL MEETING
February 28, 2006**

**TIME & PLACE
OF MEETING**

This Regular Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, February 28, 2006, at 7:00 PM.** It was preceded by a **Council Work Session at 6:15 PM** and a **Public Hearing at 6:00 PM,** for the purpose of hearing public comment regarding a proposed Amendment of the 2005/2006 Fiscal Year Budget
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 February 24, 2006.

6:00 PM

PUBLIC HEARING/AMENDED 2005/2006 FISCAL YEAR BUDGET

Public Hearing/Proposed Amendment to the 2005/2006 Fiscal Year Budget for the Operation of Elk Ridge City.

ROLL CALL

Mayor: Dennis A. Dunn; *City Council:* Mary Rugg, Alvin Harward, Raymond Brown, Mark Johnson & Nelson Abbott; *Strawberry Water Users:* Allen Riley & Gary Aiken; *Public:* Anette Brigham, Scouts: Chris Thorpe, Taylor Thorpe, Chandler Dalton, Brando Cook, Cole Dayton, Nick Shumway, Ty Johnson, Joe Ashton, Jacob Ashton, Joshua Brimhall, Wesley Denning, Jansen Brockbank, Michael Brockbank, Blake Denning, Andrew Daetel, Kade Johnson, Chase Cloud, McKade Waite, Jason Colver, Cloby Stoker, Daniel Mason, Kevin Colver, Linda Jones & Kevin Jones; and *City Recorder:* Janice H. Davis

Mayor Dunn welcomed the new Scouts to the Meeting and explained a little about how the Councilmembers function in their positions and what goes on at the Meetings.

Mayor Dunn opened the Public Hearing at 6:10 PM.

There were no public in attendance to for the Budget Hearing.

City Recorder: Discussion of the Amended Budget items:

The Recorder suggested this discussion be postponed until a later time to allow the representatives from Strawberry time at the beginning of the Meeting to make their presentation. The Public Hearing was closed for the moment; to be reopened later in the Work Session.

6:15 PM

CITY COUNCIL WORK SESSION

**STRAWBERRY
WATER USERS**

Allen Riley: A video narrated by former Governor Matheson was shown to those present; it was about the history of the Strawberry Water Project, which began in the early 1900's. The purpose of the Project was to bring additional water to Utah Valley, specifically to the south end of the Valley. The Project was undertaken by the Bureau of Reclamation. They would like to work in unison with CUP (Central Utah Project).

The original intent of the Project was for agricultural purposes; however, this is changing to meet the needs of communities, as well.

It is not known if Strawberry water will actually be used in Elk Ridge, but with their involvement with the CUP, it could be possible.

DVD's of the slide show were left with the City.

A graph was shown demonstrating ownership of water rights (various water districts and private land owners.

We own a great deal to the forefathers who had the foresight to install this Project for our benefit. The engineering was amazingly accurate for the time.

**AMENDED BUDGET
DISCUSSION, CONT.**

The Public Hearing was re-opened by Mayor Dunn.

City Recorder:

Water Fund: The Bond Pay-offs were placed in the budget. They appear in the expenditures and in the revenues as "Transfer in of Retained Earnings". The Retained Earnings will come from Reserve Funds and from "Unrestricted retained Earnings" (According to the Audit report, there is \$254,413). It will take about 250,000 to pay off the bonds.

The Auditor discussed using the Capital Facilities Replacement Fund (PTIF Fund) to assist in the bond pay-off, but the bond documents are clear that this money cannot be used to pay-off principal or interest on the bonds. The money in this account can be used to improve the water system.

The bond pay-off date is set for March 15, 2006. The State sent the pay-off amounts for the four bonds to be paid off. The actual total: \$250,584.98

Sewer Fund: The "Transfer to Capital Projects/Loafer Canyon Rd." will increase from 20,000 to 59,000, due to overage on the Loafer Canyon Rd. Project...the sewer line was extended farther than the original plan. The increase will be covered by Retained Earnings (Audit Report: 299,102 available...with the caution that the Sewer Fund has major improvements to consider in the near future.

General Fund: The "Transfer to Capital Projects/Loafer Canyon Rd" from the Roads Dept. will also increase from 35,000 to 44,483 to cover additional cost associated with the Project.

(Mayor Dunn has suggestions that could mitigate the problem of overages with major projects done on a contact basis.)

There is an issue of curb & gutter being installed on Loafer Canyon Rd. In a Council motion it was stated that curb & gutter would be installed within a year of the Project. Will this be completed and if so, where will the money come from? Which fiscal year will the Council address this? The Tentative Budget for 2006/2007 will be under consideration in April and adopted in May, 2006; so this needs to be decided on and budgeted for.

Fund balance: (General Fund) Ms. Davis explained the 18% allowance for the General Fund and where any excess money from the General Fund goes.

The State sent a letter cautioning the City not to exceed the 18% maximum; this amendment will take the Fund Balance down to 10% to insure the City will not exceed the 18% required by the State of Utah. To achieve the 10%, 122,894 was transferred into the General Fund and, once the budget was balanced, only 18,012 was then transferred out to the *Capital Projects Fund/Future Improvements*; this indicates that the General Fund is running at a 104,882 deficit (Expenditures over Revenues). Over time, this presents an "unhealthy" status for the General Fund.

Hopefully, through other creative ways to generate revenue, we can balance this out.

Capital Projects/Future Improvements: Balance as of 7-1-05: 357,036 + the 18,012 for this current year = 375,048.

This seems like a fair amount of money built up; however, one major expense could rapidly take this down; example: the City needs a new snowplow and we only have 30,912 accrued so far. We can either finance the rest and pay interest, or pay for it out of fund balance. The cost of a new snowplow could be around 100,000; so 60,000 would come out of fund balance.

Ms. Davis called attention to the Budget Notes, they contain much of the explanation for the various accounts.

Comments:

Question: Can the decision of the previous Council be amended to not install curb & gutter? (Yes it can.)

Mark Johnson: The problem he has is that if a developer had installed the street, the curb & gutter would have been a requirement. The City should be held to its own standards.

Question: Can't the contractors be held to a certain bid and be forced to cover any overages?

Mayor Dunn: It is not unusual to add bonuses if projects are finished on time and under budget.

On the other hand, penalties can be added if they go over the bid amount. These are some of the methods he would like to consider.

Question: (Scouts) Several of the Scouts in attendance expressed concern and disagreement with the "rocks and gravel on the roads".

Mayor Dunn: Explained that the chip & seal project was not successful in that the adhesion did not stick and loose gravel is everywhere. The loose gravel will be swept and vacuumed up; but the residents will be asked in the Newsletter to clean up their lawns and in front of their homes as much as they can. The faulty project is being looked into by the cities involved with the Interlocal Coop; they will try to figure out what happened and what to do about it.

Raymond Brown: Chip & seal is a good method of preserving roads, if it is on roads with high traffic; cul-de-sacs, dead end roads and roads with light traffic are not good roads for chip & seal.

Mayor Dunn closed the Public Hearing at 7:10 PM.

**ELK RIDGE
CITY COUNCIL MEETING
February 28, 2006**

**TIME & PLACE
OF MEETING**

This Regular Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, February 28, 2006, at 7:00 PM.** It was preceded by a **Council Work Session at 6:15 PM** and a **Public Hearing at 6:00 PM,** for the purpose of hearing public comment regarding a proposed Amendment of the 2005/2006 Fiscal Year Budget
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 February 24, 2006.

ROLL CALL

Mayor: Dennis A. Dunn; *City Council:* Mary Rugg, Alvin Harward, Raymond Brown, Mark Johnson & Nelson Abbott; *Sheriff:* Deputy Petro; *Strawberry Water Users:* Allen Riley & Gary Aiken; *Public:* Anette Brigham, *Scouts:* Chris Thorpe, Taylor Thorpe, Chandler Dalton, Brando Cook, Cole Dayton, Nick Shumway, Ty Johnson, Joe Ashton, Jacas Ashton, Joshua Brimhall, Wesley Denning, Jansen Brockbank, Michael Brockbank, Blake Denning, Andrew Daetel, Kade Johnson, Chase Cloud, McKade Waite, Jason Colver, Cloby Stoker, Daniel Mason, Kevin Colver, Linda Jones & Kevin Jones; and *City Recorder:* Janice H. Davis

**OPENING REMARKS
& PLEDGE OF
ALLEGIANCE**

An Invocation was offered by Raymond Brown and Scout Wesley Denning led those present in the Pledge of Allegiance, for those willing to participate.

**AGENDA TIME
FRAME**

**MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY MARK JOHNSON TO
APPROVE THE AGENDA TIME FRAME, ADJUSTING THE START TIME TO 7:20 PM
VOTE: YES (5) NO (0)**

**CRESTVIEW
ESTATES, PLAT A –
PRELIMINARY**

(Memo form City Planner)

Background: " The Preliminary Plat for Crestview Estates has been reviewed by the TRC (Technical Review Committee). Several issues regarding road improvements and installation of water and sewer lines have been resolved. One issue remains regarding the improvement of Park Drive.

Last year, the City passed an ordinance which requires developers to construct the full width of a road instead of a partial width, as previously allowed. During the review of this plat, it was determined by the TRC that since Park Drive was already mostly constructed, and that the south side of the road across from Crestview Estates was largely abutted by City properties, that the required road improvement would extend to the full width of what currently exists. Also, because of the many occurrences required to cut into the road for water and sewer lines and stubs on Park Drive, the developer will be required to mill and re-surface the full width of the paved road (initially a 2 ½" overlay, plus 1" overlay in a year. (This is noted on the Plat.)

Some members of the Planning Commission feel that the full-width road improvement, as required by ordinance, means that the developer should entirely re-do Park Drive, including curb & gutter on the south side of the street. Whether the full width road improvement was intended to be applied on existing streets as well as for newly constructed streets, is not made clear in the ordinance. (The section of the Code, 10-15C-2 "Streets and Roads", is quoted.)

It was the Planners opinion that the need for such a requirement mostly exists with the construction of new streets, and that the wording "for dedication of the City" provides some leeway in not requiring the installation of new curb & gutter improvements on both sides of existing roadways that are already dedicated to the City."

