

## AMENDED NOTICE & AGENDA

Notice is hereby given that the City Council of Elk Ridge will hold a regular City Council Meeting on Tuesday, January 9, 2007, at 7:00 PM, to be preceded by a City Council Closed Session at 6:00 PM & a Work Session at 6:30 PM

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

### **6:00 PM      CITY COUNCIL CLOSED SESSION**

Discussion of Personnel

### **6:30 PM      CITY COUNCIL WORK SESSION**

1. Discussion/Park Impact Fees
2. Aqua Engineering/Re-adjusted Rates – Mayor Dunn
3. Update/Public Facility Property – City Hall

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

Opening Remarks and Pledge of Allegiance Invitation  
Approval/Agenda Time Frame

#### **7:05      Public Forum:**

\*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 7

#### **7:15      4. SUVMWA Water Rights (7 Shares)/Action – Mayor Dunn**

#### **7:25      5. Haskell Subdivision, Plat H – Water Right Allocation**

#### **7:30      6. Park Impact Fees – Schedule Public Hearing – Mayor Dunn**

#### **7:35      7. Action/Closed Session**

#### **7:40      8. Code Violation/City Council Action – Mayor Dunn**

#### **7:50      9. Street Name Changes: - Mayor Dunn**

A. N. Loafer Drive

B. N/S Ama Fille Ln.

#### **8:00      10. Salem Sewer Connections – Ratify Changes in Contract**

#### **8:05      11. Approval/Meeting Schedule for 2007**

#### **8:10      12. Re-Appointment of City Recorder and City Treasurer**

#### **8:15      13. City Council Assignments – Mayor Dunn**

#### **8:20      14. Expenditures:**

General:

A. Check Register/Payroll for December, 2006

#### **8:30      15. Approval of Minutes of Previous Meetings**

Adjournment



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

The times that appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting. Dated this 5<sup>th</sup> day of January, 2007.

  
City Recorder

#### **CERTIFICATION**

I, the undersigned, duly appointed and acting City Recorder for the municipality of Elk Ridge, hereby certify that a copy of the Notice of Agenda was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and mailed to each member of the Governing Body on January 4, 2007; & an Amended Agenda on 1-5-07.

  
City Recorder



**ELK RIDGE  
CITY COUNCIL MEETING  
January 9, 2007**

**TIME & PLACE  
OF MEETING**

This regular Meeting of the Elk Ridge City Council, was scheduled for Tuesday, January 9, 2007, at 7:00 PM; this was preceded by a City Council Work Session at 6:45 PM & a City Council Closed Session at 6:00 PM.

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**6:00 PM -**

**CITY COUNCIL CLOSED SESSION**

**ROLL CALL**

*Mayor:* Dennis Dunn; *City Council:* Alvin L. Harward, Mary Rugg, & Raymond Brown (Absent: Nelson Abbott & Mark Johnson)

Discussion of Personnel

**6:45 PM**

-

**CITY COUNCIL WORK SESSION AGENDA ITEMS:**

**ROLL CALL**

*Mayor:* Dennis Dunn; *City Council:* Alvin L. Harward, Mary Rugg, & Raymond Brown (Absent: Nelson Abbott & Mark Johnson); *Public:* Torie Ashton, Diana Bell, Joann Bigler, Alan & Barbara Eliason, Ray Osburn, Carolyn Shirley & *City Recorder:* Janice H. Davis

**PARK IMPACT  
FEES**

Currently the City Code and accompanying Resolution setting the fees and who should pay these impact fees, allows for a Park Impact Fee (now at \$1,385 to be collected both by the developer (1/2 the fee) and the eventual homeowner (other 1/2 of the fee) at the time of building permit. With the change-over in staff and City Planner, and the fact that the collection of these fees was not included on the Final Checklist for development in the City; the 1/2 Park Impact Fee has not been collected from developers for a period of time. These fees should be collected, along with the other zoning and development fees prior to granting Final Approval.

Mayor Dunn contacted the City Attorney for advice and was informed that the City could change the Code to have the entire fee payable at the time of building permit. Another option would be for the City to keep the "credit" process wherein a developer can obtain "credit" for open space or parks installed and have residents in those subdivisions pay 1/2 the Impact Fee; and those building homes in subdivisions where there is no contribution of parks or open space, would be subject to the full Park Impact Fee at the time of building permit.

The Council read and discussed certain memos written to them from: Plan Coordinator, City Recorder and the City Planner.

The Planner indicated that the Final Plat Checklist has already been amended to include payment of the Park Impact Fees; another change could be to amend the Development Code to refer to the Park Impact Fee section of the City Code.

*(Portion of the memo from the Planner to the Council):*

"What to do with developments owing half impact fee:

The developers should be contacted and made aware that the fees are still due and payable, regardless of the recording status of the final plat. They should be told that if they do not make this payment, it will be charged to the builders. It may be difficult to collect the first 1/2 of the fees on lots for which building permits have already been issued; I understand this number to be fairly small as compared to those who have not yet been issued permits."

After discussion, the Council decided to have all impact fees (Water, Sewer & Park) payable at the time of building permit and to eliminate any credit options for developers. They felt that the developers dedicate open space and parks for density points, not for credit on Park Impact Fees.

\*Mayor Dunn is to call MAG re: Park Impact Fee Study update (they did the original Study).

\*Mayor to also contact Craig Neeley (Aqua Engineering) to see if the Park Impact Fee could be added to the over-all Study they are currently doing.

**AQUA ENGINEERING  
RE-ADJUST RATES**

Mayor Dunn: After Jeff Budge left the company, the rates were re-adjusted down; not as low as they were prior to the last adjustment to increase them (done in an effort to retain Mr. Budge at Aqua Engineering). They Council approved of the proposed rate change.

PUBLIC FACILITY  
UPDATE

Mayor Dunn: Mr. Rasmussen owns property on the corner of Elk Ridge Drive and Goosenest Drive. The Mayor and Councilmember Harward approached him with an offer to trade property for a City Center Facility. They were not in favor of trading the properties; but they are willing to sell a portion of the land to the City.

Councilmember Harward suggested considering the west side of their property to connect to the City's land.

Another option would be to approach Lee Haskell and Clark Kay (property owners across Elk Ridge Drive on the bend at Goosenest Drive; to see if they would be willing to sell their property and for how much.

\*Mayor Dunn is to look into both options and bring the information back to the Council.

If the City could build another City Center, then the Fire Dept. could utilize the current building. (They are applying for a grant for an ambulance; which would have to be stored in a dry/heated environment.)

Woodland Hills is building a new City Center and have included some multi-use areas to generate revenue for the City; this would be good for Elk Ridge. Woodland Hills built their City Center through grants, fund raisers and donations.

**ELK RIDGE  
CITY COUNCIL MEETING  
January 9, 2007**

TIME & PLACE  
OF MEETING

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## 7:14 PM -

**CITY COUNCIL REGULAR AGENDA ITEMS**

## ROLL CALL

*Mayor*: Dennis Dunn; *City Council*: Alvin L. Harward, Mary Rugg, & Raymond Brown (Absent: Nelson Abbott & Mark Johnson); *Public*: Torie Ashton, Diana Bell, Joann Bigler, Alan & Barbara Eliason, Ray Osburn, Carolyn Shirley & *City Recorder*: Janice H. Davis

OPENING  
REMARKS &  
PLEDGE OF  
ALLEGIANCE

Opening Remarks (prayer) were offered by Alvin Harward, after which the Pledge of Allegiance was led by Torie Ashton, 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 START TIME TO 7:25 PM**  
**VOTE: YES (3) NO (0) ABSENT (1) NELSON ABBOTT & MARK JOHNSON**

## PUBLIC FORUM

Alan & Barbara Eliason expressed their concern at the proposed street name change for N. Loafer Drive. The Mayor said the Council will entertain their comments during the Agenda Item designated for this discussion.

SUVMWA WATER  
RIGHTS (7 SHARES)

City Recorder: (Summary) Tony Fuller (Water Rights Consultant) requested that the Council decide if they prefer the 7 shares the City is purchasing to be:

- Left in SUVMWA's name and the City use the water; or
- Deeded to the City

The Council prefers having the water deeded to the City.

**MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY RAYMOND BROWN TO HAVE THE 7 SHARES OF WATER RIGHTS DEEDED TO THE CITY**

**VOTE: YES (3) NO (0) ABSENT (1) NELSON ABBOTT & MARK JOHNSON**

\*Mayor Dunn to contact Tony Fuller.



- HASKELL SUBD. MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY ALVIN HARWARD TO  
 PLAT H – WATER ALLOCATE 5.84 ACRE FEET TO HASKELL SUBDIVISION, PLAT H; AT THE CURRENT  
 RIGHT ALLOCATION MARKET VALUE AT THE TIME OF PAYMENT  
 VOTE: YES (3) NO (0) ABSENT (1) NELSON ABBOTT & MARK JOHNSON
- PARK IMPACT FEES *Schedule Public Hearing:*  
 MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY ALVIN HARWARD TO  
 SCHEDULE A PUBLIC HEARING TO CONSIDER AMENDING THE PARK IMPACT FEE  
 SECTION OF THE CITY CODE; ON FEBRUARY 27, 2007, AT 6:00 PM  
 VOTE: YES (3) NO (0) ABSENT (2) NELSON ABBOTT & MARK JOHNSON
- ACTION – CLOSED MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY RAYMOND BROWN  
 SESSION TO AUTHORIZED MAYOR DUNN TO INTERVIEW INDIVIDUALS FOR THE FOLLOWING  
 POSITIONS:  
 • BUILDING INSPECTOR  
 • CITY PLANNER  
 VOTE: YES (3) NO (0) ABSENT (2) NELSON ABBOTT & MARK JOHNSON
- AN AMENDED MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY  
 RAYMOND BROWN TO AUTHORIZE MAYOR DUNN TO INTERVIEW FOR THE  
 FOLLOWING POSITIONS:  
 • FULL-TIME BUILDING INSPECTOR  
 • PART-TIME CITY PLANNER  
 VOTE: YES (3) NO (0) ABSENT (2) NELSON ABBOTT & MARK JOHNSON
- CODE VIOLATION – Mayor Dunn: (Brief History)  
 ACTION (The Mayor will not bring the individual's name into the discussion at this time.)  
 The Post Office approached the Mayor a couple of months ago needing the City's support in  
 assisting with one of the City's residents move some vehicles blocking the mailbox. They were  
 unable to deliver the mail. They (Postal Service) approached the individual asking for  
 cooperation and he did not respond. An emissary from the Post Office was sent to talk to this  
 resident and the individual confronted the Postal Carrier to the point of frightening her to the  
 point of saying, "You are scaring me, I'm going to leave". The resident did move the mailbox.  
 The Mayor sent a letter to the resident describing that if he would move his cars, not only would  
 it help in the situation with the mailbox; but it would also alleviate the situation that the City's  
 snow-removal ordinance would be complied with. The road (a cul-de-sac) could be plowed in a  
 more effective way.  
 There is some history of arrests for other infractions of the law not having to do with the City  
 Codes. There was another letter sent from the City on an additional violation having to do with  
 the "storage of junk" on one's property. He has a dozen or so cars and trailers stored in his  
 front yard; the ordinance states that there can only be two. The individual refused three times  
 to sign for it. The Postal Service left notices in his mail box for it. The carriers were told not to  
 approach him at his doorstep; but to leave notices in his mailbox. The Mayor received the  
 letter back. Mayor Dunn approached an ecclesiastical leader over him to assist in contacting  
 this individual (phone number was also changed and is unlisted). They came to an agreement  
 that the resident would receive the letter by certified mail and that he would read it. (Included in  
 the letter are listed and copies of all of the Code violations, explanations of where he stands  
 according to the Code and what his options are. He was given a 30-day period to respond to  
 the letter. His denial at the beginning of this process used up a good portion of the original 30-  
 day period. The Mayor recommends re-initiating the 30-day period to give him extra time to  
 respond to the letter. The ecclesiastical leader agreed to take the letter to him so he would not  
 remain in ignorance of the Code violations. The Mayor's motivation was to have him first  
 understand the violations and to have him voluntarily comply. The leader is in possession of  
 the letter and will deliver it to the resident in violation.  
 Is the Council willing to re-set the 30-day period?  
Mary Rugg: Questioned how many days are left in the original 30 days?  
Mayor Dunn: (None.)  
Mary Rugg: Will allowing an extra 30 days make a difference?