*It must be noted that, since the date of this memo (2-28-06), Mayor Dunn solved the concern by discussing with the developers the need to install full-width roads...the developer has agreed.

Crestview Estates is a 19 lot subdivision located on the north side of Park Drive, across from the City Hall; the developers are Ron Ririe and Lynn Thomsen.

Recommendation: Ken Young recommended that the City Council approve Preliminary Plat.

Mayor Dunn: Improvements on the south side of Park Drive will affect the proposed trail, ballpark parking lot, current salt loading area and the proposed rock retaining wall on the north side of the Park. There is a bit of uncertainty as to how those elements will be engineered to work together.

- Some of the finish work the City is responsible for might count towards the City's portion of the grant application for the trail project.
- The City Hall will also connect onto the sewer system at the time the sewer is brought in for this subdivision.
- The new sump design will be used with this development.
- The homeowners will not be able to back out onto Park Drive; either circular drives or "hammer-head" driveways will be required.

Mark Johnson: The water line along Escalante Dr. should tie into the line on Park Drive to loop the line; this would avoid having a dead-end line, which causes stagnant water.

Mayor Dunn: Reminder of the Meeting with Payson on March 13, 2006, to review the situation with the sewer contract. The next night Payson will come to Elk Ridge's Council Meeting. Woodland Hills has been invited to that Meeting.

*Place on the Agenda.

MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY ALVIN HARWARD TO GRANT PRELIMINARY PLAT APPROVAL TO THE CRESTVIEW ESTATES SUBDIVISION, PLAT "A", WITH THE FOLOWING CONTINGENCIES:

1. THERE SHALL BE SUMPS ON BOTH SIDES OF PARK DRIVE
2. THE WATER LINE SHALL BE "LOOPED" FROM ESCALANTE DRIVE TO PARK DRIVE

VOTE: YES (5)

NO (0)

AMENDED BUDGET - City Recorder:

2005/2006 FISCAL
YEAR

1. Review of main sources of General Fund Revenues.

*Check on "Parks Grant" for 1,598...is this for the current fiscal year?

The Arbor-Day Grant of \$250 needs to be added to the budget.

2. Page 7: 10-57-110 (Town Hall Salaries) This covers wages for Cleaning person; in the past, it has also covered a portion of the Summer Help wage...the part when he/she mows or cares for the City Hall Yard, If that is to be the case, this particular employee would have to log hours spent on the City Hall grounds. It was agreed upon to divide the wage between City Hall and Parks.

*Add this to the budget.

3. 10-61-450 (Special Roads Supplies) Increase of 4,000 due Phase 1 of the Street Sign Project.
4. Roads: Street clean-up and repairs will have to be planned for and budgeted for.
5. Capital Improvement Plan: The Dept. Heads will need to examine this 5-year plan and project expenditures and special projects into the future.
6. 800 MHZ...Money accrued for several years in anticipation of the County changing frequencies and the City needing new equipment. We are now paying for this by transferring the money back into the General Fund to make the payments. It is a five year program; we are in the fourth year. (Councilmember Johnson to check on this with Chief Olson.)
7. Capital Project/City Equipment: This accruing money to purchase a new snowplow/dump truck. It appears we will have to make this purchase before next Winter. (About 30,000 in the account now.) This purchase will be split four ways (Roads, Parks, Water & Sewer).
8. Storm Drainage Fund: How much will this year's sump clean-out be?

*The budget figure needs to be changed to meet the expenditure (1,914).

MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY NELSON ABBOTT TO APPROVE THE AMENDED BUDGET, INCLUDING ANY CORRECTIONS DISCUSSED, FOR THE 2005/2006 FISCAL YEAR AND CAPITAL IMPROVEMENT PLAN FOR THE OPERATION OF THE CITY OF ELK RIDGE

VOTE: YES (5)

NO (0)

PARKS – ROCK
RETENSION WALL

Mary Rugg: Councilmember Rugg visited with Kent Haskell and Wayne Frandson regarding an alternate location for the road salt. Mr. Haskell's suggestion was to consider the southwest corner of the Ballpark, behind the ball diamond. Mr. Haskell said he was in favor of moving it since he has received many complaints about the "eyesore" that the pile is in the current location. He does agree that having the location elevated is helpful in loading it into the trucks; however, he said it can be done without the elevated location. He feels the trucks would not have a problem getting to that location through the snow. That location is on Burke Cloward's property; the Mayor was to contact Mr. Cloward regarding this proposal.

Mayor Dunn: Had an update to the situation: In the talks with Payson City, they (Payson) have proposed moving the current access road to their RV Park to just behind Brown's property, along the vinyl fence and to improve the road. This would also give access to the City's property in that area. This has been discussed as an alternate location for the storage of road salt.

Mark Johnson: There is still the problem of maneuvering the equipment around in that area. The backhoe would not be in the location, and at 3:00 AM, this could be a problem.

Mary Rugg: Mr. Haskell felt that is why the location by the Park would be preferable for now, since the backhoe would still be close by. Permission still needs to be discussed with Mr. Cloward.

Mayor Dunn: The City property could be altered to provide a lift and whatever would be needed to accommodate the trucks and equipment. This would not be addressed until summer.

Mary Rugg: The plan was to have the Rock Wall Project completed before the end of June, 2006.

Nelson Abbott: Payson has already offered to speak to some of the property owners in the Gooseneck area; not just for the road to the RV Park, but with the thought of possibly connecting the road east and west.

Mayor Dunn: Thought that Payson only intends to speak to the property owners between the two Browns regarding the road to connect to the RV Park for now. Mayor Dunn and Councilmember Abbott responded that they felt this would meet no opposition.

Mark Johnson: Discussed the possibility of leveling out the parking lot north of the Ballpark with Stairs leading up to the Park; and to move the rock wall back. He feels this would be safer for Citizens.

Mayor Dunn: Crestview Estates is going to tear out Park Drive and replace it. The leveling of the parking lot could be done at the same time. According to Shawn Eliot, we can probably use the cost of the rock wall and the work associated with that project as part of the City's portion of the matching grant for the Trails Project.

Raymond Brown: *The Mayor, Councilmember Brown and Kent Haskell are suppose to meet with the Commander of the 522nd Army Corp of Engineers; to see what could be done in conjunction with their summer camp.

Suggestion to contact Lee Haskell to see what the charge would be to excavate the parking lot area.

*Councilmember Rugg will contact him.

Mary Rugg: Has the concern that the Project be completed before the 4th of July Celebration.

*Councilmember Rugg will obtain a new bid for a broader Project that was originally planned.

SALEM SEWER CONNECTIONS

Mayor Dunn: (Memo to Council)

"This is the sewer contract with Salem that was put together last year. It needs to be looked over and discussed for final approval. Attention should be given to the disconnect point (if at 11200) and how to move sewage north of that point to where it needs to go."

The Mayor asked that the Council look at the attached map and determine how to sewer the northeast section of Elk Ridge.

The Mayor included a copy of the proposed agreement with Salem for the proposed "buy-out" and a map showing the Salem City General Plan.

Bruce Ward brought up the point of where the disconnect point should be. Should the area around the High Line Canal continue to sewer with Salem at a non-resident charge. The fall line in the vicinity of the High Line Canal would not allow the flow toward Payson, without a major lift station, which would not be beneficial to the City.

Another option would be to require the developers to go under the High Line Canal with the sewer line and then go west to 1600 West and connect at 1600 West. With this option, the southwest section of Salem could connect on and pay Payson a non-resident user fee.

The north side of the High Line Canal has a very significant fall; however, our growth boundaries extend to the High Line Canal.

*The Mayor, Councilmember Abbott, Jeff Budge (Aqua) and Bruce Ward (Salem City) are meeting on March 13th to discuss the various options available.

The future Regional Sewer Plant has also been discussed in relation to solving these issues.

PUBLIC FORUM TIME

Mayor Dunn: Other cities have time set aside to allow the public to voice their concerns in the council meetings. The Mayor provided several examples from various cities. After discussion, the Council was in favor of allowing this to be placed on the agenda. The Spanish Fork example was the favored manner. No action can be taken at the time of the public comment.

*The Mayor will place this on the next agenda.

CITY COUNCIL
FIELD TRIP

Mayor Dunn: (Memo to Council)

The Mayor proposes “to take a field trip with the Planning Commission and visit Santaquin’s development, Mapleton’s development, Spanish Fork’s development, the city centers of Mapleton, Eagle Mountain, and the Bowery in Lehi. The purpose of this field trip is to see what is being done around us and to widen the perspective of the Planning Commission and the City Council.”

The Mayor would like to pick a date and take 4 or 5 hours to educate themselves.
All the Council was interested.

*The Mayor needs to approach the Planning Commission and he will bring this information back to the Council.

RESOLUTION/
UTAH LOCAL
GOVERNMENTS
TRUST (ULGT)

This is the renewal contract for the City’s membership in the ULGT.

**MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY ALVIN HARWARD TO
APPROVE THE AGREEMENT WITH THE UTAH LOCAL GOVERNMENTS TRUST AND
ELK RIDGE CITY**

VOTE: YES (5)

NO (0)

CITIZEN MEDIATION
BOARD

Raymond Brown: Submitted a written draft of a proposal for a “Citizen Mediation Board” for the City.

Problem:

1. Cost associated with call out of officers may be unnecessary
2. Law enforcement officers are not required to mediate local citizens’ problems
3. When an individual has law enforcement called on them, the results are usually:
 - A. Resentment
 - B. Retaliation
 - C. No real settlement of issues
 - D. Problems escalate
 - E. Cost to the citizens of Elk Ridge

Solution:

Establish a citizen mediation board from volunteers qualified by past experience to do so.

The only document resulting from this mediation would be a signed agreement between the parties involved.

There would be rules regulating the Board:

- Establish a set day and time during the month.
- Mediation would be voluntary...minutes would not be kept.
- Issues of importance would be brought to the Council to make them aware and for possible action.
- Records kept.
- Keep a list of mediators
- Application would be on an “Official Mediation Request” form.

The proposal went into detail regarding a flier made available to residents informing them of the process to have issues mediated.

Councilmember Brown listed the offenses that would not qualify for mediation.

This process would alleviate the burden on the Mayor and other Elected Official, as well as the Police Officers.

Mayor Dunn wrote a message in the Newsletter to residents about complaints and being responsible for part of the City and its upkeep.

Alvin Harward: He likes the concept, but questions if it would be used. This type of agreement would not be legally binding.

The Council was in general agreement with the concept.

THREE-WAY STOP
PARK DRIVE &
ELK MEADOWS

Mayor Dunn: Mayor Dunn proposes making the intersection at Park Drive and Elk Meadow a “T” intersection rather than the curve that is currently there. This is how the road was designed originally. The existing curve is located on private property. It would require the asphalt to be removed on the northeast corner, with some additional shoulder material put down. Center stripes would be painted that would guide the traffic and a stop sign would be installed to each of the three lanes entering the intersection.

Alvin Harward, Mary Rugg & Mark Johnson: Feel that the stop sign should be on Elk Meadows going onto Park Drive. The majority of the traffic comes from the center of the City, not from above the Golf Course.

Shawn Eliot had recommended the stop sign be on Park Drive going onto Elk Meadows since Elk Meadows is the continuous road.

Nelson Abbott: Feels that as long as there is sight of the oncoming traffic at the intersection, there is no need for any stop signs at any of the corners. Stop signs should not be used to slow traffic. Stop signs should not be installed where they are not needed. There are standards that should be followed. He feels the road should stay a curve since it has been that way for so long.

Discussion: Residents are not stopping at the stop signs in town. It is a problem that needs to be addressed by citing the violators.

Roundabouts were discussed as a traffic calming device.

Deputy Petro said they will be glad to issue the citations, but the City needs to be prepared to receive the phone calls from irate citizens. She asked for direction from the Council.

Council Comments:

Mary Rugg, Nelson Abbott, Alvin Harward and Mark Johnson: All agreed that the only place a stop sign should be is on Elk Meadows.

Alvin Harward:

1. Most roundabouts do work well at controlling traffic
2. Agrees that a stop sign should be on Elk Meadows, coming north onto Park Drive.
3. Leave the curve as it is until development changes it.

Raymond Brown: Have 2 stop signs, if not three: Elk Meadows and Park.

Deputy Petro: Her opinion is that it is going to be a "T" intersection. It has been a problem intersection and now the Council just needs to decide where to place the signs.

Mayor Dunn commented that the road is going to change to a "T", the way it was designed. The decision is to be made as to the placement of the stop signs.

There does not need to be any public input. This could have been handled as an administrative decision. This is a safety issue.

This will be done probably before the summer.

EXPENDITURES:

General: None

A. Check Registers for January, 2006:

MOTION WAS MADE BY ALVIN HARWRD AND SECONDED BY MARK JOHNSON TO APPROVE THE CHECK REGISTERS FOR JANUARY, 2006

VOTE: YES (5)

NO (0)

BOND PAY-OFF

The Water Parity Bonds are to be paid off as of March 15, 2006. The pay-off amounts were provided by the State. It will take \$250,584.98 to pay-off the bonds. The budget will have to be changed slightly to match the actual figure.

MINUTES

No minutes available for approval.

ADJOURNMENT

Mayor Dunn adjourned the Meeting at 9:25 PM.

NOTICE & AGENDA

Notice is hereby given that on Tuesday, March 14, 2006, the City Council of Elk Ridge and the City Council of Woodland Hills will hold a special Joint Session at 6:00 PM; to be followed by the regular City Council Meeting at 7:00 PM.

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

6:00 PM JOINT CITY COUNCIL WORK SESSION

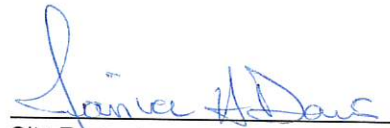
1. Payson City Presentation – Sewer Project

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

- Opening Remarks and Pledge of Allegiance Invitation
Approval/Agenda Time Frame
- 7:05 2. Reese Knuteson – Eagle Scout Project/Arbor Day Grant – Mary Rugg
7:10 3. Public Comments:
*Please note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda times, public comment will be limited to three minutes per person. A spokesperson who has been asked by the group to summarize their concerns will be allowed five minutes to speak. Comments which cannot be made within these limits should be submitted in writing. The Mayor or Council may restrict the comments beyond these guidelines.
- 7:20 4. Water Rights Proposals – Mayor Dunn
7:30 5. Re-Schedule Public Hearing/Water Rights Amendments (3-28-06 @ 6:00 PM)
7:35 6. Boundary Change Discussion – Mayor Dunn
7:45 7. Expenditures:
General:
7:50 8. Approval of Minutes of Previous Meeting
7:55 9-. Adjournment

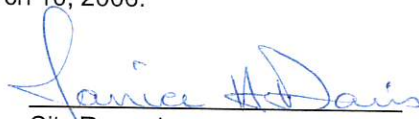
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at accelerated if time permits. All interested persons are invited to
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City Recorder

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TION
City Recorder for the municipality of Elk Ridge,
as faxed to the Payson Chronicle, 145 E Utah Ave, Payson,
ody on March 10, 2006.



City Recorder

**ELK RIDGE
CITY COUNCIL MEETING
March 14, 2006**

**TIME & PLACE
OF MEETING**

This regular Meeting of the Elk Ridge City Council, was scheduled for Tuesday, March 14, 2006, at 7:00 PM; this was preceded by a Council Work Session at 6:00 PM. The meetings were held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah.

Notice of the time, place and Agenda of the scheduled meetings was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on March 10, 2006.

6:00 PM

JOINT CITY COUNCIL WORK SESSION AGENDA ITEMS

ROLL CALL

Mayor: Dennis Dunn; *City Council:* Alvin L. Harward, Mary Rugg, Mark Johnson, Nelson Abbott & Raymond Brown; *Woodland Hills' Mayor:* Toby Harding; *Woodland Hills City Council:* Steve Lauritzen, Tom O'Grady, Mac Baldwin & Charles Spence; *Woodland Hills Finance Director:* Chris Helvey; *Payson City Mayor:* Burtis Bills; *Payson City Engineer:* Glade Robbins; *Payson City Administrator:* Andy Hall; *Horrocks Engineers:* Brent Ventura; *Aqua Engineering:* Jeff Budge; *Salem City Engineer:* Bruce Ward; *Sheriff:* Deputy Petro; *Public:* Anette Brigham, David Peterson, Robert Nelson, Sterling Peterson, Alex Rugg; & *City Recorder:* Janice H. Davis

**PAYSON CITY
PRESENTATION –
SEWER PROJECT**

Woodland Hills' Mayor and City Council met with the Elk Ridge City Council and the Mayor and various City Officials from Payson City to review the terms of the projected Sewer Project. Mayor Dunn introduced Glade Robbins and Brent Ventura (Horrocks Engineering). The various parties involved have met several times to discuss the term of the proposed contract. The Mayor had three main questions:

1. When will the ground be "cut"?
2. When will Payson City get the line to Elk Ridge?
3. When will the contract be ready to sign?

Glade Robbins: Horrocks Engineering firm has been hired by Payson City to design the Sewer line. He was introduced to explain the design and projected layout of the sewer line. Mr. Robbins would then cover the financing of the Project.

Brent Ventura: (Passed out copies of an aerial photo of the area designated where the line will be installed.) He has been working with the involved cities to determine the needs under build-out conditions (flow & number of connections projected). These findings would be placed into a model to help size the sewer lines and to see what would fit into Payson's existing sewer system (phases 1 & 2 on the drawings).

1. Phase 1 – Existing lines / Lines needing to be upgraded
2. Phase 2 – New lines (not replacement any existing lines)
 - A. Lines to run down Salem Canal Rd., up 1600 West to 11200th (County Rd. to Woodland Hills) connecting Elk Ridge and Woodland Hills.

He did not wish to "get too technical" in his explanation, but wanted to answer any questions. The system is designed to all go downhill with gravity flow, with no lift stations.

Salem Canal Rd. appears to be flat; in the corner where 1600 West meets Salem Canal Rd., the sewer is about 6 or 7 ft. deep. The corner lots in that area may need to pump out of their homes, depending on the location of their homes on the lots.

Nelson Abbott: The section of ground that is north of 11200 South and runs to the canal is a concern; will this area be required to pump sewer back up? Or, how deep will that sewer have to be in order to flow downhill?

Mr. Ventura: The line in that area would be about 10' deep and the people on the downhill side of the pipe would not be able to sewer to it unless they could pump up to it.

Jeff Budge: They have been working with the developers in that area to explore several options:

1. Coordinate and continue sewerage with Salem City, using the existing line
2. They are trying to avoid the lift station situation.

Mr. Ventura: Those connections have not been evaluated in the model as coming into the Payson System.

Question on rights of way for the line: (These roads are County roads except where they extend through the Payson City Cemetery, various City properties, LDS Church property and a couple of privately-owned properties; the rest is the roads. The County is acceptable to the plan.

Bruce Ward: Questioned the lots along 1600 West that could be sewer with Salem.

Jeff Budge: The developers are going to have to decide how to sewer; they were just given options. The preferred option would be to stay connected to Salem, if Salem is agreeable to an arrangement.

Mayor Harding: Does the high-pressure gas line easement present any kind of problem to this Project? (Having contacted the Gas Company and Blue Stakes, this subject has not come up.) *This is something that will need to be checked out.

Bruce Ward: There is also a section along 1600 West that is currently the responsibility of Salem that should sewer with Payson; much like the portion of Elk Ridge that may continue to sewer with Salem. The question is, will the line be sized large enough to handle the extra 300 (or so) homes? It would be a trade-off since about that many would be staying with Salem's system.

Also: CUP Water is planned to go into Highline Canal Rd. (It has also been discussed to move it to High Line Canal.) The road will only hold so many lines as it is fairly narrow. CUP has been a long time in the planning (1902). Have they been consulted on this plan?

Mayor Dunn commented that it is also proposed to put Strawberry Water in the Highline Canal, as well.

Water lines will eventually be there, with development.