Mayor Dunn: Was not sure; but it does allow him to be informed of the Code violations and to understand them.

One of the City's Deputy Sheriffs placed citations warnings (not actual citations) on all the vehicles in the road and one on the door of his house; he went up the next day and confronted him. The tone and language of the individual was very demeaning; which the Officer did not respond to. The Officer basically said he was there to establish the position of the City and to give direction as to what the citizen can do; if not responded to, the vehicles would be towed away and the citizen would be responsible for cost involved. The citizen eventually moved some of the cars off the road.

With an extension, if the individual does not respond within the 30 days, then the next step would be to contact the City Attorney to inform him of the situation; then the City could go in and have all the vehicles except two pieces and he would have to pay costs of impounding, collection and any fines associated with the violations.

Raymond Brown: Felt it was fair to grant him the extra 30 days to have him informed of the violations and have the time to respond; however, he advised against going over the 30 days.

Can the vehicles be moved with snow in the yard? (The individual says they all run; it would take a bit of labor to do so.)

Mayor Dunn: This has the potential to be a volatile situation; judging from the reports of all the parties who have talked to him, personally. The Mayor does not want this to "get ugly"; he would rather that the individual understand things and that the situation can be "worked out".

Mary Rugg: Can the individual be communicated with; because he has already had 30 days...he chose not to look at the information sent to him. (True.) These are the rules the City is run by...this would be an exception. She feels that this person should be talked to and informed that he is being granted an exception and he should utilize the extra 30 days to his best interest.

\*Mayor Dunn: He said that he would draft a letter to this person and make sure that this is communicated to him...also through the 3<sup>rd</sup> party.

Raymond Brown: It should also be noted that, granting him the extra 30 days strengthens the City's position.

The Post Office can also withhold his mail and inform him that he can pick it up at the Post Office.

Alvin Harward: Is in favor of allowing the extra 30 days and to communicate this through the 3<sup>rd</sup> party. (There is also a violation in the north section of the City; has a letter been sent on this?)

\*Raymond Brown: This other individual is partially responding, but he should have a reminder of the City's position.

## STREET NAME CHANGES

### 1. N. Loafer Drive:

Mayor Dunn: This Street was mentioned in one of the first lists of names to be considered for change; no action has been taken on this particular street. No action will be taken tonight except to review the problems associated with this street name.

N. Loafer Drive and Loafer Canyon Rd. are parallel roads that have some confusion attached to them. It is due to the name similarity. Emergency Services in Payson have talked to the Mayor when name changes have been discussed in the past. The reason it is coming forward at this point is because there are five new lots on the south extension of the road. plus the lot owned by Cory Snyder; added to the four existing homes.

The Mayor reviewed the process of changing a street name:

- Schedule a Public Hearing
- Letter form the City to each resident on the affected street, expressing the City's concerns
- Public Hearing: Listen to public and weigh the problem

Alan Eliason: (Asked to speak) They have lived in their home for 14 years; and they have not had any problem with people finding them. As far as emergency services, GPS units direct the drivers to an exact location. (The City's trucks are not equipped with GPS units.)

He sees the concerns, but fails to see the urgency to change the name.

Carolyn Shirley: Her husband was with the ambulance Dept. for Spanish Fork when they lived there for 10 years. It was part of their job to know where every street was...they studied the addresses and even took tests on them. They took great pride in knowing where every street was. He does not feel there is a problem with the street name.

Mary Rugg: She expressed appreciation for both of the residents' comments. There are both ways to view the situation...problem vs. no problem.

She also feels that emergency service individuals should be acquainted with the street names in their areas to service. When names changes for streets come up, she does not always understand the reasoning behind the suggested change.

Raymond Brown: He agrees with the comments made. He is a former emergency response person and an instructor for the entire State; and is acquainted with the testing process. He does also know that, in the "heat of the moment", when there is a call and you have to be there when someone's life is at stake, it does get confusing. The adrenaline is pumping and thoughts and directions can get confused. He could take a test and pass it...but how many seconds/minutes can one afford during an actual call-out? Those are the facts.

Mayor Dunn: Another element to consider is, if this were a brand new road, the City would not allow the road to be named a name that sounds like another street name in the City...because it creates confusion. This street name exists and is somewhat confusing.

The residents would be given the opportunity to re-name their street.

Ray Osburn: His wife has been a resident of this City, at this address, for 26 years and just does not see the problem. If the name is changed, who makes all the changes on all the systems out there?

Mayor Dunn: The City does. We go to 911 Emergency Services first; then the Post Office and all the utility companies, UPS, Utah County, etc. The Internet services take a little longer to update...they have their own system. This is the same with new roads that go into the City.

Alvin Harward: The County records have already been changed with the new changes in the City.

Carolyn Shirley: There will be even more confusion if the street name is changed.

(The Mayor responded that the confusion would be only temporary.)

Mayor Dunn: He assured the residents present that the proper process would be followed before any change of the street name would occur, if it occurs.

## 2. N/S Ama Fille Ln:

There is a north/south piece of Ama Fille Ln with only one house on it. This road has been on the agenda in the past and as a result, a letter was sent to Jon & Tammy McNaughton asking them to consider a new name for their road.

(Memo from Mayor)

"Jon McNaughton called and talked to me on 11 December, 2006, and said that both he and his wife had talked about name changes for the street and had come up with Artist Ave.

*Recommendation:*

Make the change and also make a house number change at the same time. The new address for the McNaughton's will be: 450 North Artist Avenue."

(He is a well-known artist in the area and the change will only affect his home.)

*Comments:*

Not all of the Councilmembers were in favor of the proposed street name; however, the point was made that the resident was willing to change his address with no confrontation, and that is important. The resident should not have been given the opportunity to name the street anything he wanted; there should have been a Public Hearing where the resident gives his input and the Council then decides.

**MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY ALVIN HARWARD TO APPROVE THE STREET NAME CHANGE ON THE NORTH/SOUTH SECTION OF AMA FILLE LANE TO ARTIST AVENUE**

**VOTE: YES (3) NO (0) ABSENT (2) NELSON ABBOTT & MARK JOHNSON**

\*Alvin Harward: The County has changed Alpine Drive to Powell Road on their records. This needs to be corrected. The Mayor will contact them with this correction.

## SALEM SEWER CONNECTIONS

Mayor Dunn: Salem City Council has approved the permanent connections for the north side of 11200 South; this will allow Randy Young to move forward with Phase 1 of the Elk Ridge Meadows PUD. They had received Final Approval, contingent upon Salem's approval of these connections. This action required a change in the original contract from 500 potential connections to 200 potential connections. This change in the contract needs to be ratified by the Elk Ridge Council. The residents in this situation will be billed at the non-resident rate.

**MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY MARY RUGG TO RATIFY THE CHANGE IN THE CONTRACT WITH SALEM CITY REGARDING PERMANENT CONNECITONS NORTH OF 11200 SOUTH; TO CHANGE THE NUMBER OF CONNECTIONS FROM 500 TO 200 CONNECTIONS**

**VOTE: YES (3) NO (0) ABSENT (2) NELSON ABBOTT & MARK JOHNSON**



**MEETING SCHEDULE FOR 2007** After discussion, the Council decided on keeping the current schedule of the 2<sup>nd</sup> & 4<sup>th</sup> Tuesdays of each month. The Planning Commission has already moved to still have their Meetings on the 1<sup>st</sup> & 3<sup>rd</sup> Thursdays of each month.

**MOTION WAS MADE BY MARY RUGG AND SECONDED BY ALVIN HARWARD TO APPROVE THE 2<sup>ND</sup> AND 4<sup>TH</sup> TUESDAYS OF EACH MONTH FOR CITY COUNCIL MEETINGS; WITH THE EXCEPTION OF JULY 24<sup>TH</sup> AND DECEMBER 25<sup>TH</sup>, AT WHICH TIME THE MEETINGS ARE CANCELLED**

**VOTE: YES (3) NO (0) ABSENT (2) NELSON ABBOTT & MARK JOHNSON**

**RE-APPOINTMENT OF CITY STAFF**

**MOTION WAS MADE BY MARY RUGG AND SECONDED BY RAYMOND BROWN TO RE-APPOINT LINDA COOPER AS THE CITY TREASURER AND JANICE DAVIS AS THE CITY RECORDER**

**VOTE: YES (3) NO (0) ABSENT (2) NELSON ABBOTT & MARK JOHNSON**

**CITY COUNCIL ASSIGNMENTS**

Mayor Dunn Proposed keeping the same Council assignments for 2007; all present were in agreement.

**EXPENDITURES:**

*General: None.*

*Check Registers & Payroll for December, 2006:*

**MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY RAYMOND BROWN TO APPROVE THE CITY EXPENDITURES AND PAYROLL FOR DECEMBER, 2006**

**VOTE (POLL): RAYMOND BROWN-AYE, ALVIN HARWARD-AYE, MARY RUGG-AYE  
NO (0) ABSENT (2) NELSON ABBOTT & MARK JOHNSON**

**MINUTES**

*1. City Council Minutes of 11-14-06:*

**MOTION WAS MADE BY MARY RUGG AND SECONDED BY RAYMOND BROWN TO APPROVE THE CITY COUNCIL MINUTES OF 11-14-06, AS PRESENTED**

**VOTE: YES (3) NO (0) ABSENT (2) NELSON ABBOTT & MARK JOHNSON**

*2. City Council Minutes of 11-28-06:*

**MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY ALVIN HARWARD TO APPROVE THE CITY COUNCIL MINUTES OF 11-28-06, AS PRESENTED**

**VOTE: YES (3) NO (0) ABSENT (2) NELSON ABBOTT & MARK JOHNSON**

**ADJOURNMENT**

At 8:45 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, January 23, 2007, at 7:00 PM, to be preceded by a City 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 for 2005/2006 Audit – Jones Simkins, LLC
2. City Center Update – Alvin Harward

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

Opening Remarks and Pledge of Allegiance Invitation  
Approval/Agenda Time Frame


#### **7:05      Public Forum:**

\*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 7

- 7:15      3. Traffic Calming Measures – Dayna Hughes
- 7:25      4. Approval 2005/2006 Audit
- 7:30      5. Ordinance Amendment/Adding Section 10-4-5, Entitlement to Land Use Applications
- 7:40      6. Resolution/General Plan Amendment – Circulation Map
- 7:50      7. Schedule Public Hearing/Street Name Change - N. Loafer Drive
- 7:55      8. Subdivision Bonding/Discussion – Mayor Dunn
- 8:05      9. Discussion – CPA/Financial Officer – Mayor Dunn
- 8:20      10. Ordinance/Elected Officials & Employee Compensation
- 8:25      11. Expenditures:  
            General:
- 8:30      12. Approval of Minutes of Previous Meetings  
            Adjournment

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


The times that appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting.  
Dated this 19<sup>th</sup> day of January, 2007.