Glade Robbins: (Financing the Project)

- Engineering Estimate for Project = 3.57 million dollars
They will have a better idea of the actual cost when the Project goes out to bid.
- Mr. Robbins has met with Carl Empey (Zion's Bank) regarding a loan and he is preparing the appropriate documents.
- They have met with Payson City's Council to discuss terms of an agreement with Elk Ridge and the fees that would be charged:
 - A. Current Payson City sewer rates = \$16.00 (base fee) + \$1/1,000 gal. of drinking water.
The average home owner in Payson uses 8,000 gal. /month (drinking water); so the average sewer rate = \$24/month
- Sewer Impact Fee = \$2,590

Proposal to Charge Residents of Elk Ridge & Woodland Hills:

- Sewer Rate: \$24/month (Usage Fee)
- New Connections: \$2,500 (Impact Fee)
- Existing 500 connections: A \$1,000 Sewer Connections Fee/connection
(This is new information. It has not been discussed in the negotiation talks.)
- With these rates in place, Payson feels the costs of the Project could be met.

Timing of the Project:

- All the loan requirements have to be met; but they are hoping to have the loan in place and the contract ready to go by the 1st of May.
- They are hoping to begin construction about the beginning of May, as well. The actual construction period should take about 120 days, which would end in September, 2006.
- The current estimate only takes the line to the intersection with the existing trunk line to Salem City; any extension to Woodland Hills is not figured into the estimate
- The 3.57 million includes upgrades for 5 years; after which, there would be additional up-sizing, as necessary.
- The additional costs for the extension to Woodland Hills would be covered by user fees.

Mayor Harding: Woodland Hills has no existing sewer lines, and he is concerned about:

- What would a "service contract" with Payson to maintain lines be?
- Wondered if the lines could belong to Payson? (Woodland Hills has no experience in maintaining the lines.)

Payson would need to look into an estimate to take over the entire system in Woodland Hills.

Mary Rugg: (Needed clarification) Councilmember Rugg repeated the various charges discussed by Payson. Would Elk Ridge maintain our own lines and Payson maintain the main trunk line? (That is the current proposal.)

Glade Robbins: RE: "Connection fees" for existing residents could be partially covered by the amount of money to be received by selling Elk Ridge's portion of the Salem Plant.

Mayor Harding: Asked that Payson comment of the "useful life" of the system.

Mr. Robbins: There was a recent upgrade to the treatment plant; and it has capacity up to 3,000,000 gal. per day. With only Payson connected to the system, they are at about 1.3 gal. per day. There is capacity in the plant for the next 20 years or so.

Mark Johnson: Questioned being charged for drinking water since Elk Ridge has only culinary water; there is no secondary system like Payson has. (Payson is not proposing the rate be based on drinking water, only on a "flat" rate of \$24/month.)

Mayor Dunn: Brought up the topic of "water re-use". The Payson Plant will produce quite a bit of water; is that water being sold to someone else?

Glade Robbins: Payson has a contract with the power plant located by the sewer treatment plant, to sell the water to them. Payson is close to being able to re-the water in their secondary system, themselves. There are still requirements to be met with the State Water Quality Board to be able to do this. The rights associated with the water coming from Elk Ridge and Woodland Hills would have to be researched.

Mayor Dunn: If there is a considerable amount, he would like to consider the possibility of some reimbursements on what is being sent to Payson.

Bruce Ward: There are communities in Salt Lake that are involved in reimbursements, but not in the manner Mayor Dunn is referring to. Once the water is "down the pipe", rights are relinquished to the water. It is quite a costly endeavor to re-cycle water and Payson has invested a great deal of money.

Mayor Dunn: Learned some things in a Water Conference in St. George about re-use of water. There seems to be a new line of thought regarding the ownership of water after it is sent down the line.

Mr. Robbins: All terms seem to be agreeable and the attorney can draw up the draft of the agreement. The only thing still to be agreed upon is the proposed connection fee for existing residents of \$1,000/connection.

Andy Hall: This is still a point of negotiation; the Council gave no directive that there would be a specific amount charged, or how it would be charged.

Mayor Dunn: This does need to be discussed further.

Bruce Ward: Would like to be considered in that little "sliver" of land by 1600 West (discussed earlier) to sewer with Payson.

(Payson would like to keep all the fees uniform between the communities.)

Nelson Abbott: How was the figure of \$1,000/home arrived at? How is it justified? The terms need to work for existing residents.

(The upgrades themselves cost around 7.5 million dollars +; Payson feels this cost justifies the fees.)

Alvin Harward: But, the current fee structure at \$24/month is designed to cover this over time. There is about \$250,000 coming from the sale of the City's portion of the Salem Plant. He has no problem turning this over to Payson to cover the connection of existing home owners; but it would be a "stiff penalty" to charge over and above this to the current residents.

Andy Hall: The actual costs of the upgrades could be analyzed, including the actual cost of the debt service. Then this could be apportioned back out to the number of hook-ups. This could be calculated on a prorated basis. He agrees that the figure should be justifiable.

Jeff Budge: Elk Ridge could be "hurt" if this \$1,000 increases with this analysis.

Nelson Abbott: The advantage to Payson, with Elk Ridge participating, is that Payson will be able to pay-off their bond earlier. There are mutual advantages.

Jeff Budge: Question of the "user fee" of \$24/month:

This is an average charged to Payson residents; is this based on Operations and Maintenance (O & M) costs? If it is, there would be no O & M on Elk Ridge's lines; only on the main trunk line. Was this taken into consideration?

Andy Hall: There was some discussion that Payson might use their "jet trucks" to clean the lines in Elk Ridge.

Bruce Ward: It might be a good idea to "roll" these costs over to the Payson City crews. This could be a further point of negotiation.

This is the first step to what this Valley is going to look like...there will be "regionalization"; whether completely or in "pieces". This is "pioneering the way".

The bid specifications are 95% done:

1. The inter-local agreement needs to be signed
2. The loans need to be in place

Payson City Attorney needs to produce the draft of the agreement.

Mayor Harding: Feels this is a good sign of co-operative living between neighboring cities.

Mayor Bills: He feels it is great that communities can work together to:

1. Help Payson's bonding capacity
2. Help with potential growth...the sewer line will help

He expressed his appreciation of the positive comments and open-minded attitudes.

**ELK RIDGE
CITY COUNCIL MEETING
March 14, 2006**

**TIME & PLACE
OF MEETING**

This regular Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, March 14, 2006, at 7:00 PM**; this was preceded by a **Council Work Session at 6:00 PM**. The meetings were held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah.

Notice of the time, place and Agenda of the scheduled meetings was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on March 10, 2006.

ROLL CALL

Mayor: Dennis Dunn; *City Council*: Alvin L. Harward, Mary Rugg, Mark Johnson, Nelson Abbott & Raymond Brown ; *Sheriff*: Deputy Petro; *Public*: Anette Brigham, David Peterson, Robert Nelson, Sterling Peterson, Alex Rugg, Mishelle & Reese Knuteson; & *City Recorder*: Janice H. Davis

7:05 PM -

CITY COUNCIL REGULAR AGENDA ITEMS

**OPENING
REMARKS &
PLEDGE OF
ALLEGIANCE**

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

**AGENDA TIME
FRAME**

MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY ALVIN HARWARD TO APPROVE THE AGENDA TIME FRAME; ADJUSTING THE STARTING TIME TO 7:07 PM
VOTE: YES (5) NO (0)

**EAGLE PROJECT
REESE
KNUTESON**

Reese Knuteson: Reese Knuteson was seeking approval of a proposed Project that would included the "Arbor Day Grant" (\$250).
(Memo from Councilmember Rugg) The Project would be to plant four new trees within the City Park. Of these trees, three would border along the perimeter of the existing play area. The remaining tree would be planted near the entrance of our City Park Pavilion. The cost of the Project was itemized. We will be using City employees as well as volunteers to complete this goal.
The cost of the Project is estimated at \$1,507.39 (less \$250 Grant money).
It was noted that the volunteers listed on the cost breakdown are not actually paid by the City, nor is the Scout organizing the volunteers. As part of the State Grant, they allow the City to factor in the cost of volunteers as part of the total cost of the Project. The City will only be responsible (out of pocket expenses) for the City employees, the cost of the trees and mulch, the cost of the portion of the April Newsletter (supporting Arbor Day), the cost of the flyer announcing the "In Memory Of..." plaques and any cost of the wood supplies not used for plaque stands.
The Project would include the removal of infected trees by the basketball court (beetle infection).
The plaques (5 X 7) are for sale for \$15; to be placed on stands by the trees.
Alvin Harward: Trees can be bought in bulk at a cheaper rate.
That would be a good idea for the future; this Project needs to be submitted 4-17-06.
MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY NELSON ABBOTT TO APPROVE THE EAGLE PROJECT FOR SCOUT REESE KNUTESON FOR A TOTAL COST TO THE CITY OF \$465, TO BE TAKEN OUT OF THE PARKS BUDGET
VOTE: YES (5) NO (0)

PUBLIC COMMENTS This is a new Agenda listing. It allows 10 minutes for the public to discuss any issues they may have with the Council. The time is limited to 3 minutes per person, unless there is a spokesperson for a group of citizens; then that person would be allowed up to 5 minutes.
Anette Brigham: (Non-resident) She will have to connect to the sewer when it goes in. She is within Payson's annexation area.

**WATER RIGHTS
PROPOSAL**

Mayor Dunn: Mayor Dunn contacted David Church regarding the matter of "cash-in-lieu" of receiving water rights. Mr. Church sent a letter to Mayor Dunn with his response. He counseled that accepting money in lieu of water will legally be an impact fee and therefore must follow the procedures for adopting and impact fee. Copies of Mr. Church's letter were submitted to the Council for review; to be discussed at the next Council Meeting.

Aqua Engineering has completed the study on the Water Rights for the City and we need the vehicle to adopt these findings, which is to adopt an ordinance. The wording for the ordinance has not come forth to present to the Council. There are still issues to clarify with between the Engineers and the City Attorney. Mr. Church questions if the fee for water rights would be justified.

The fee water rights would be based on "fair market value", which would have to be reviewed periodically (perhaps every 6 months) to change it when appropriate. Currently the market is between \$3,000 and \$4,000...the City still charges \$2,333.34.

The proposed ordinance must be in place prior to the scheduled Public Hearing for public inspection. The Public Hearing scheduled for tonight was cancelled because the adopting ordinance is not available.

*The Mayor was to call Mr. Church the next day (3/15/06) to further discuss the matter and to clarify some of the issues. The City is not "banking" water rights; the excess is a result of the advice of the last two engineering firms (not Aqua) and the amount of water rights required per acre. We were under the impression that the City needed more rights.

The City is trying to take the advice of the City Engineers and stay within legal rights as we go forward and deal with the water right issues, as delineated in the Study performed by Aqua Engineering and Tony Fuller.

Water Requirement:

(As outlined by Aqua Engineering and Mr. Tony Fuller)

The Council reviewed the chart included in the report from Aqua Engineering. The chart breaks down the criteria used to determine the amount of water right that should be assessed to each parcel of land. They take into consideration: Lot size, home sq. footage, misc. footage, total non-irrigated land, balance of irrigated land (per square foot), balance of irrigated land (per acre), irrigation required (acre-foot), probable irrigation (per sq. ft.), probable irrigation (per acre), probable irrigation (per acre-ft.), indoor requirement (acre foot) and the total probable requirement per acre-foot.

To simplify the assignment, it is proposed to round off the "total probable requirement", applied to the size of lot:

- R-1-12,000 (Total Prob. Req. = 0.911...rounded to 1 acre foot
- R-1-15,000 (Total Prob. Req. = 1.073...rounded to 1.1 acre foot
- R-1-20,000 (Total Prob. Req. = 1.345...rounded to 1.3 acre-foot
- R&L 1-20,000 (Total Prob. Req. = 1.345...rounded to 1.3 acre-foot
- RR-1 (Total Prob. Req. = 1.773...rounded to 1.8 acre-foot
- C-1, CE-1 & CE-2 would all be on a case-by-case basis

The Council all agreed to this.

When the Mayor was at the Water Conference, market value of water rights is very subjective, depending on availability. The City has been charging \$2,333.34 per acre-foot of water right; Aqua Engineering's suggestion was to increase that to \$2,700/acre-foot; however, there are other rights that have been sold recently for \$3,500/share. Perhaps Tony Fuller or Bill White (water right experts) should be consulted for the current market value of water rights.

The current market value will be reviewed by the City Council every six months.

*Mayor Dunn is to contact Molly Waters (State Drinking Water Board) to ask if she knows the market value of water rights.

(FYI: Water Conservation Report was accepted by the State and the City is in compliance. The Mayor supplied copies to the Council for their review.)

RE-SCHEDULE
PUBLIC HEARING –
WATER RIGHTS
AMENDMENTS

**MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY MARK JOHNSON TO
RE-SCHEDULE THE PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE WATER
RIGHTS REGULATIONS, FOR MARCH 28, 2006, AT 6:00 PM
VOTE: YES (5) NO (0)**

BOUNDARY CHANGE
DISCUSSION

Mayor Dunn: Mayor Dunn was at a Council of Governments Meeting and found out through Mayor Toby Harding, that Don Mecham had sold his property on the hill, east of Loafer Canyon Rd. According to Mayor Harding, Mr. Mecham wants to disconnect the property from Elk Ridge and annex into Woodland Hills. Mayor Harding and Mayor Dunn have discussed boundary lines between the two communities in the past.

Previous Suggestion from Woodland Hills:

From the private gate (Loafer Recreation Association) north Loafer Canyon Rd. to the intersection with E. Park Drive, excluding what is already in Elk Ridge...everything on the east side would be in Woodland Hills and everything on the west be in Elk Ridge. The Mayor did not have a problem with this proposal.

Don Mecham owns property up by the Loafer Recreation gate and east that he wants to develop and possibly bring the sewer line to Loafer Canyon Rd. and north, to connect with the existing sewer line; this would include replacement of the road.

At the Meeting the previous week, Mayor Harding changed the suggestion:

With Don Mecham wanting to annex into Woodland Hills, he proposed the boundary line go all the way to the 4-way stop at the County Road; and everything east be in Woodland Hills.

Mayor Dunn raised the question of Valley View Circle? Are the residents agreeable? Mayor Harding was of the opinion that the boundary line be changed and simply inform the residents. Mayor Dunn was not in agreement with this proposal.

Alvin Harward: Commented that these homes are already on the City's water and sewer systems. If the current residents on Valley View Circle were requesting this change, he would feel the City should consider it; but this is not the case and how would Woodland Hills service them? He has no problem with the first suggestion.

Mayor Dunn: Agrees with Councilmember Harward. The issue may come up again.

Mary Rugg: Wondered about the reasoning behind Mr. Mecham's desire to annex into Woodland Hills.

NON-AGENDA
ITEM

Mayor Dunn: The Planning Commission is in favor of the Field Trip that the Mayor had proposed; to inspect various communities and how they have planned for growth.

EXPENDITURES

General:

1. Discussion of the costs associated with the Payson Sewer Project:

Alvin Harward:

- He is not in favor of even considering the proposed \$1,000 Impact Fee for current residents.

He recommends:

A. Take the \$250,000 from selling the City's portion of the sewer plant to Salem and turn this over to Payson to cover the connection charge for current residents. Our current residents have already paid impact fees; he is against asking additional fees. They will be re-couping their costs through the base fee of \$24/month.

B. Subtract out of the total O&M Charge: Operation and Maintenance charges for Payson resident.

Or

C. Turn all of the maintenance of Elk Ridge's lines to Payson.

D. Re-use of water will eventually have to be re-visited.

- The Mayor was also surprised at the sewer line being extended past the main trunk line and to Woodland Hills. Is this included into the over-all assessment? It should not be.

MINUTES


City Council Minutes of 2-14-06 & 2-28-06:

**MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY RAYMOND BROWN TO
APPROVE THE CITY COUNCIL MINUTES OF 2-14-06 AND OF 2-28-06**

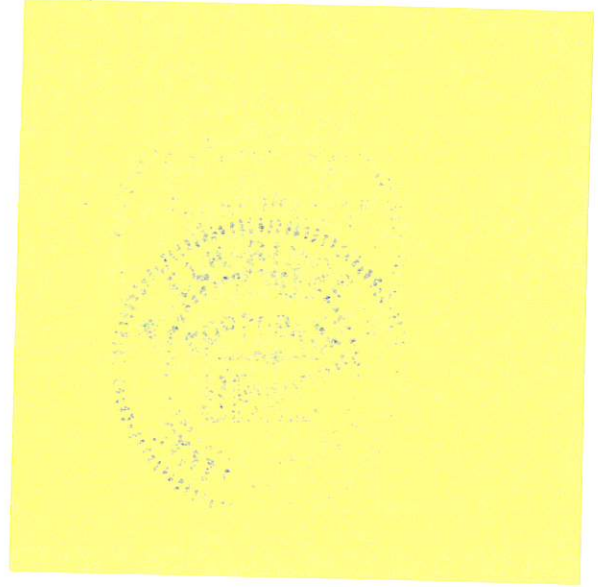
VOTE: YES (5)

NO (0)

ADJOURNMENT At 8:15 PM, Mayor Dunn 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, March 28, 2006, at 7:00 PM, to be preceded by a Council Work Session at 6:00 PM. The meetings will be held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

6:00 PM CITY COUNCIL WORK SESSION

- 6:00 1. Nebo Transportation Study – Shawn Eliot
- 6:15 2. Sewer Contract & Utilities with Payson City – Alvin Harward
- 6:30 3. Road Impact Fee/Discussion – Mayor Dunn
- 6:45 4. Water Rights Update – Mayor Dunn

7:00 - PM REGULAR COUNCIL MEETING AGENDA ITEMS:

- Opening Remarks and Pledge of Allegiance Invitation
- Approval/Agenda Time Frame
- 7:05 5. Elk Ridge Meadows Subdivision, Plat "A"/Concept Presentation – Randy Young
- 7:25 6. Snyder Subdivision, Plat "A"/Preliminary & Final – Cory Snyder
- 7:40 7. Street Name Change – "Jamileh Cir." to "Cougar Circle" – Mayor Dunn
- 7:45 8. Road Impact Fee Action – Mayor Dunn
- 7:50 9. Sewer Contract & Utilities/Action – Alvin Harward
 - A. Utilities (Turn on Fees)
- 7:55 10. Schedule Public Hearings:
 - A. Street Names Changes/Discussion – Mayor
 - B. Ordinance/Public Hearings/Noticing Require
 - C. Ordinance/Building Heights
 - D. Ordinance/Pigeon Regulations
 - E. Ordinance/Regulations Regarding Water R
- 8:05 11. Ordinance/Water Conservation & Management Plan
- 8:10 12. Park Benches – Mary Rugg
- 8:15 13. Expenditures:
 - General:
 - A. Check Register for February, 2006
- 8:20 14. Approval of Minutes of Previous Meeting
- 8:25 Adjournment

*Handicap Access: Use of

Th
att

elerated if time permitted
06.


City Recorder

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here
Utah, and mailed to each member of the Governing Body on March 23, 2006; & an Amended Agenda on 3-24-06.


City Recorder

**ELK RIDGE
CITY COUNCIL MEETING
March 28, 2006**

**TIME & PLACE
OF MEETING**

This regular Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, March 28, 2006, at 7:00 PM;** this was preceded by a **Council Work Session at 6:00 PM.** The meetings were held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah.

Notice of the time, place and Agenda of the scheduled meetings was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on March 23, 2006; and Amended Agenda on 3-24-06.

6:00 PM

-

CITY COUNCIL WORK SESSION AGENDA ITEMS

ROLL CALL

Mayor: Dennis Dunn; *City Council:* Alvin L. Harward, Mary Rugg, Mark Johnson, Nelson Abbott & Raymond Brown; *Planning Commission:* Chad Christensen & Shawn Eliot; *Public:* Anette Brigham, George Woodruff, Dustin Magoffin, Cami Clark, Cami C. Newman, Scout Jordan Schmanski & Todd Schmanski; & *City Recorder:* Janice H. Davis

**NON-AGENDA
ITEM**

1. Mayor Dunn: Carolyn Bowman (Payson) Some letters were placed in each of the Councilmembers' folders regarding a Nebo Economic Summit in Payson, to be held April 13, 2006. The Guest Speaker is Governor Huntsman. The opening time is needed; it ends at 2:00 PM.