  
\_\_\_\_\_  
City Recorder

### **CERTIFICATION**

I, the undersigned, duly appointed and acting City Recorder for the municipality of Elk Ridge, hereby certify that a copy of the Notice of Agenda was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and mailed to each member of the Governing Body on January 18, 2007; and an Amended Agenda on 1-19-07.



  
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City Recorder



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**ELK RIDGE  
CITY COUNCIL MEETING  
January 23, 2007**

**TIME & PLACE  
OF MEETING**

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**6:00 PM -**

**CITY COUNCIL WORK SESSION AGENDA ITEMS:**

**ROLL CALL**

*Mayor:* Dennis Dunn; *City Council:* Alvin L. Harward, Mary Rugg, Raymond Brown, Nelson Abbott & Mark Johnson; *Audit Firm, Jones Simkins:* Mike Kidman; *Public:* Scout Tyler Nelson, Nicole Dunaway; and the *City Recorder:* Jan Davis

**AUDIT  
PRESENTATION**

Mike Kidman (from Jones Simkins, LLC)

*(Mr. Kidman is one of the Partners at Jones Simkins, LLC, over the Government Audits)*

He thanked the Council for allowing their firm to audit Elk Ridge's books and complimented the staff on being cooperative and easy to work with.

Mr. Kidman reviewed the whole audit process and a bit of the history as to where some of the current rules and regulations came from.

*Review of the audit document:*

Pgs 1 & 2: "Independent Auditor's Report"

This is the Auditor's signed statement declaring the City to be in compliance with auditing standards generally accepted in the United States of America and with Government Auditing Standards. They further declare, in summary, that "The combining and individual fund information, and the supplemental schedules have been subjected to the auditing procedures applied in the audit of the basic financial statements and, in our opinion, are fairly stated, in all material respects in relation to the basic financial statements taken as a whole."

Mr. Kidman stated that, this gives the City what is considered to be a "clean audit", with no "material weaknesses" found.

He also spoke of new accounting regulations that will tighten up the ability for the auditors to give financial advice that a CPA would offer his/her client. He elaborated that, in the future, any audit adjustments would be considered "material weakness" and would be stated as such in the audits. He would like to see what the State's reaction will be when they find these reports coming in on the smaller cities and towns across the State. They will be able to better comment at that time what precautions would be appropriate.

Pgs 3-9: "Management Discussion and Analysis"

This is a current look at the changes in the various areas of finances, from prior year to current year, written by the City (specifically, the City Recorder).

This is a relatively new item in the audit report. This analysis has been part of the public sector for a long time. It was felt that it might not be a bad idea, for governments to have the same type of analysis in less technical language.

Pgs 11 & 12: "Statement of Net Assets" & "Statement of Activities"

(Budget to Actuals) These pages are designed to demonstrate that governments cannot make it by simply charging for services, taxes are a big part of the revenue base for cities. (Elk Ridge does not have a big tax base.)

"GASB 34"

There are three perspectives shown in the financial statements:

- Budget to Actual
- Business
- Fund Focus

This makes government financial statements difficult to understand; but the people that fund bonds really love these reports because there are three different ways to analyze things.

On Page 12, focus on the line: "Change in Net Assets"; this is where we get a feeling if governmental funds or business funds are making money. (This shows the difference between beginning and ending "Net assets".)

Pg 13: "Fund Financial Statements"

Current resources (Assets) and liabilities in Governmental Funds.

In the General Fund...the Unreserved Fund Balance for 2005/2006 = \$161,286.00 (To use in current fiscal year)

Pg 15: Cont. of "Fund Financial Statements"

Shows Revenues and Expenditures in the Governmental Funds (Also shows \$161,286 at the bottom of the page). Also note the "Changes in Fund Balance from Fund to Fund:

- General Fund: decreased 39,649
- Future Improvements/Capital Projects: increased 19,744
- Non-major Funds: decreased 5,074

Pgs 14 & 16: Reconciliation of the Balance Sheet

This takes the perspective from governmental to a business point of view.

Pgs 17 & 18: Shows the "Fund Perspectives" of the Enterprise Funds

(Explanation of Enterprise Funds)

These were created to be more like a business, with charges for services providing the revenue for the Fund.

Pg 18: "Changes if Fund Net Assets"

Note the center of the page, "Operating Income (Loss)..."

- Water Fund: 193,836 (Income)
  - Sewer Fund: 3,188 (Loss)
  - Non-major Fund
- Storm Drain Fund: 11,206 (Income)

Mr. Kidman feels this is one of the best lines to look at to get an understanding of how the City is doing in the Enterprise Funds...noting that the City is going to place the Sewer Fund on the "watch list" due to the loss.

Pg 47: "Budget to Actuals"

This page shows Original Budget as compared to the Final Budget as compared to Actuals.

There will be less and less guidance on certain reports from the Auditors; it is their goal to train the clients to understand the financials and to become more and more independent.

The secret to the MD&A (Management Discussion and Analysis) is simply to describe the changes. Management should know what happened throughout the year.

Pgs 75, 76, 79 & 80: Reports of Internal Controls & State Compliance

The State wants to see that the auditors are reporting and "Material Weaknesses" in the City's finances. "Material Weakness" means that there is something wrong worth reporting. They found none at this time; this does not mean that the City is perfect; it just means that they saw no "gaping holes" where things are not being done.

Compliance: Anything that is governed by laws and regulations (example: the receiving of a grant) where there is evidence of non-compliance...this should be reported; they found none of these in the audit.

"Management Letter"

No "material weaknesses"; however, there were some conditions mentioned:

1. There was one minor problem; the General Fund had a bit too much money in it (exceeding the allowed 18% for Fund Balance). This is the type of problem he would like to see, if any. Mr. Kidman feels it is better to budget closer to reality and chance over-shooting the 18% than to present a false picture of the budget.

Internal Controls:

Increase controls on developer deposits in the bonding process. Verify that the money is in proper account; (this came from an incident where a developer posted a bond into what was supposed to be an escrow account...the bank signed the documents, however the money was actually placed in another type of account. The result was that the City did not receive statements; therefore, the cash amount in that account was not included in the year-end figures, which resulted in an audit adjustment to enter this amount after the fact. Jones Simkins was notified and they issued a suggestion that the City tighten up controls verifying correct accounts.

Summary from Mr. Kidman:

The City is doing well and the Council is making good decisions; so there is no cause to be alarmed at the entry into the letter. His suggestion is to keep the good level of control through the growth of the City. The Council needs to understand what is going on with the finances of the City. The goal is to have less "book-keeping" by the auditors and just the auditing.

Audit adjustments will be viewed as "Serious Deficiencies". There will be more comments in the Letter than have been before. Any significant audit adjustments will be viewed as a faulty control system.

If the City does not want any write-ups in the Management Letter, then small entities will be forced to seek assistance from a CPA other than the auditors to come in and check over the financial reports prior to the audit...this would be to help in eliminating any audit adjustments. Most smaller entities do not have a CPA or a Finance Dept. Mr. Kidman prefers to wait until they find out what the State's reaction is going to be before he would recommend this.

#### CITY CENTER UPDATE

Alvin Harward: Two weeks ago the City Council discussed the possibility of acquiring land for a future City Center.

Councilmember Harward spoke to certain land-owners who may be interested in selling land to the City. Lee Haskell said that he and his son would come up with a proposal for the 41/2 acres on the east side of Elk Ridge Drive.

He also spoke to Rasmussen's (owns about 2 acres on corner of Elk Ridge Drive & Goosenest Drive); he wants the City to make a proposal for the land.

Payson City has not arrived at a price for Hole #7 on the Golf Course.

#### NON-AGENDA ITEM

Mayor Dunn: The Planning Commission has been charged with re-writing the General Plan; Mountainland Assoc. of Governments (MAG) has been notified that this is being done and they have grant money available to assist the Planning Commission in this task. The Mayor is waiting to hear back from MAG.

The Council will receive copies of the returned surveys regarding the citizens' views of Elk Ridge.

### ELK RIDGE CITY COUNCIL MEETING January 23, 2007

#### TIME & PLACE OF MEETING

This regular Meeting of the Elk Ridge City Council, was scheduled for Tuesday, January 23, 2007, at 7:00 PM; this was preceded by a City Council Work Session at 6:00 PM.

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

Notice of 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 18, 2007; & an Amended Agenda on 1-19-07.

#### 6:00 PM -

#### CITY COUNCIL AGENDA ITEMS:

#### ROLL CALL

*Mayor*: Dennis Dunn; *City Council*: Alvin L. Harward, Mary Rugg, Raymond Brown, Nelson Abbott & Mark Johnson; *Public*: Scout Tyler Nelson, Nicole Dunaway; and the *City Recorder*: Jan Davis

#### OPENING REMARKS & PLEDGE OF ALLEGIANCE

Opening Remarks (prayer) were offered by Mary Rugg, after which the Pledge of Allegiance was led by Scout Tyler Nelson, for those wishing 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)**

#### PUBLIC FORUM

No comments at this time.

#### TRAFFIC CALMING MEASURES

*Dayna Hughes, scheduled to address the City Council, was not present.*

APPROVAL –  
2005/2006 AUDIT

MOTION WAS MADE BY RAYKOND BROWN AND SECONDED BY MARK JOHNSON TO  
ACCEPT THE 2005/2006 FISCAL YEAR AUDIT, AS PERFORMED AND PRESENTED BY  
JONES SIMKINS, LLC  
VOTE: YES (5) NO (0)

ORDINANCE –  
ENTITLEMENT  
TO USE LAND

(Regarding "Vesting" for Land Use)  
(Memo from City Planner to Council, dated 1-23-07)  
"Background"

Recent discussions have occurred by the Planning Commission involving current applications and when they have vested rights, or entitlement, to existing code. Staff has found that provisions within the State Code suggest a clear method of determining vested rights. These provisions are being recommended to be added to the Elk Ridge City Code.

In essence, the new code will entitle applicants to be vested under the existing City Code at the time of the application and the payment of applicable fees. Two exceptions to this are:

1. The City finds that a compelling, countervailing public interest would be jeopardized by approving the application; or
2. Before the application is submitted, the City has formally initiated proceedings to amend its ordinances in a manner that would prohibit approval of the application as submitted.

The Planning Commission also added clarifying language that would stipulate vesting to occur when an "application is submitted for official review by the land use authority". The effect of this would not include the vesting of rights for a concept plan which is being reviewed only by staff.

Additional provisions and verbiage related to this topic are also included in the new proposed Section 10-4-5, based upon Utah State Code.

*Recommendation:*

The Planning Commission recommends that the City Council approve this proposed code amendment."

It is the desire to not be vested at the time of "concept" application since this application can be simply a rough idea accompanied by a rough sketch of the proposed project.

After discussion, it was decided to change some of the proposed as follows:

- Section 1 (A): Add in, after "...a complete application...for Preliminary"
- Section 1 (A)(1): Replace "countervailing public interest" with "municipal or public welfare/safety issue"
- Section 1 (E): Replace "an issued land use permit" with "a paid and completed Preliminary Application"
- Section 1 (E) (1): Replace "in the land use permit" with "in the paid & completed Preliminary Application"
- & the 2<sup>nd</sup> "land use permit" with "paid & completed Preliminary Application"

Mayor Dunn: "Land use authority" is defined as the Planning Commission or the City Council.