*Mayor Dunn will call to find out the start time of the conference.

2. Saturday, the 1st of April: Scheduled with CPA to meet regarding Government Finance. Not every Councilmember can attend;

*Check with Curtis Roberts on re-scheduling for May 6, 2006, at 8:00 AM.

**NEBO
TRANSPORTATION
STUDY**

Shawn Eliot (Planning Commission & represents Mountainlands Assoc. of Governments MAG) This presentation is going to all the cities in Utah County. MAG has started was they refer to as the "Quadrant Studies". Four different areas in the County are being considered for future transportation needs. Mr. Eliot handed out a summary of the presentation. This presentation was intended as a power point presentation; and Mr. Eliot reviewed the pages of t summary:

Nebo Transportation Study:

- *Introduction:*

- 4 MAG initiated projects: Nebo, Lake Mountain, Provo/Orem & Northeast Utah Valley Transportation Study (NEUVTS)
- NEUVTS completed in Sept., 2005
- Studies address Regional Transportation Plan options & recommendations

- *Study Areas Map:*

(Shows four areas being studied)

- *Study Goals & Objectives:*

- Identify transportation needs through the year 2030+
- Evaluate multi-model options
- Develop additional transportation Plan options
- Minimize costs & impacts of improvements with early coordination

- *Area Studies Schedule:*

• 2005

November: Project Initiation & 1st TAC Meetings
December: TAC Meetings #2

• 2006

January: Analyze Alternatives & prepare preliminary recommendations
Feb: TAC Meetings #3 & Presentation of Initial Findings
Mar: TAC Meetings #4 & Refinement of Initial Findings
April: Presentation of recommendations
May: Final Recommendations

- *Development Patterns:*

Maps of growth patterns were shown from 1993 – 2004

Maps of growth patterns projected from 2004 – 2015 & to 2030 (Shows N. County growth)

- *Nebo City Population Projections:*

This shows projected population in certain communities by 2030:

Elk Ridge: 9,431 (Includes Elk Ridge, part of Payson & part of Salem)

Genola: 3,491

Salem: 20,497

Goshen: 2,220

Spanish Fork: 57,563

Mapleton: 16,841

Springville: 53,021

Payson: 35,310

Woodland Hills: 6,610

(Currently, Utah County grows in population equal to Payson City each year.)

- *Nebo Level of Service (LOS):*

Shows level of congestion on roads from 2001 to 2030 (just non-controversial Projects)

- *Nebo Study Area Issues:*

Identifies issues in the South County area:

1. Access to Highway 6
2. New Access to I-15
3. Connectivity to northern communities
4. Dispersed development patterns
5. Rural preservation
6. Main Street preservation (Payson & Spanish Fork)
7. Planning for Trails and alternative modes
8. Access to & across Utah Lake (Goshen Bay & Provo Bay)
9. Transit district extension to communities south of Payson & Salem

- *Putting Traffic Problems in Perspective:*

- The increase in population in the Nebo Area has been greater over the past 10 years than the increase in pop. In the Lake Mountain Area, including Saratoga Springs & Eagle Mtn. Population projections anticipate growth in the Nebo Area to remain higher than Lake Mountain over the next 20 yrs.
- Traffic volumes on I-15 in the Nebo Area have more than doubled over the past 20 years and are expected to double again over the next 25 years.
- A 21 minutes trip from Santaquin City Hall to the base of Hobbie Creek Canyon will increase to 59 minutes if no improvements are made; but will continue to increase to 34 minutes if all of the non-controversial improvements are made.
- A 26 minute trip from downtown Salem to the BYU Campus will take 73 min. if no improvements are made, but will increase to 37 min. if all of the non-controversial improvements are made.

- *Summary of Conclusions:*

- The Nebo Region is a Rural Bedroom Community which will grow to become more self-sufficient.
- I-15 capacity has served growth well, but will run out by 2030 even after improvements.
- Growth in the Nebo Area has been staggering and will continue in the long te

(Funding for big projects remains a problem.)

Mayor Dunn, along with the other Mayors of Utah County, voted to add \$10 per vehicle to registration fees. This extra money will go into a "Corridor Preservation" Fund.

The Mayors were not generally in favor of this; however, the State and the County Commissioners did not give them much choice; and the action had to take place prior to July 1, 2006.

The mind-set needs to change from moving traffic to the north; development is going on in south County, as well. About \$18,000,000 State-wide will go into the "Corridor Preservation" fund, to be disbursed for future use.

- *Deliverables:*

- Prioritized Transportation Plan for the Nebo Area
- Prioritized Corridor Preservation Projects
- Identified "Visionary" Transportation Projects

Shawn Eliot: The money is set aside for Utah County. The Council of Governments needs to create a priority list of Projects what projects that want to be funded. The County Commissioners have to approve this list. The reason a lot of the funding tends to go to the north, is that there are a lot of the "hot fires" (big problems & blocks to traffic) are right now.

- *Next Steps:*

- Analyze mobility options
- Identify capital projects
- Community outreach
- Final Recommendations

- *Immediate Steps:*

- Make Priority Projects part of Legislative Program for I-15 Reconstruction Impacts
- Seek Funding to meet transportation needs
- Update Regional transportation Plan in 2007

- *I-15 FWY Reconstruction Projects:*

2011-2015...Map + list of "Funded Projects" & "Unfunded Projects"
(The only "funded" project in the south end of the County is at the
Springville 400 South Interchange.)

Shawn Eliot: There are three proposed projects that would affect Elk Ridge:

1. Nebo Belt Route (Starting with a new interchange on I-15 to the east side of Payson, tying in at Elk Ridge Drive & 11200 South, to Woodland Hills)
2. Continue the belt route and loop it over to US 6 (Spanish Fork)
3. The continuation of Elk Ridge Drive out to the Benjamin Exit to I-15
(This project does not show a great increase in traffic)
Elk Ridge Drive could go to a 4-lane road in the future.

SEWER
CONTRACT &
UTILITIES WITH
PAYSON CITY

Alvin Harward: Summary of terms of the proposed contract:
(Memo to Council)

"Payson City has proposed that Elk Ridge pay a \$1,000 hook-up charge for each home in Elk Ridge at the time we hook-up to their sewer line and a \$2,700 (?) impact fee for all future homes, and a monthly charge of \$40 (?)"

Recommendation:

Have the Mayor and Nelson Abbott negotiate with Payson City the following terms for our hookups.

1. That Payson City accept our portion of income from Salem City for the sale of our portion of the Plant; in exchange for hooking up the existing 500 + homes.
2. That for future hook-ups, we pay them \$1,000 for each new hook-up.
3. That our monthly fee to them be \$15 per month for them accepting our waste.
4. That we then charge our sewer impact fee to cover our O&M charges?
5. That we charge \$24/month for sewer; this to cover the O&M charges.
6. Questions: Who will send out bills? Questions on Strawberry Electric Impact Fee.

Councilmember Harward attended the Mayors' Meeting in Genola, where Mayor Bills (Payson) asked Councilmember Harward his opinion of the presentation on 3/14/06. Mayor Bills was informed that the Elk Ridge Council did not feel the impact fee for existing citizens would be acceptable, since they have already paid impact fees.

[Mayor Bills said they (Payson Council) had discussed that issue and they are agreed that they would accept the money from the sale to Salem for current homes.]

Council Harward also told Mayor Bills that the fee would be a "connection fee", not an "impact fee"; Elk Ridge's O&M expenses have to be met, as well.

[Mayor Bills said that would have to be discussed, but that it could be "worked out".]

A couple of days after that, Councilmember Harward ran into the City Administrator, Andy Hall, and the same issues were discussed. Councilmember Harward mentioned that Payson should only get about \$15 of the \$24 charged per month, since Elk Ridge would have to cover our own O&M charges; unless Payson were to take over all the lines and be responsible for maintenance.

[Andy Hall said that he understood all of that.]

Councilmember Harward feels that these conversations gave an insight into the feeling of Payson City.

Nelson Abbott: He has also spoken to a couple of the Councilmembers from Payson and they feel the same way; Payson City is simply looking for ways to maximize the agreement with Elk Ridge and that it is seen as more of a "business opportunity" for them. Elk Ridge needs to cover our own interests. At least there seems to be a bit of a mind-set change.

Alvin Harward: Strawberry Electric is now charging \$3,500 impact fee to connect onto their system. Does Payson City get power from Utah Power & Light, or do they have their own source? We should look into the possibility of changing to a less expensive power source. Power & gas will make the same changes that the phone lines made; the market will become competitive and users will be able to get services from wherever they want to. This has already happened in 9 states with gas companies.

*Councilmember Abbott and the Mayor will set up another meeting with Payson to further discuss the terms of the contract.

ROAD IMPACT
FEE

Mayor Dunn: He and Councilmember Brown brought this matter up while they were still members of the Planning Commission. The Mayor wants to re-visit this and proposes a “perpetual road fund”, to be used in the City for finishing roads off. These roads would be built with impact fees and would be specific in their parameters.

Projects to consider:

- W. Salem Hills to E. Salem Hills
Both Geneva Rock and Staker are preparing bids to connect these two roads. Development Standards would be used to install this portion of the road. The City would re-coupe the investment through off-site reimbursements. There are two lots that would need to participate in finishing off the east/west portion of Salem Hills Drive. They would be assessed a reimbursement charge to the City.
- The continuation of N. Salem Hills Drive
- Extension of Hillside Drive to Elk Meadows Drive
- Suggestion: widen current roads to proper widths

Raymond Brown: This would not only give a more finished look to the roads in town, but they would be easier to maintain, as well.

Mary Rugg: The Council has discussed this (prior to the current administration). She thought the Council was already in agreement to have this proceed to the next stage.

City Recorder: Aqua Engineering recently reported to the Council about doing the Water/Sewer Impact Fees Study updates and included that they had been asked if it would be possible to do an “over-all” impact Fee Study; they said they could, but needed the Council to give them further direction on this. It has not been followed up on.

Some form of study is necessary to back up the fee charged. The Park Impact Fee Study was done by MAG; the study does not have to be done by Aqua Engineering. Impact fees must be justified. If Aqua Engineering is to do the Study, we need a work release for the cost of the Study.

Mayor Dunn: Part of the reasoning behind gathering bids for the road project is to get this process started; to what kind of financial obligation would be required to install the east/west portion of Salem Hills Drive.

*The Mayor will have the bids back and ready to present to the Council on April 11, 2006.

NON-AGENDA
ITEM

Mayor Dunn: The EDCU (Economic Development Corporation of Utah) to do a presentation to the Planning Commission, the Economic Committee and the Council on 4-11-06, during the Work Session; but they cannot come on that date; they can come on 4-25-06, AT 6:00 PM. This is a private entity that has occupied the economic offices that the State used to occupy. When Governor Huntsman took charge, many people were removed from office. This Corporation has been around for a while and is working with many communities in the State, trying to encourage business to come to this area.

The Mayors that have worked with them recommend them to other communities.

The Mayor would like to have them present an over-view of their function.

WATER RIGHTS
UPDATE

Mayor Dunn: The Mayor, Councilmember Harward, Jan Davis (City Recorder), Jeff Budge (Aqua Engineering) & Tony Fuller (Contracts with Aqua as a water rights expert) met on Tuesday, March 21, 2006, to discuss the Study being conducted on the City's water rights. David Church (City Attorney) spoke to Mr. Budge and Mr. Fuller to discuss the matter of “cash-in-lieu” of accepting any more water rights into the City at this time. Mayor Dunn had spoken to Mr. Church previously; however, more clarity was needed.

This seems to be a very “touchy” subject. There have been two public hearings scheduled and cancelled because of no available ordinance.

The ordinance, when it is written, needs to satisfy the legalities of the advice from the City Attorney, as well as the suggestions from Jeff Budge and Tony Fuller.
City Recorder: There is an issue of “losing water rights assigned to approved subdivisions after a certain period of time” that should be checked out with other communities and their attorneys. The Planner, Ken Young, has not heard of this. He also questioned how a community could pull an “approved” status on lots within a subdivision.
Mayor Dunn: Santaquin has a “cash-in-lieu” policy; Jeff Budget got a copy of their ordinance for Mayor Dunn. He is trying to get one that is more up to date to review.
He will try to get the information together by the end of the week, so that the proposed ordinance can be drafted.

**ELK RIDGE
CITY COUNCIL MEETING
March 28, 2006**

**TIME & PLACE
OF MEETING**

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Notice of the time, place and Agenda of the scheduled meetings was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on March 23, 2006; and Amended Agenda on 3-24-06.

ROLL CALL

Mayor: Dennis Dunn; *City Council*: Alvin L. Harward, Mary Rugg, Mark Johnson, Nelson Abbott & Raymond Brown; *Planning Commission*: Chad Christensen & Shawn Eliot; *Public*: Anette Brigham, George Woodruff, Dustin Magoffin, Cami Clark, Cami C. Newman, Scout Jordan Schmanski & Todd Schmanski; & *City Recorder*: Janice H. Davis

7:12 PM -

CITY COUNCIL REGULAR AGENDA ITEMS

**OPENING
REMARKS &
PLEDGE OF
ALLEGIANCE**

Opening Remarks (prayer) were offered by Councilmember Mark Johnson, after which the Pledge of Allegiance was led by Scout Jordan Schmanski, for those wishing to participate.

**AGENDA TIME
FRAME**

**MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY RAYMOND BROWN TO
APPROVE THE AGENDA TIME FRAME; ADJUSTING THE STARTING TIME TO 7:12 PM
VOTE: YES (5) NO (0)**

**ELK RIDGE
MEADOWS
SUBDIVISION,
PLAT A -
CONCEPT**

(Memo form City Planner to Council)

Background:

Although not a required process by City Code, this Concept Plan is being brought before the City Council for review, since it is a large development, and such review will help the flow of the approval process.

Last fall, the City approved the annexation of 122 acres on the northwest end of town, which was requested by Randy Young. Since that time staff and the Planning Commission have met with and worked with Mr. Young on developing a development plan which meets the criteria of the City Code for the R-1-12,000 PUD Zone. The Code for this zone was extensively reviewed by the Planning Commission last year, and several amendments were adopted by the City Council in anticipation of such development.

The attached concept plan has been submitted by Mr. Young and has been reviewed by staff and the planning commission. Several recommendations for alterations have been made and met, and are represented in the attached plan. What is now being presented meets the criteria of the City Code as set forth for the R-1-12,000 PUD Zone.

One of the most significant criteria of the R-1-12,000 PUD Zone is the provision of a minimum of 25% open space. Additional provisions of the zoning code, as well as the Annexation Development Agreement have established a framework for this development.

Although the zoning code does not specify a minimum lot size, the proposed Elk Ridge Meadows has followed our suggested limit of 8,000 square feet (other than in the twin / multiple unit homes area). Some lots are much larger.

It is worthy to note that although the City Code for this zone allows for approximately 3.6 units per acre, plus potential for density bonus, this development only has an overall density of 2.46 units per acre. The open space has been designed so as to benefit the entrance of the community as well as being integrated throughout the development.

The following is an overview of the elements and benefits of this development:

1. 31.53 acres of integrated open space. In regular zoning this would not exist, especially in a relatively flat area with no significant land features or sensitive areas. Some acreage may be left as natural open space with picnic tables in some areas, and some may be developed into a public park with park amenities. With the dedication to the City of some of this property, the City will have an opportunity to plan and develop a new park or athletic facility. Natural open spaces not dedicated to the City shall be minimally maintained through a home owners association.
2. A wide, 108-foot entry corridor, including landscaping strips and pathways on both sides of the 66-foot arterial.
3. A roundabout at the intersection of Elk Ridge Drive (entry corridor) and Goosenest Drive to be built wide enough to accommodate an 18-wheeler.
4. A 10-foot recreational trails system throughout the open space areas, from north to south.
5. Road chicanes and bulb-outs at key locations throughout the development to act as traffic calming elements.
6. A new Elk Ridge City entry monument near the roundabout.

The following are issues and recommendations by the Planning Commission that may need to be considered by the City Council as recommendations for this concept plan (It should be kept in mind that the City Zoning Code criteria has been met, and other changes might need to be offered as recommendations):

1. Isn't there a 100-ft no development distance required from the center of the canal? This plan may need to be altered to provide for that.
2. The General Plan shows a master planned corridor going east and west through the community, somewhere south of 11200 South. The east-west one corridor shown in the development in that area should continue on to connect to properties east of the development. Perhaps more open space should be near the east end.
3. More open space along the main entry corridor.
4. The access to the home lots on 1600 West where the road has changed needs to be improved, entering at a right angle.
5. It would be better to not have lot back on to arterial roads, as shown on Goosenest, Lots 13-21. A real concern is lot 21 which is right on the round-about. An interior street to access the lots might be better. Access to lot #21 near the roundabout will be difficult. Perhaps this should be an open space area.
6. What about proposed lighting? Does the City in future developments want to come up with a lighting standard? This would be for continuity throughout the City.
7. On the cul-de-sac with lots 64 and 65 a pedestrian access to the park is recommended.
8. A concern was expressed regarding the security of and visibility into open space areas.

Recommendation:

It is recommended that the City Council offer direction and recommendations regarding the Elk Ridge Meadows Concept Plan to Randy Young so that he may proceed with the preparation of a preliminary plat.

Discussion:

Mary Rugg:

- Who will maintain all the open space planned for this development?
- How is this proposed development impacted by the water and sewer situations in town?

Will the homes in this development be considered for the proposed sewer impact fee to Payson? (Yes.)

- Former Mayor Fritz had negotiated a well being funded primarily by the developer; is this still part of the agreement and will one well be sufficient to service all these new homes?

Alvin Harward: Actually, the City is more in need of a new storage tank first. The pumping capacity of the Cloward Well can be increased. Randy Young (developer) is going to front some of the funding for that.

A new storage tank will be part of next year's budget; the well will come later.

Mayor Dunn: The current capacity of the Cloward Well is at 400 gpm and it can be increased to about 1600 gpm. The new well would have an estimated 2,000 gpm capacity, with a maximum of 55 ft. "draw-down". The cost would be about 1.2 million dollars to install. The State has denied the first application for a drill permit and Jeff Budge is working on the items the State listed to be addressed so we can apply again.

The City functions on just 3 active wells (2 large wells and one very small one which produces only about 45 gpm). We are only at about 30% capacity with the Cloward Well and just under 50% with the Upper Loafer Well. The aquifers test out strong.

The new tank would tie into the other tanks to create "redundancy" in the system.

Various locations for the new tank have been considered. The tanks will be under-ground.

The 7th hole of the Golf Course has been discussed as a location; it could be planted as a park.

The maintenance of the proposed development would initially be maintained by the residents in a Home Owners Assoc. The discussion was that the open space would be left in indigenous plants; not requiring much maintenance.

After a time, usually the home owners grow weary of maintaining a facility and decide to turn it over to the city. Then the public works department would be responsible to maintain the facility. (There was concern expressed about the open space being left in "weeds"... this does not make an attractive entrance to Elk Ridge.)

There is another clause in most PUD's that says the open space must be finished.

Alvin Harward: Before Phase Two of a PUD is started, all the open space in Phase One must be completed.

Chad Christensen: The PUD's promote "manageable" parks and open space. Mr. Young is not asking for density bonuses at this point; if heads amenities, he will earn density points and be able to have smaller lots and build more homes.

He feels it is unusual for PUD's to have un-landscaped open space.

Mayor Dunn: It was his understanding when this was addressed about a year ago, was that the open space would be finished.

Shawn Eliot: The only PUD's he has ever seen where the open space was not finished off was within a hillside community and the developer was claiming part of the hillside as the open space. All PUD's include finished, landscaped areas...this is part of the character of the PUD's, they are supposed to be "above normal". The Elk Ridge Code states that the intent of a PUD is to promote "creativity" in the development; if the PUD creates a "weed Abatement corridor", the goal is not accomplished.

Mary Rugg: Assuming the Phase 1 is developed and the open space sits there, unfinished; how long would the City allow the Association to continue with this?