The term, "countervailing public interest" could also become "public clamor", which the Council cannot be guided by in their decisions. Proof of this point would be found in the survey sheets returned; there are so many varied opinions, that it would be difficult to discern "public interest".

Alvin Harward: Pointed out that when the fees are paid and the application is submitted, then they are vested...

Mayor Dunn: Feels that the word "complete" indicates that all of the required information has been submitted with the application. (This is like a building permit...if the entire application, including all of the required information, is not submitted, the Inspector will not accept the application.

It was agreed that Ken Young should review these proposed changes in the wording prior to posting the Ordinance.

MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY MARY RUGG TO APPROVE THE ORDINANCE AMENDING THE ELK RIDGE CITY CODE PROVIDING FOR THE ENTITLEMENT TO LAND USE APPLICATIONS, WITH THE FOLLOWING CHANGES:

- Section 1 (A): Add in, after "...a complete application...for Preliminary"
- Section 1 (A)(1): Replace "countervailing public interest" with "municipal or public welfare/safety issue"
- Section 1 (E): Replace "an issued land use permit" with "a paid and completed Preliminary Application"
- Section 1 (E) (1): Replace "in the land use permit" with "in the paid & completed Preliminary Application"
- & the 2<sup>nd</sup> "land use permit" with "paid & completed Preliminary Application"

SUBJECT TO REVIEW OF PROPOSED CHANGES IN THE WORDING BY THE CITY PLANNER

VOTE (POLL): RAYMOND BROWN-AYE, ALVIN HARWARD-AYE, MARK JOHNSON-AYE, MARY RUGG-AYE & NELSON ABBOTT-AYE (Passes 5-0)



RESOLUTION  
GENERAL PLAN  
AMENDMENT –  
CIRCULATION MAP

(Memo from City Planner to Council, dated 1-23-07)

*"Background"*

The Planning Commission recently reviewed, discussed and held a public hearing on proposed amendments to the General Plan Circulation Map as attached, including revised collector roadways in the northern section of town.

The Planning Commission has been in process recently with reviewing and discussing potential changes to the Circulation Map, including proposed road alignments in the southern areas of town. The Planning Commission previously forwarded map amendment recommendations to the Council on October 24<sup>th</sup>, applicable to the northern area of town.

Additional changes to the classification of existing and proposed roads are now recommended, as shown on the attached map. These other proposed changes are an effort to update the roads to match existing, approved or anticipated roadway situations.

Planning Commissioner Shawn Eliot will represent this item at the meeting.

*Recommendation:*

The proposed changes to the Circulation Map of the General Plan are considered necessary for planned future growth and development in town. Following the public hearing by the Planning Commission, it was recommended that the City Council approve these map changes. The City Council may approve these changes by resolution, as attached."

Shawn Eliot: (Mr. Eliot submitted a map as an attachment to the proposed resolution.)

The proposed changes are numbered and shown by various colors and thickness of lines.

Numbers 4, 5 & 6 have already been approved by the Council.

#1 (Extension of Canyon View Drive to connect to 11200 South as an "Arterial")

*(The Council has expressed concerns about this change.)*

The Planning Commission felt that this proposed extension could be designed as an "arterial" class road since it will be all new road; and have this be a main road connecting to Salem (at 100 East). This would allow Loafer Canyon Rd. to drop back down to a local residential street, as it was designed to be.

Salem does not have a current transportation plan; they are working on it.

Mayor Dunn: (3 Concerns)

1. The map shows this as an existing arterial, not a proposed arterial
2. Why cut Loafer Canyon Rd. over the wash that is there?
3. There is infrastructure in the existing Loafer Canyon Rd.; would this have to be moved? (Thought of a 4<sup>th</sup> issue)
4. 11200 South will be kept as a "corridor"...Much of this property will be annexed into Salem; Elk Ridge would be running a main road through their community.

*Comment:*

There is a special road width standard for Loafer Canyon Road, due to existing conditions, that allows only 28' of pavement rather than the usual 35'. This would make it more difficult to utilize this road as a "collector" type road.

Mark Johnson: He does not see any difference in having Canyon View continue to 11200 South; but to have Elk Ridge's design end there. (Councilmember Abbott agreed.) He does not believe that Salem will tie a "collector" road to Elk Ridge through 100 East.

Shawn Eliot: Does the City want one arterial or two leading into town? Salem City has had hearings on this and has had this designated as a future connection.

Nelson Abbott: He hesitates making this part of our General Plan if we don't know that is the direction Salem is going.

City Recorder: Salem Hills Drive (now Canyon View) was designed with a 66' right-of-way, to be a collector road. It would be natural to extend it as such.

There is not control over what Salem does, but it could extend to 11200 South.

Mayor Dunn: The County is going to maintain ownership of 11200 South. Access roads onto 11200 South needs to be rationed to about 1200' intervals. They want fewer intersections and safety concerns.

Could Canyon View go to Meadowlark? (Councilmember Abbott said that then we would have a smaller road connecting to a collector.)

Shawn Eliot: Approval of this one road could be postponed until Salem is checked with to see what their plans are.

\*Shawn Eliot will check with Salem City.

Alvin Harward: Arterials encourage faster speeds and the backs of the houses are viewed from the road, which is unattractive. He feels that south of 11200 South, there are no arterials...it is all residential.

Shawn Eliot: There should be roads that get people out of town on arterials, with a 40 mph speed limit, rather than 25 mph. Traffic calming issues come from a lack of proper design of the roads to begin with. The arterials can be designed attractively, with fences, etc.

#3 Goosenest Drive:

(Suggestion to lower to "Major Collector")

Designated as an "arterial"; but with the residential neighborhood, the Planning Commission felt it would be better classified as a "Major Collector".

(4, 5 & 6: *already approved*)

#7 New N/S Road (Goosenest to 11200 South)

It was proposed to designate this as a "New Minor Collector"...in spite of the rumors; Mr. Cloward will not be having a "gated community".

#8 (N Loafer Drive)...This has been long-standing road in town: lower to a local road.

#9 (Hudson Ln) It is proposed to tie into Canyon View Drive.

#10: (Elk Ridge Drive) Gladstan to Hillside Dr – Raise to Major Collector; and continue main movement behind High Sierra Dr.

High Sierra is a "local" street...it is proposed to have a main road south of High Sierra.

The potential for development is "big enough" that the Planning Commission feels both roads would better serve the area south of town. High Sierra does tie into the area, but the slope is steep and there would be problems.

(*Councilmember Johnson commented that there would be a substantial cut and the slope would also have to be dealt with if a road were to be located south of High Sierra.*)

The City Engineer reviewed this proposed road and felt it could be done.

The one property owner, though he would not like to have a road on his property; he would prefer having a road south of High Sierra rather than widen High Sierra to be used as a major collector road.

Financing: Perhaps road impact fees could help pay for the road. The main motivation to consider this proposed road was the possible development of 500 acres in that area; and having multiple accesses to that area, as well as preserving High Sierra as a residential street. It is a plan. There could also be a tie-in to Loafer Canyon Rd. and through Payson Canyon.

(*Mayor Dunn stated that Payson City would prefer to leave that area as is and possibly consider a camp ground in the Four-Bay area...so, a road through that canyon is not likely.*)

Payson can be contacted as well for information as to their plans.

#11: (Salem Hills to High Sierra) Raise to Major Collector.

#12: S. Mountain Rd (High Sierra to Loafer Canyon) Raise to and make new Major Collector, secondary to connection to Loafer Canyon Rd. The most feasible place to connect to Loafer Canyon would be by the gate to the Loafer Recreation area.

Mayor Dunn: Voiced 3 concerns:

- The location of the proposed road would encroach on the property belonging to Loafer Canyon Recreation Association members
- The road would go through one person's house
- The water tank would be in the way

(*Mr. Eliot responded that exact location could be altered.*)

#13: Canyon View Drive (Salem Hills to S. Mountain Rd) Raise to and make new Minor Collector. Canyon View, above Gunderson's property might be the best location to connect a road.

#14: Nebo Canyon Rd (New Minor Collector connecting to Payson City)

This could be tabled until we have more information from Payson City.

After further discussion, it was decided to table numbers 1 (Canyon View), 2 (Loafer Canyon) & 14 (Nebo Canyon Rd)...#14 because it is not known what Payson plans for Payson Canyon.

Alvin Harward: Karl Shuler and his proposed development will need the access of another road behind (south of ) High Sierra Drive.

Shawn Eliot: The City can allow development to occur with access from High Sierra for the time being; then further development would have to wait for another access to the area.

**MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY ALVIN HARWARD TO APPROVE THE RESOLUTION OF THE CITY COUNCIL OF ELK RIDGE, UTAH, AMENDING THE CIRCULATION MAP OF THE ELK RIDGE CITY GENERAL PLAN; WITH THE STIPULATION NUMBERS 1, 2 & 14 ARE TABLED UNTIL SHAWN ELIOT RESERCHES INFORMATION AND PROPOSED ROAD SYSTEMS FOR SALEM AND PAYSON CITIES; HE WILL BRING THAT INFORMATION BACK TO THE CITY COUNCIL AND DECISIONS WILL BE MADE ON THESE OTHER PROPOSED ROADS**

**VOTE: YES (5)**

**NO (0)**

SCHEDULE  
PUBLIC HEARING –  
STREET NAME  
CHANGE

*N. Loafer Drive:*

**MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY MARY RUGG TO SCHEDULE A PUBLIC HEARING TO CONSIDER A PROPOSED STREET NAME CHANGE (N. LOAFER DRIVE); TO BE HELD ON FEBRUARY 27, 2007, AT 6:15 PM**  
**VOTE: YES (5) NO (0)**

SUBDIVISION  
BONDING –  
DISCUSSION

Mayor Dunn: After consideration, the Mayor felt the Council should discuss the possibility of loosening up the ways in which developers provide bonding for their subdivision improvements. Example: With the large amount of money required for the bond for Elk Ridge Meadows, Phase 2, they have a Construction Loan and are releasing the funds as the invoices come in, so the developers do not have to pay interest on the entire amount at once (over 4 million dollars for the whole Phase).

The City's Code allows for, 1) Letter of Credit 2) Performance Bond or 3) Escrow account. It really does not matter how the developer chooses to bond for the 100% of the construction part of the development, as long as it is through a reputable institution (bank, insurance company, etc). It is the 20% Durability Retainer that the City has to have access to in case of default for whatever reason; and the 6% Engineering Inspection Bond, as well.

\*After discussion, it was decided to have David Church draft the wording and choices available...perhaps the wording could be a bit more "generic" in nature for the 100%.

After the wording is drafted in a sample document, then the Planning Commission could make the necessary changes in Code and the Guarantees.

On demand draws must be available in the arrangements with the banks/institutions.

\*The Mayor to contact David Church.

CPA/FINANCIAL  
OFFICER

Curtis Roberts (formerly with Jones Simkins) has tendered his resignation and has gone with another company as the comptroller. He has offered to contract with the City in the capacity of a CPA rather than an auditor and to assist in the financials; to get them ready for the audit. The City was warned a few years ago that regulations may tighten up to the point of needing outside assistance to eliminate the audit adjustments. That time is now upon us, as noted by the Audit discussion. Mr. Kidman (Jones Simkins) felt the City should wait to act until after it is determined what the State's reaction will be this spring.

Mr. Kidman also stated that the regulations could lead to having this type of assistance.

\*After discussion, it was decided to have Mr. Roberts give the City a proposal with estimates for an annual review, a semi-annual review or (eventually) a quarterly review.

Perhaps an annual review (about \$5,000-\$6,000) would be the place to begin.

ORDINANCE –  
ELECTED OFFICIALS/  
EMPLOYEE  
COMPENSATION

In May, 2006, the Council voted (with the Tentative Budget for 2006/2007) to increase the stipend for the position of Mayor to \$1,000/month, based on 80 hours per month or more; if the hours worked are less in any given month, then the wage would drop back down to \$500.

The Mayor brought out the point that wages for City Councilmembers and the Mayor are also based on 75% attendance over a 6 month period of time.

Raymond Brown: Suggested other changes:

- COLA (He feels this should be at 3%; where did the City get 4.1%?  
(From the CPA last Spring...his advice was that by the fall, it would be at about 4.1%)
- Bonuses (He agrees that bonuses should be paid; but he feels they should be funded at 3% of gross annual salaries, with 0 - 5% established on a performance criteria. He does not feel it should be 3% across the board.
- Per Diem: He suggested going from \$25/day to \$29: \$6 for breakfast, \$8 for lunch & \$15 for dinner...less any meals provided for by the conference.

The Council agreed with the last two of the suggested changes on bonuses and per diem.

**MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY NELSON ABBOTT TO APPROVE A RESOLUTION PROVIDING FOR THE COMPENSATION OF ELECTED AND STATUTORY OFFICERS AND EMPLOYEES OF ELK RIDGE CITY; WITH THE FOLLOWING CHANGES:**

1. Change Effective Date for the amended salary for the position of Mayor to January 1, 2007
2. Bonuses: to be funded at 3% of the gross annual wages; with 0% - 5% (cap); with performance based criteria
3. Per Diem: change the total amount from \$25/day to \$29/day; broken down (\$6 – Breakfast, \$8 – Lunch & \$15 – Dinner); Less meals provided with the cost of the Conference

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

*Passes 5-0*

EXPENDITURES: General: None.

MINUTES

1. City Council Minutes of 12-12-06:

**MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY NELSON ABBOTT TO APPROVE THE CITY COUNCIL MINUTES OF 1-12-06, WITH CHANGES:**

- Page 3: Frandsen Driveway: change "12%; on" to 12%; one side..."
- Page 6: Expenditures: Snowplow...Mayor Dunn said "it was discovered..." rather than Raymond Brown

**VOTE: YES (5)**

**NO (0)**

2. City Council Minutes of 1-9-07:


**MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY ALVIN HARWARD TO APPROVE THE CITY COUNCIL MINUTES OF 1-9-07, AS PRESENTED**

**VOTE: YES (5)**

**NO (0)**

ADJOURNMENT

At 9:40 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, February 13, 2007, at 7:00 PM, to be preceded by a City 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. Updates – Mayor Dunn:
  - A. Park Impact Fee Study
  - B. General Plan Revision
  - C. Gladstan Golf Course – Hole #7
  - D. Grant Application/Trails (UDOT)
  - E. Postal Regulations/"Banked Mailboxes" -
2. Discussion – Developer Payments for Inspections & Engineering – Mayor Dunn
3. Discussion – Per Diem for Elected Officials & City Employees
4. Discussion – Water Rights Allocations

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

Opening Remarks and Pledge of Allegiance Invitation  
Approval/Agenda Time Frame

#### **7:05      Public Forum:**

\*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 7

#### **7:15      5. Doe Hill Estates, Plat A/Final Plat Approval**

Sidewalk Exception to Standard

#### **7:45      6. Crestview Estates Two/Final Plat Approval**

#### **8:00      7. Ratify Polled Vote (Cash-in-lieu Water Right Allocation) – Mayor Dunn**

#### **8:05      8. City Council Assignment/Storm Drain Dept.**

#### **8:10      9. Water Right Allocation:**

- A. Loafer Heights, Plat A
- B. Oak Hill Estates, Plat E
- C. Dave Nixon

#### **8:15      10. Rocky Mountain Subdivision, Plat A – Release of Improvements/Begin Durability Time Period**

#### **8:20      11. Cloward Estates, Plat A – Release of Improvements/Begin Durability Time Period**

#### **8:25      12. Schedule Public Hearings**

- A. Amended 2006/2007 Budget
- B. Purchasing Ordinance/Increase Level Requiring Bids

#### **8:30      13. Action/Per Diem**

#### **8:35      14. Amend City Council Minutes from 8-8-06 (Water Right Allocation for Lot 2m, Hanson Thornock)**

#### **8:40      15. Change Application/Cloward Water Rights – Alvin Harward**

#### **8:45      16. Water Right Purchase – Alvin Harward**

#### **8:55      17. Action/Developer Payments for Inspections & Engineering – Mayor Dunn**

#### **9:05      18. Approval of Minutes of Previous Meetings**

#### **9:10      19. Expenditures:**

General:

Adjournment

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

The times that appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting.  
Dated this 12<sup>th</sup> day of February, 2007.

  
City Recorder

#### **CERTIFICATION**

I, the undersigned, duly appointed and acting City Recorder for the municipality of Elk Ridge, hereby certify that a copy of the Notice of Agenda was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and mailed to each member of the Governing Body on February 8, 2007; & AN Amended Agenda on 2-12-07.

  
City Recorder





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**ELK RIDGE  
CITY COUNCIL MEETING  
February 13, 2007**

**TIME & PLACE  
OF MEETING**

This regular Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, February 13, 2007, at 7:00 PM;** this was preceded by a **City Council Work Session at 6:00 PM.**

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

Notice of the time, place and Agenda of the scheduled meetings was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on February 8, 2007; & an Amended Agenda on 2-12-07.

**6:00 PM -**

**CITY COUNCIL WORK SESSION AGENDA ITEMS:**

**ROLL CALL**

*Mayor:* Dennis Dunn; *City Council:* Alvin L. Harward, Raymond Brown, Nelson Abbott & Mark Johnson (Absent: Mary Rugg); *Public:* Scouts Garrett May, Brandon Cook, Jace Knuteson, Ryan & Rusty Lofthouse; Eric Allen, Dale & Joann Bigler; and the *City Recorder:* Janice Davis

**UPDATES**

**1. Park Impact Fees**

Mayor Dunn: The current Park Impact Fee Study was done in 1999 by Mountainland Association of Governments (MAG). Mayor Dunn requested of Dale Cook (Director of MAG):

- Assistance in updating Study
- Assistance in General Plan Re-write

Mr. Cook asked for certain figures for the Park Impact Fee Study (there is a ratio for the formula to determine parks as compared to population)...The Mayor believes it was something like 2 ½ acres per 1,000 (population). The City is really short of open space. He also wanted to know the kinds of improvements the City has in mind for the future. Why does the City want to re-assess the Impact Fee? The Mayor informed him that the City is considering a piece of ground offered by Payson City (Hole #7). The price has not been decided; they say the price will be equal to that charged for "raw" ground. If the sale of Hole #7 goes through, Payson would like to be allowed to use one of the 2 greens for classes and they would maintain the grass on those greens, since they have the equipment.

\*The Mayor is to contact Mayor Bills regarding the price.

**2. General Plan Revision:**

The Mayor has reviewed all of the elements and made some corrections and suggestions. The 1<sup>st</sup> two elements have been broken out by the Planning Commission for review by the members.

The 1<sup>st</sup> element is on "Public Vision", and the feedback forms are affecting this; the Planning Commission has received the feedback forms and is expected to read them.

The General Plan Re-write will take about a year. It will be completed in "elements"...one or two at a time. MAG will be assisting.

The City has already been looking at the Circulation Element.

**3. Gladstan Golf Course – Hole #7:**

(Already covered)

**4. Grant Application/Trails:**

The Application has been turned in on February 1, 2007; it was hand-delivered. There were more letters of support that accompanied the Application this time (from Payson City, Salem City, Nebo Scholl District & another one). It is the intent to eventually have inter-connecting trails with neighboring cities and perhaps (eventually) with the Bonneville Shoreline Trail along the Wasatch Front (Nephi to Brigham City). We may hear of the status of the Application by next month. (There were about 85 submissions this year.)

**5. Postal Regulations/"Banked Mailboxes":**

Due to growth, the Postal Service is requiring "banked mailboxes" for new development. This allows for improved service without having to hire additional employees.

The boxes are provided by the Post Office and they will service the locks and any lock change resulting from home owner changes. The developer must build the box sites and the residents must provide the clean-up and maintenance of the box sites. All new cul-de-sacs must have banked boxes, as the PO policy is to not enter any newly constructed cul-de-sacs. The developers must meet with the Post Office and make some decisions about where to locate and build the boxes. This is a national requirement.

\*It was recommended to put a note on the applications that contact with the PO is required and the locations and design of the boxes must be a part of the approval process.

The Post Office will continue to service existing cul-de-sacs and streets that currently have regular mailboxes.

The checklists provided to developers have been amended to include this information.

Raymond Brown: Suggestion: to obtain from the Post Office a document that could be given to developers as an "edict", stating the requirement.

\*The Mayor will get this.

#### DEVELOPER PAYMENTS – INSPECTIONS & ENGINEERING

*(Memo from City Recorder to Council, dated 2-12-07)*

"Craig Neeley (Aqua Engineering) feels the current arrangement of billing the developers of subdivisions directly could be considered a "conflict of interest".

Current: Once bonding is in place, the developers are billed directly for any inspections on their improvements associated with their subdivisions. The bills are approved and a "disbursement request" signed by the developer, City (Mayor or myself) & the City Engineer; once the inspection is completed on that particular phase of installation. The disbursement comes out of the 6% portion of the bond, held in an escrow account. At the end of the durability period (2 years), whatever is left of that 6% is returned to the developer + interest; as well as the 20% Durability Retainer + interest.

Mr. Neeley would prefer that the City charge a flat rate...perhaps lower than the current 6% (3% or 4% + about 1% (or less) as an "Administrative Fee"), to cover office tracking and paper work of the subdivision through the construction and durability phases. This would be paid to the City & Aqua would simply bill the City. There would be no refund at the end of the 2-year period of the 4 or 5%. (Bruce Ward has done this with Salem City.)

Mr. Neeley says he will work with the City, whatever is decided; but he wants to avoid anything that could be construed as a conflict." (Attached: copy of email from Mr. Neeley re: Code of Ethics)

##### *Comments:*

- If the Escrow Account for the 26% is in the name of the City, then the payments to the developers are from the City, not the developer; that would not be a "conflict".

- If the development is large, the 6% may be too high; however, the smaller development usually uses the entire bond.

- The Council agreed that there should be an "administrative fee" charged...1% may be too high, perhaps ½%.

- The Council was in agreement that they do not want to charge a "flat" rate from the City; they feel the developer should be refunded any of the bond not utilized.

Suggestion: Possibility of "tiered" rates for the 6% according to the size of the development.

After discussion. The Council decided the following:

- Tiered rate as per size of subdivision
- An "Administrative Fee" (percentage to be decided)
- Keep the current process of the escrow account being in the name of the City; then the City would be paying the developer and there would be no conflict of interest.

\*Mayor Dunn is to contact Mr. Neeley to discuss this arrangement and to get suggestions for a "tiered" percentage rate.

#### PER DIEM – ELECTED OFFICIALS & CITY EMPLOYEES

An Ordinance was passed regarding a change in salary for the position of Mayor; in that ordinance, there was wording regarding the per diem. The suggestion was to change the \$25/day to \$29/day (\$6 for breakfast, \$8 for lunch & \$15 for dinner) less any meal provided by the conference.

Mayor Dunn asked the Council to re-address this issue, considering that there would be times when the "meal" provided for by the conference would be unsatisfactory for one reason or another. After discussion, it was decided to leave the wording as it is.