Alvin Harward: The City can require one of two options:

1. When 80% of the lots are sold, the open space would have to be finished (that is the normal procedure).
2. The open space has to be finished prior to allowing Phase 2 to proceed.

Mayor Dunn: It is still not known which portion of the overall development will be Phase 1. Normally most development occurs in a contiguous manner. The Mayor prefers that the corner of 1600 West and Elk Ridge Drive be developed first.

Alvin Harward: The City must protect the properties. He brought the Council's attention to a road being extended through lot #49 on the east side of the Concept Map. That road would need to be stubbed to the next property to the east, when it develops. Roads should go through perhaps lots #60 or #54.

Chad Christensen: This east/west road would be a "collector road"; he is not sure the driveways should back out onto this road.

Alvin Harward: These are not “busy” roads. He feels this is not a major issue. The traffic is just not that busy on any of the streets.

Shawn Eliot: The roads are not busy now; but this could change and the opportunity to “do it right” is now. (Councilmember Rugg agreed.)

No further comments from the Council. Appreciation was expressed for the “good work” done by the Planning Commission.

SNYDER
SUBDIVISION,
PLAT A -
PRELIMINARY &
FINAL

(Memo from the Planner to the City Council)

Background:

Last November, the City Council reviewed an earlier version of these plats, along with two requests by Mr. Snyder. The Council approved 1) the purchase of City-held water shares for Mr. Snyder's property and 2) the removal from the City Streets Master Plan, a northern extension of N. Loafer Drive through Mr. Snyder's property. A more practical northern extension of Salem Hills Drive was designated in its place.

Mr. Snyder has submitted revised plats showing the creation of only one 2-acre lot. The remaining portion of his property will be un-platted and without water shares. Since a plat and its surrounding issues had already been reviewed by the City, it was determined that a simultaneous review and approval of both the preliminary and final plats was warranted. All applicable applications and fees have been submitted.

A temporary “hammerhead” (*note: this will be a “permanent” improvement) turnaround will be placed at the north end of N. Loafer Drive, which will also access Mr. Snyder's un-platted portion of his property.

Staff, including City Planner, City Engineer, and Public Works Director, have reviewed the plat, looked at all the sewer and water issues and have caused the necessary notes to be shown on the plat in regards to those issues. The Planning Commission has reviewed the plats and recommends approval of both.

Recommendation:

It is recommended that the City Council approve the Preliminary and Final Plats for the Snyder Subdivision, Plat A.”

Mayor Dunn: There have been some serious set-backs on this development. The Planning Dept. has not handled this in an organized manner. There are requirements that Mr. Snyder has not complied with that he was not aware of. He did not know about some of the building requirements (not part of this discussion).

Mr. Snyder, the Mayor, Kent Haskell, Jeff Budge, Corbett Stephens and the City Recorder all met and discussed the items left and suggested he consider gravity-flow sewer to Loafer Canyon Rd. or to go west with the sewer, rather than a lift station.

Requirements not met:

- Bids on the development improvements to be installed must be turned in (in the form of a “cost breakdown”) and approved by the City Engineer and a letter of approval received by the City, with the added 26% of Durability Retainer and Inspection fees. (Including the Fire Hydrant, Lift station, Turnaround)
- There is no Final Approval letter from the City Engineer, Jeff Budge.
- Pay for Water Rights.
- There has been no mylar (Plat) to approve and sign turned in for tonight's Meeting.

The applications seemed to be incomplete and the check lists on the various applications were not followed and initialed as they were completed. (This leads to confusion.)

Approval can be granted with contingencies or postponed until all requirements have been completed.

After consideration, the Council decided that the Council could be polled to approve the Subdivision, once the requirements have been met.

STREET NAME
CHANGE

The Planning Commission has discussed and recommended changing certain street names in the City due to safety concerns: only two are being considered at this Meeting:

- Jamileh Cr. To Cougar Cr. (The residents on this street requested this change.)

- Naming a stub street off of Hillside Dr. (Bella Vista Ln.) Residents are in agreement.

The other street name changes will be discussed at a public hearing scheduled with the Planning Commission; then the Council will also have a public hearing.

Mary Rugg: Suggested using coordinates on the street signs with the street names, as discussed previously. She suggested generally not changing the names of the streets.

There are many states and places where street names are used, not coordinates. Emergency services seem to be able to function in these other places.

(The coordinates are already being placed on the new street signs.)

Mayor Dunn: One of the suggestions was to change the three names N. Park Drive, Elk Ridge Drive and Elk Meadows Drive to Elk Ridge Drive all the way up from the Highway.

Good presentations have been given to the Planning Commission to verify that there are safety concerns. There is resistance to these changes.

One suggestion to be made is to change Salem Hills Drive (north/south) to Canyon View Drive and not change the east/west portion of Salem Hills Drive.

Raymond Brown: It is the responsibility of the Council to make sure that emergency services can find their way through the City.

Alvin Harward: Though it has been suggested by some to change completely to the "coordinate system", it is not possible because the City does not have true north, south, east, west streets; the streets are on angles and slants that do not fit with the straight coordinates.

After discussion, the Council approved the two street names:

MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY MARK JOHNSON TO APPROVE THE FOLLOWING STREET NAMES:

1. JAMILEH CR. TO COUGAR CR.

2. NAME THE STUB STREET OFF OF HILLSIDE DRIVE, BELLA VISTA LN.

VOTE: YES (5)

NO (0)

ROAD IMPACT FEE
ACTION

*Bid information needs to be presented at the Council Meeting on 4-11-06 by Mayor Dunn.

SEWER CONTRACT – No action.
PAYSON CITY

UTILITIES –
TURN OFF/ON
FEES

Alvin Harward: There has been a policy to allow residents that leave for the winter to suspend their water bills. The base fee should be paid regardless of whether the resident is in the home or not. If the resident chooses to have the services discontinued, then there would be a turn-on fee charged, as well. The fees charged need to be consistent because there are still costs to maintain the system. The Council agreed. The Mayor will inform the Treasurer.

SCHEDULE
PUBLIC HEARINGS

1. Street Names Changes:

MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY NELSON ABBOTT TO SCHEDULE A COUNCIL PUBLIC HEARING TO CONSIDER STREET NAME CHANGES ON MAY 9, 2006, AT 6:00 PM

VOTE: YES (5)

NO (0)

2. Ordinance/Noticing Requirements:

MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY MARK JOHNSON TO SCHEDULE A PUBLIC HEARING TO CONSIDER AN ORDINANCE REGARDING PUBLIC HEARING REQUIREMENTS ON APRIL 25, 2006, AT 6:00 PM

VOTE: YES (5)

NO (0)

*It needs to be checked to see what the current code is: do both the Planning Commission and the Council need public hearings? David Church said, yes.

3. Ordinance/Building Heights:

MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY RAYMOND BROWN TO SCHEDULE A PUBLIC HEARING TO CONSIDER AN ORDINANCE REGARDING BUILDING HEIGHTS, FOR APRIL 25, 2006, AT 6:10 PM

VOTE: YES (5)

NO (0)

4. Ordinance/Pigeon Regulations:

MOTION WAS MADE BY NELSON ABBOTT AND SECONDED BY RAYMOND BROWN TO SCHEDULE A PUBLIC HEARING REGARDING AN ORDINANCE CONCERNED WITH THE REGULATION OF PIGEONS IN ELK RIDGE, FOR MAY 23, 2006, AT 6:00 PM

VOTE: YES (5)

NO (0)

5. Ordinance/Regulation of Water Rights:

MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY RAYMOND BROWN TO SCHEDULE A PUBLIC HEARING REGARDING THE REGULATION OF WATER RIGHTS, FOR MAY 9, 2006, AT 6:30 PM

VOTE: YES (5)

NO (0)

*Mayor Dunn is to gather information from various cities and their attorneys regarding their policies of accepting "cash-in-lieu" of water rights.

ORDINANCE -
WATER
CONSERVATION
& MANAGEMENT
PLAN

This study has been submitted to the State and accepted by them; but the adopting ordinance has not been approved.

The Council has already seen the document.

MOTION WAS MADE BY NELSON ABBOTT AND SECONDED BY ALVIN HARWARD TO APPROVE AN ORDINANCE ADOPTING THE WATER CONSERVATION PLAN FOR ELK RIDGE CITY

VOTE: (POLL) RAYMOND BROWN-AYE, MARK JOHNSON-AYE, ALVIN HARWARD-AYE, MARY RUGG-AYE, NELSON ABBOTT-AYE

Passes 5-0

PARK BENCHES

Mary Rugg:

There is a grant available for Recreational Facilities. The total cost is \$3,778, less \$1,379.28 from the "Tourism & Recreation Fund Grant". The cost to the City for athletic benches on the field would be \$2,398.72 from the Parks budget.

Nelson Abbott: Suggested attaching the benches to a slab of concrete; or to have bark around the benches. Mowing around them should not be a nuisance.

\$450 of the cost is for "installation"...this could be eliminated if we install the benches.

MOTION WAS MADE BY MARY RUGG AND SECONDED BY NELSON ABBOTT TO APPROVE UP TO \$2,500, TO BE APPLIED TO PARK BENCHES, TO INCLUDE CEMENT PADS; ALL TO BE INSTALLED BY MAYOR DUNN; IN CONJUNCTION WITH THE MONEY RECEIVED BY THE TOURISM & RECREATION GRANT

VOTE: YES (5)

NO (0)

EXPENDITURES

General:

1. The Capital Improvement Plan (CIP) needs to be updated by the Council and turned back into the City Recorder. Copies of the current CIP has been provided to the Council.

2. Rocks on the Roads: The rocks are to be swept up, scooped up and sucked up by a "vac" truck. The dates and directions need to be in the Newsletter to inform residents.

3. Small Snowplow:

Chains are needed. We are only going to use 4-wheel drive when absolutely necessary.

Check Registers for February, 2006:

MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY RAYMOND BROWN TO ACCEPT THE CHECK REGISTER AND PAYROLL FOR FEBRUARY, 2006

VOTE: YES (5)

NO (0)

MINUTES

None available.

ADJOURNMENT

At 8:45 PM, Mayor Dunn adjourned the C