#### WATER RIGHTS ALLOCATIONS

To be covered in the Regular Session; discussion was postponed until then.

**ELK RIDGE  
CITY COUNCIL MEETING  
February 13, 2007**

**TIME & PLACE  
OF MEETING**

This regular Meeting of the Elk Ridge City Council, was scheduled for Tuesday, February 13, 2007, at 7:00 PM; this was preceded by a City Council Work Session at 6:00 PM.

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

Notice of the time, place and Agenda of the scheduled meetings was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on February 8, 2007; & an Amended Agenda on 2-12-07.

**7:10 PM -**

**CITY COUNCIL AGENDA ITEMS:**

**ROLL CALL**

*Mayor:* Dennis Dunn; *City Council:* Alvin L. Harward, Raymond Brown, Nelson Abbott & Mark Johnson (Absent: Mary Rugg); *Public:* Scouts Garrett May, Brandon Cook, Jace Knuteson, Ryan & Rusty Lofthouse; Eric Allen, Dale & Joann Bigler; and the *City Recorder:* Janice Davis

**NON-AGENDA  
ITEM**

Mayor Dunn: The Mayor has interviewed two individuals that have expressed a desire to be on the Planning Commission (Kelly Liddiard & Shawn Roylance) and one other has called to volunteer.

\*Mayor Dunn needs to follow up and call Paul Squires regarding serving on the Planning Commission.

Robert Wright has resigned from the Commission; his life situations have changed and he finds little time to be able to attend the meetings.

It is required for the Planning Commission members to attend a Citizen's Planner Seminar to become certified.

\*There is one member that has not done so and the Mayor needs to speak to this member. (It must be taken into consideration if a member cannot attend for some reason.)

**OPENING  
REMARKS &  
PLEDGE OF  
ALLEGIANCE**

Opening Remarks (prayer) were offered by Raymond Brown, after which the Pledge of Allegiance was led by Scout Jace Knuteson, for those wishing to participate.

**AGENDA TIME  
FRAME**

**MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY ALVIN HARWARD TO APPROVE THE AGENDA TIME FRAME; ADJUSTING THE START TIME TO 7:12 PM; AND TO POSTPONE DOE HILL ESTATES, PLAT A – FINAL UNTIL 2-27-07; AND TO REMOVE ITEM #13**

**VOTE: YES (4)**

**NO (0)**

**ABSENT (1) MARY RUGG**

**PUBLIC FORUM**

No comments at this time.

**DOE HILL ESTATES,  
PLAT A –  
FINAL**

(There was a request to remove this agenda item and postpone it until February 27, 2007.)

Alvin Harward: (Question as he reviewed this information) Why is there a Development Agreement? Some of the issues addressed are outside of the City's Code. There are no building permits, much less occupancies without a certain level of improvements being completed. (Model homes) If there is a PUD, then a Developer Agreement is expected; otherwise, the Code should be followed.

Mayor Dunn: (Page 2) Says that no pressurized system is required to be installed by the developer; which is against the City's Code.

(Page 3) Re: Off-site Reimbursements being administered by the City (the City does not do this).

This needs to be reviewed and the information brought to the Meeting on 2/27.

**CRESTVIEW  
ESTATES TWO –  
FINAL PLAT  
APPROVAL**

*(Memo from City Recorder to Council, dated 2-13-07)*

Mayor Dunn read memo:

"Tony Trane (engineer for Doe Hill Estates) cancelled for tonight's meeting (until 2/27); he called the Mayor today with a couple of concerns:

(Memo, cont.)

1. Off-site reimbursement to Mike Dubois to include installation of a portion of Goosenest as per an arrangement that he felt included Eric Allen (developer for Crestview). Verification of this arrangement could not be found.
2. That he was surprised that Crestview could go forward for Final without Doe Hill, since Crestview is dependent upon Doe Hill for sewerage. Without Doe Hill being finalized and recorded, Crestview could not sewer. Mr. Trane said that, generally, if they do not go concurrently, an easement would have been obtained for the sewerage. Mayor Dunn felt the Council should be aware of this point.

So, will the Council grant Final to Crestview contingent upon:

- Off-site reimbursement with Rocky Mountain (Mike Dubois) being worked out & paid?
- Final Approval of Doe Hill Estates; to provide sewerage to Crestview

...or, postpone the Final until 2/27, when Doe Hill receives their Final?"

Eric Allen: He tried to repay Mr. Dubois for off-site improvements; however, Mr. Dubois was including this portion of Goosenest in the reimbursement. This needs to be worked out.

There is a note (note 2) on the Plat that lists the contingency plan; should they not sewer with Doe Hill. It states, "The sewer connection for Crestview Estates II is planned to be at the west end of Meadow Lark Drive, connecting with the proposed Doe Hill Estates Subdivision. In the event that Doe Hill Estates sewer is not available, the sewer can be re-routed to Rocky Mountain Way, with lots 1, 2, & possibly others requiring private "ejector pumps" for sewer service."

(In-house lift stations are not the preferable way to sewer...gravity is always the best way to go.) Mr. Allen agrees; he feels Doe Hill will be available, after approval.

Councilmember Abbott knows of a pump that works with water pressure, in case of power failure. That may be worth consideration.

(Memo from City Planner to Council, dated 2-13-07)

*Background:*

"The Preliminary Plat was reviewed and approved earlier by the City Council on 10/26/07, and the applicant now desires approval of the Final Plat for this 11-lot subdivision. Corrections / additions since the last Planning Commission review include:

1. Sidewalks
2. Additional sumps for drainage off the cul-de-sac
3. The relocation of fire hydrants
4. Addresses being shown on the lots, and
5. The inclusion of pressurized irrigation system dry lines

The Planning Commission reviewed this application on 2/1/2007, and has no additional concerns.

*Recommendation:*

It is recommended that the City Council approve this Plat based upon the completion of all engineering requirements."

*Discussion on the Off-site reimbursement proposal from Tony Trane (Mike Dubois) for Goosenest Drive:*

If Mr. Trane is suggesting that Crestview should subject to off-site reimbursement for utilizing Goosenest Drive to access their Subdivision, then that would open a whole area of consideration...all developments accessing their areas through roads already installed would be subject to reimbursement to original developers. (The Code states that the portion subject to reimbursement should be "contiguous" to the benefited property.)

There was nothing found to substantiate that claim.

Eric Allen: There is another problem with the reimbursement to Rocky Mountain, Plat A; Mr. Dubois is requiring the reimbursement to be at a higher cost than the cost breakdown used for bonding purposes. Mr. Dubois' engineer, Tony Trane, has not provided a list of costs to compare to the costs that Brent Arns (Aqua) came up with (Mr. Arns was basing his list off of the breakdown provided to the City from Mr. Dubois). This has not been resolved.

City Recorder: The policy of the City has been to use the cost breakdown, on the records of the City, provided by the developer and approved by the engineers.

Raymond Brown: It had not been part of the discussions; to have "today's" cost...it has been whatever is on file with the City, provided by the developer.

City Recorder: The documentation on file is with the bonding records.

Alvin Harward: Does not think that any reimbursement for Goosenest Drive should affect Mr. Allen and Crestview II "one bit".

(Discussion on sidewalks...not part of this topic, except that Mr. Allen has provided for 5' meandering sidewalks...if this is going to change, he "would be glad to go with 4'.)



**MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY RAYMOND BROWN TO GRANT FINAL PLAT APPROVAL TO CRESTVIEW ESTATES II SUBDIVISION; WITH THE FOLLOWING CONTINGENCIES:**

1. SIDEWALKS: CHANGE TO 4' SIDEWALK WITH 5' PLANTER STRIP
2. SEWER: REFER TO #2 NOTE ON THE PLAT REGARDING SEWERING
3. RESOLVE OFF-SITE REIMBURSEMENT FOR ROCKY MOUNTAIN SUBDIVISION, PLAT A (MIKE DUBOIS)

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

RATIFY POLLED  
VOTE –  
CASH-IN-LIEU  
REIMBURSEMENT

Mayor Dunn: Mr. Dan Steele applied for a building permit on W. Salem Hills Drive. He was required to upgrade his water right for his lot and paid the City to do so. About a week later the City Council changed the policy for requiring additional water right at the time of building permit; it was decided that whatever had been conveyed at the time of development, would stand as sufficient. The property next door to Mr. Steele applied for building permit at the same time, but did not complete the process. Now that upgrade would not be required of his neighbor. Mr. Steele's permit was the only one issued close to the time of the change of policy. The Mayor polled the Council to reimburse Mr. Steele his money for the upgrade. The Council agreed that the \$3,500 should be reimbursed to him.

**MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY NELSON ABBOTT TO RATIFY THE POLLED VOTE TAKEN TO REIMBURSE MR. DAN STEELE \$3,500, PAID FOR UPGRADING HIS WATER RIGHT FOR HIS PROPOERTY AT 6 WEST SALEM HILLS DRIVE**

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

CITY COUNCIL  
ASSIGNMENT

Mayor Dunn: He did not assign the Storm Drain Dept. to any of the Councilmembers. He asked Councilmember Raymond Brown to be the Dept. Head. Councilmember Brown accepted.

WATER RIGHT  
ALLOCATION

Three Subdivisions (Loafer Heights, Oak Hill, Plat E & David Nixon's lot of record) paid cash-in-lieu of providing water rights for their developments. Loafer Heights and Oak Hill, Plat E, both received Preliminary and Final without ever having a formal allocation of water rights. The numbers were figured into the current equation for total water rights allocated. This action is simply a "clean-up" of the lack of formal allocation.

The Council agreed.

**MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY NELSON ABBOTT TO FORMALLY ALLOCATE THE FOLLOWING ACRE FEET OF WATER RIGHT TO:**

- LOAFER HEIGHTS, PLAT A...7.26 ACRE FEET
- OAK HILL, PLAT E...2.77 ACRE FEET
- DAVID NIXON...1.8 ACRE FEET

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

ROCKY MOUNTAIN  
SUBDIVISION,  
PLAT A &  
CLOWARD ESTATES  
SUBDIVISION,  
PLAT A  
(IMPROVEMENTS)  
RELEASE OF  
IMPROVEMENTS –  
DURABILITY  
RETAINER

*(Memo from City Recorder to Council, dated 2-12-07)*

"Both of these subdivisions over-lapped I part of their improvements. Burke Cloward received approval to take advantage of the timing of the installation of the improvements on Rocky Mountain, Plat A...he had the majority of his infrastructure for Cloward, Plat A, installed at the same time. Neither of these subdivisions had their improvements accepted formally by the Council, to release them as "complete" and to begin the Durability Retainer time.

In May, 2006, Jeff Budge wrote a letter for Rocky Mountain, Plat A...beginning the 2-year time as of the date the letter was written...May 8, 2006. He was to write one for the improvement portion of Cloward, Plat A, as well; but he did not. As Mr. Cloward is coming forward now in the final bonding stages of the rest of Plat A, it came to our attention (Brent Arns & me) that this had not been done. I suggested to Mr. Arns that he simply use the letter and time table used for Rocky Mountain, Plat A, for the improvements for Mr. Cloward; he agreed. The 2<sup>nd</sup> paragraph of the letter dated 2-7-07 states this...the 1<sup>st</sup> paragraph deals with the current improvements associated with Plat A; they will be bonded for separately and on a separate time table."

**MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY ALVIN HARWARD TO ACCEPT THE SUBDIVISION IMPROVEMENTS FOR ROCKY MOUNTAIN SUBDIVISION, PLAT A; AND IMPROVEMENTS FOR THE FIRST PHASE OF INSTALLATION FOR COWARD ESTATES, PLAT A; AS PER AQUA ENGINEERING LETTERS DATED MAY 8,**

**2006 & FEBRUARY 7, 2007, AS COMPLETE; AND TO DATE THE START OF THE TWO-YEAR DURABILITY RETAINER AS OF MAY 8, 2006, FOR BOTH SUBDIVISIONS**  
**VOTE: YES (4) NO (0) ABSENT (1) MARY RUGG**

SCHEDULE  
PUBLIC  
HEARINGS

*1. Amended 2006/2007 Budget:*

Alvin Harward: Suggested amending the budget in the Water Dept. to include 100 Auto-read meters; this would be an amended amount of \$30,000. The 100/year quota has not been met.  
**MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY MARK JOHNSON TO SCHEDULE A PUBLIC HEARING TO AMEND THE 2006/2007 FISCAL YEAR BUDGET; FOR MARCH 27, 2007, AT 6:00 PM**  
**VOTE: YES (4) NO (0) ABSENT (1) MARY RUGG**

*2. Purchasing Policy/Increase Level requiring Bids:*

Mayor Dunn: A couple of years ago the City Auditors suggested the City increase the level of project amount that requires outside contractor bids from the current \$25,000 to \$100,000; this was not done at the time. Recently, the City Engineers made the same suggestion. This amendment would raise the level from \$25,000 to \$100,000. This would amend the City Code, thus requiring a Public Hearing.  
**MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY NELSON ABBOTT TO SCHEDULE A PUBLIC HEARING TO CONSIDER INCREASING THE PROJECT AMOUNT REQUIRING OUTSIDE BIDDING; ON MARCH 13, 2007, AT 6:00 AM**  
**VOTE: YES (4) NO (0) ABSENT (1) MARY RUGG**

ACTION –  
PER DIEM

Covered in the Work Session...the decision was to leave the wording as it is.

AMEND CITY  
COUNCIL MINUTES  
OF 8-8-06

The incorrect amount of water right was allocated to one of the lots in the Hansen/Thornock Subdivision. This amendment simply corrects the amount of water right allocated.  
**MOTION WASMADE BY ALVIN HARWARD AND SECONDED BY NELSON ABBOTT TO AMEND THE CITY COUNCIL MINUTLES OF 8-8-06 TO ALLOCATE 2.07 ACRE FEET OF WATER RIGHT, RATHER THAN 2.28 ACRE FEET, TO THE HANSEN THORNOCK SUBDIVISION**  
**VOTE: YES (4) NO (0) ABSENT (1) MARY RUGG**

CHANGE  
APPLICATION –  
CLOWARD  
ESTATES

Alvin Harward: The Change Application for the water rights owned by Burke Cloward will result in more acre feet; the original amount was for 64 acre feet; Tony Fuller found that the change would result in 80 acre feet of water right.  
 This requires no action at this time.

WATER RIGHT  
PURCHASE

The City has allocated 275 acre-feet of water right on a "cash-in-lieu-of" basis. In an effort to locate more water rights for the City, it has been determined that Spanish Fork needs more "surface water", for their pressurized irrigation system. They have more well water than they need; and they are willing to trade for more surface ("ditch") water. Mr. Fuller found 6 shares of Westfield Water that comes out of the canal, which transfers out at 2 acre feet per share (12 acre feet), at \$3,500/acre foot. He would like permission to replace the 275 acre feet of water right already allocated with the money collected from the cash-in-lieu program in place; beginning with this 12 acre feet of water right...at no more than \$4,000/acre foot.  
 SUVMWA has 399 acre feet of water right that could be sold...the recommendation has been made to sell this to Elk Ridge. The Mayors would have to be in agreement. The offer would be at \$3,250/acre-foot. The City would not purchase this all at once...perhaps 150 acre-feet; then purchase more.

The Council agreed.

**MOTION WAS MADE BY MARK JOHNSON TO AUTHORIZE ALVIN HARWARD TO REPLACE 275 ACRE FEET OF WATER RIGHT BY PURCHASING OTHER WATER RIGHTS AT NOT MORE THAN \$4,000/ACRE-FOOT; UP TO 275 ACRE-FEET**

*Discussion:*

Mayor Dunn: Surface water has a condition attached to it...about 20% of it would be lost during the transfer process. That is the good deal about trading with Spanish Fork; it would be a one-to-one trade.

Alvin Harward: Highline Canal has already approved in their Board Meeting, to sell 820 acre feet of water. They have not proved up on this; and they will notify when these rights will go up for auction. There could be a loss of 50% on this water; but that would be known prior to bidding. This would control the price.

**SECOND BY RAYMOND BROWN**

**VOTE: YES (4)**

**NO (0)**

**ABSENT (1) MARY RUGG**

**DEVELOPER  
PAYMENTS**

The Council decided the following:

Tiered rate as per size of subdivision

- An "Administrative Fee" (percentage to be decided)
- Keep the current process of the escrow account being in the name of the City; then the City would be paying the developer and there would be no conflict of interest.

\*Mayor Dunn is to contact Mr. Neeley to discuss this arrangement and to get suggestions for a "tiered" percentage rate.

**MINUTES**

Not available at this time.

**EXPENDITURES:**

*General:*

Invoice for Copier Maintenance Renewal:

(Based on use)

**MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY MARK JOHNSON TO APPROVE THE COPIER MAINTENANCE RENEWAL CONTRACT IN THE AMOUNT OF \$1,015.00**

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

*Passes 4-0*

**ADJOURNMENT**

At 8:30 PM, Mayor Dunn adjourned the Council Meeting.

  
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City Recorder

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## AMENDED NOTICE & AGENDA

Notice is hereby given that the City Council of Elk Ridge will hold a regular **City Council Meeting on Tuesday, February 27, 2007, at 7:00 PM, to be preceded by a City Council Work Session at 6:45 PM; & Two Public Hearings at 6:00 PM & at 6:15 PM.**

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

**6:00 PM      PUBLIC HEARING/PARK IMPACT FEES**

1. Public Hearing/A proposed Amendment to the Elk Ridge City Code regarding the collection of Park Impact Fees

**6:15 PM      PUBLIC HEARING/STREET NAME CHANGE**

2. Public Hearing/Proposed City Street Name Change – N. Loafer Drive

**6:45 PM      CITY COUNCIL WORK SESSION**

3. Discussion/Durability Retainer for Development & Possible Tiered Rates for 6% Inspection Bond

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

Opening Remarks and Pledge of Allegiance Invitation  
Approval/Agenda Time Frame

7:05      Public Forum:

\*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 7

7:15      4. Doe Hill Estates, Plat A/Final Plat Approval  
            Sidewalk Exception to Standard

7:45      5. Action on Public Hearings:  
            A. Ordinance/Park Impact Fees  
            B. City Street Name Change

8:00      6. Ordinance/Amendment to City Code Providing for Streets & Roads Regulations in the CE-1, CE-2  
            Zone & Subdivision Codes

8:10      7. Parks Maintenance – Mary Rugg

8:15      8. Action/Durability Retainer for Development & Possible Tiered Rates for 6% Inspection Bond

8:25      9. Resolution/Amendment to the City Standards RE: Sidewalk Widths

8:30      10. Planning Commission Appointments/Ratify Polled Vote – Mayor Dunn

8:35      11. Approval of Minutes of Previous Meetings

8:40      12. Expenditures:  
            General:

8:45      13. Schedule Public Hearing – Hearings Adjuster – Mayor Dunn  
            Adjournment

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

The times that appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting.  
Dated this 26<sup>th</sup> day of February, 2007.

  
City Recorder

### CERTIFICATION

I, the undersigned, duly appointed and acting City Recorder for the municipality of Elk Ridge, hereby certify that a copy of the Notice of Agenda was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and mailed to each member of the Governing Body on February 22, 2007; & an Amended Agenda on 2-26-07

  
City Recorder



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**ELK RIDGE  
CITY COUNCIL MEETING  
February 27, 2007**

**TIME & PLACE  
OF MEETING**

This Regular Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, February 27, 2007, at 7:00 PM.** It was preceded by two **Public Hearings: the first Public Hearing, at 6:00 PM,** was on a proposed Amendment to the Elk Ridge City Code regarding the collection of Park Impact Fees; **the second Public Hearing, scheduled for 6:15 PM,** was on a possible City Street Name Change. The **City Council Work Session was scheduled for 6:45 PM.** 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 22, 2007; & an Amended Agenda on 2-26-07.

**6:00 PM**

**PUBLIC HEARING/PARK IMPACT FEES**

Public Hearing/A Proposed Amendment to the Elk Ridge City Code regarding the collection of Park Impact Fees

**ROLL CALL**

*Mayor:* Dennis A. Dunn; *City Council:* Alvin Harward, Nelson Abbott, Mary Rugg, & Raymond Brown (Absent: Mark Johnson); *Public:* Carissa J. Nosack & Cory Snyder; and *City Recorder:* Janice H. Davis

Mayor Dunn opened the Public Hearing at 6:00 PM.  
The Public Hearing was cancelled due to the Ordinance not being available. The City Attorney has not drafted it yet.

**NON-AGENDA  
ITEM**

Mayor Dunn: (Update on the Impact Fee Studies that are being conducted by Aqua Engineering)  
The Mayor met with Craig Neeley and Brent Arns (Aqua Engineering) on Thursday (2/27/07) in the afternoon until about 6:00 PM.  
Mr. Neeley has information on demographics from previous studies done by LEI Engineering and Mountainland Assoc. of Governments (MAG). (Elk Ridge's population is up to about 2,500.) These figures are needed for projections within the Impact Fee Studies. Aqua is working on an update on the Impact Fees, including Roads, Water & Sewer; MAG is working on an update for the Park Impact Fee Study.  
Aqua will be coming to address the Council on 3-13-07 regarding the proposed drafts; Mr. Neeley will have a draft to the Mayor by March 8<sup>th</sup>.  
The Road Impact Fees are a bit more complicated to estimate; some are performance-based and they could eventually be eliminated...they have a time limit associated with them. Some roads will experience higher traffic than others and will continue to do so.  
There were a couple of proposed trunk line size upgrades.  
Raymond Brown: Some cities have Storm Drain (Run-off) Impact Fees.  
The City may have to consider this in the future.

**6:15 PM**

**PUBLIC HEARING/STREET NAME CHANGE**

Public Hearing/Proposed City Street Name Change – N. Loafer Drive.

**ROLL CALL**

*Mayor:* Dennis A. Dunn; *City Council:* Alvin Harward, Nelson Abbott, Mary Rugg, Raymond Brown & Mark Johnson; *Planning Commission:* Shawn Eliot; *Public:* Carissa J. Nosack, Cory Snyder, Alan Eliason, Roger & Delores Knotts, Ray & Sandra Osburn, Griff Johnson, Lawrence Wiscombe, Tony Trane & Scout Austin Johnson; and *City Recorder:* Janice H. Davis

Mayor Dunn opened the Public Hearing at 6:15 PM.  
*Background: (Mayor Dunn):* About a year ago, one of the City's Planning Commissioners (Shawn Eliot), whose specialty at MAG is "transportation"; approached the City Council that there are streets with very similar names and the problems associated with this situation...most safety oriented. While this was going on, the problem with incorrect addresses also came up.  
The road under consideration this night is N. Loafer Drive, which is very similar to Loafer Canyon Road; and also runs parallel to one another.  
This is not a new topic with the City Council; other street names have already taken place.

One of the things that brought this issue to the surface again was when the Mayor spoke to one of the City's EMT's (long-time resident of Elk Ridge); the Mayor was talking about the issues with N. Loafer Drive and he asked her if she knew where that street is. She was unsure of the location and actually got it confused with Loafer Canyon Road. This confusion with similar sounding street names presents an issue with safety. There are 6 new homes being added to the street; all of these homes will be affected by a name change.

Alan Eliason: The person (EMT) that the Mayor spoke to is just one person; he has been living on the street for a number of years and has not had a problem with people not being able to locate his address; he simply tells them that it is the road on the ridge of the canyon. He does not feel that one person is enough to sway a decision like this.

Mayor Dunn: Would you place your life in the hands of this "one person"...if they are confused?

Sandra Osburn: (Resident of N. Loafer Drive) Acting as spokesperson for certain residents on the street, Mrs. Osburn presented a letter signed by the owners of four of the homes on the street: Ray & Sandra Osburn, Dennis & Carolyn Shirley, Alan & Barbara Eliason & Roger & Delores Knotts; and dated 2-26-07. The letter summed up the feelings of these home-owners:

- Owners have voiced opposition to the proposed name change at a Council Meeting in January, 2007.
- An informal meeting took place on 2/21 with affected residents to discuss the opinions of this possible change. They did not feel that renaming the street would result in any "significant clarification of the location of Loafer Drive".
- These residents are opposed to the proposed change; and that they feel there would be many more problems as a result of the change. The name has been the same for 27 years. They would like it to remain the same.
- Various problems were listed that are associated with changing the name of a street. Time and resources should be spent on more productive endeavors.
- Kamille Peterson (EMT in Elk Ridge) & Payson City's ambulance dept. both feel that this street name change is unnecessary; and efforts should, instead, be spent in correcting the confusing "grid system"
- Request of the Council to consider these concerns when voting on the issue.
- There is also confusion caused by the Loafer Canyon Drive sign placed by the City on Loafer Canyon Road....that needs to be changed right away.

Once the connecting road from N. Loafer Drive to E. Park Drive goes through, the street will be easier to locate.

Cory Snyder: (Building a home on N. Loafer Drive) Every person/contractor attempting to locate his home, has gotten lost in Loafer Canyon. He understands the perspective of the long-time resident not wanting to go through the inconvenience of changing their addresses; but he does not want a problem with emergency vehicles.

Carissa Nosack: (Developing 5 lots and the connecting section of street to E. Park Drive) She also understands the problems associated with changing the street name; but she is not, personally, willing to "gamble" her family's lives on the chance that there could be safety issues in locating the right road. She "is not willing to take that risk". She knows she is new to the area; but people not from this area could get confused and risk someone's life. Her mother is a nurse, and all it takes is that one or two minutes to jeopardize someone's life.

Mary Rugg: Agrees that the connecting road will help any confusion. None of the existing residents have a problem with the possible safety issues.

Alvin Harward: Directions can get confused in an emergency situation, though. There is a certain amount of panic involved.

Mayor Dunn: Explained the extent of emergency services the Elk Ridge EMT's are allowed to administer...they cannot transport; they can only stabilize. The ambulance comes from Payson. There have been ambulances lost on Salem Hills Drive. The concern is that the confusion will get worse with more homes coming onto that street. Some of the problem could be alleviated by the connecting road to Park Drive, he is not sure.

GPS Systems can get someone with the system within a couple of hundred feet of the location. The City's vehicles are not equipped with GPS Systems. Perhaps the Sheriff's cars are equipped with the System.

\*He will ask how reliable they are.

Mary Rugg: No easy solution... not everyone will be happy with any decision made...there will be problems no matter which decision is made; but she does think there are some solutions under way that could be effective:

- Replace the sign on Loafer Canyon Road
- Install the street sign on the new connection to assist in locating the street.

(Mrs. Nosack does not want traffic on the still unfinished street until there is asphalt and it is ready. There is still utility work to be done on both corners of Loafer Drive and Park Drive.



Before there are any changes, could this go through a trial period; and after a while, re-visit the issues?

Mrs. Osburn: This is a common problem all over Elk Ridge, with any of the streets.

Nelson Abbott: He agrees that the sign in the Canyon should be corrected and whatever steps need to be taken to solve the problem. After the changes are made, the situation needs to be reviewed after a while.

Raymond Brown: Showed a map to one of the emergency response team members and gave him a hypothetical emergency scenario to determine what his reaction would be: He said, "if there were a heart attack at 400 N. Loafer Drive, where is that at?" The individual looked on Loafer Canyon Road...this solidified the concern for him.

Mary Rugg: It is part of their job (to know addresses and how to locate them).

Mark Johnson: Confusion is also caused by dispatch and human error in calling out the correct name.

Mayor Dunn: Even in the discussion in this meeting, there has been a non-intentional mix-up of the names of the streets. With the responsibility of being as elected official, his sense of awareness has heightened...safety is a major concern of his. He would hate to have a life jeopardized by an element of confusion. He asks that the residents to look carefully at the safety concerns...the bottom line is; "Are you willing to bet your life on it?" (The confusion surrounding this issue)

Mrs. Osburn: Problems have been caused by changing Salem Hills Drive to Canyon View Drive. It works both ways...change causes problems.

Mrs. Nosack: The street sign could go up now, but it would have to come back down because of the utility work in progress.

\*Mayor Dunn: This will be re-visited in October, 2007.

6:45 PM

#### CITY COUNCIL WORK SESSION

ROLL CALL

*Mayor*: Dennis A. Dunn; *City Council*: Alvin Harward, Nelson Abbott, Mary Rugg, Raymond Brown & Mark Johnson; *Planning Commission*: Shawn Eliot; *Public*: Carissa J. Nosack, Cory Snyder, Alan Eliason, Roger & Delores Knotts, Ray & Sandra Osburn, Griff Johnson, Lawrence Wiscombe, Tony Trane & Scout Austin Johnson; and *City Recorder*: Janice H. Davis

DURABILITY  
RETAINERS &  
TIERED INSPECTION  
RATES

Mayor Dunn: (RE: 6% Inspection Bond) Councilmember Harward and the Mayor is to meet with developers of Phase 2 of the Elk Ridge Meadows PUD (Mr. Bob Peavely) and representatives of their bank. They have a large development with, funded by a construction loan, rather than the typical Performance Guarantees allowed by the City Code. Due to the amount of money involved, the developer would be paying a higher interest rate than he would earn in an escrow account. With the amount of money involved in this development, the 6% Inspection Bond is in the amount of over \$188,000. This will continue to be a problem with larger developments. The Code requires that the 20% Durability Bond and the 6% Inspection Bond be deposited into an interest-bearing escrow account. The 6% may be too high for larger developments; whereas smaller developments will probably need the entire amount bonded for.

It has been suggested and discussed with City Engineer to consider a "tiered rate structure" for the 6% Bond.

*Comments:*

Nelson Abbott: Could this tiered rate be charged by the number of lots, perhaps on a lot-by-lot basis (like impact fees).

Alvin Harward: The problem would be with the smaller lots; they would likely use the entire 6%.

Raymond Brown: He thought that the Council had already discussed and decided that a tiered structure would be appropriate. The breakpoints were to be discussed with the City Engineer.

*Recommendation:*

1 to 10 lots....6%

11 to 35 lots...5%

36 to 50 lots...4%

50 + lots.....3%

All of this plus an "Administration Fee" (percentage to be determined...perhaps ½%)

\*This needs to be checked out with the Engineer.

Alvin Harward: If the City is covered and protected, it should not matter what form of bonding the developer uses. The payments have to be arranged so that the institutions must pay "on demand", then the City is protected.

City Recorder: The current developers are bound by the current development bonding requirements and have signed and committed to do certain things...those requirements are not being met completely.

The City Recorder expressed concern regarding the planned meeting with Mr. Peavley (Elk Ridge Meadows PUD, Phase 2), his bank representatives, the Mayor and Councilmember Harward; in that the representatives of their bank seem to expect that the City will approve their lack of compliance.

Alvin Harward: That is not what the Mayor is going to inform them of. The City does need to make it work so that all three parties are protected. If the bank can shed some light on the City's understanding of the bonding process, then that will also be helpful.

Recorder: Then, should the City's direction to David Church be altered? Currently he is only drafting wording to address the 100% of the construction costs...not the 26% for Inspections and Durability Retainers.

Mayor Dunn: "Yes, we might have to do that"; in fact, the Mayor may drive up and meet with David Church rather than talk to him on the phone.

Alvin Harward: "In this case, they have signed that they will do that; and haven't done it...that is entirely different...they have to perform."

Mayor Dunn: "That will be pointed out to them"...that they have a commitment; and if they did not understand it...then the City wants them to understand. They need to have an idea of where the City is coming from, as well. The past can teach us how not to make the same mistakes again.

Alvin Harward: It has been mentioned that if the bonding agreements are only in the developer's name, then the developer can close it out...that is a problem. As long as the City is covered; that is what is important.

City Recorder: Currently, the City's name is not part of the construction loan issued to the developers of the Elk Ridge Meadows PUD, Phase 2.

Alvin Harward: The 26% is on the loan as a separate line item...payable "on demand"; and all three signatures (Developer, Engineer & City) are required for release of funds.

Recorder: If this is the direction the City is going to go; then David Church needs to come up with the legal wording that will protect the City because this could be repeating itself a lot, as large subdivisions continue to come to the City.

*No further discussion at this time.*

### ELK RIDGE CITY COUNCIL MEETING February 27, 2006

#### TIME & PLACE OF MEETING

This Regular Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, February 27, 2007, at 7:00 PM.** It was preceded by two **Public Hearings: the first Public Hearing, at 6:00 PM,** was on a proposed Amendment to the Elk Ridge City Code regarding the collection of Park Impact Fees; **the second Public Hearing, scheduled for 6:15 PM,** was on a possible City Street Name Change. The **City Council Work Session was scheduled for 6:45 PM.**

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 22, 2007; & an Amended Agenda on 2-26-07.

#### 7:25 PM

#### **REGULAR CITY COUNCIL AGENDA ITEMS**

#### ROLL CALL

*Mayor:* Dennis A. Dunn; *City Council:* Alvin Harward, Nelson Abbott, Mary Rugg, & Raymond Brown & Mark Johnson; *Planning Commission:* Shawn Eliot; *Public:* Carissa J. Nosack, Cory Snyder, Alan Eliason, Roger & Delores Knotts, Ray & Sandra Osburn, Griff Johnson, Lawrence Wiscombe, Tony Trane & Scout Austin Johnson; and *City Recorder:* Janice H. Davis

#### OPENING REMARKS & PLEDGE OF ALLEGIANCE

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

AGENDA TIME  
FRAME

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

**AN AMENDED MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY NELSON  
ABBOTT TO ADDRESS ITEM #9 TO THE BEGINNING OF THE MEETING  
VOTE: YES (5) NO (0)**

PUBLIC FORUM

Public Comments:

RESOLUTION –  
CITY SIDEWALK  
STANDARDS

*(Memo from Planner to the City Council, dated 2-27-07)*

*"Background*

This item accompanies the request by the applicant to approve the Final for Doe Hill Estates, Plat "A". The Applicant seeks the ability to install 4 ft. sidewalks which are straight, instead of meandering, and have a 5 ft. park strip adjacent to it in the 9-foot easement area along the street.

In review, staff has found that this is a reasonable request, not only for this development, but for all developments in the City. A true meandering sidewalk will have enough space to meander at least the same width of the sidewalk itself. Plus, to allow for any sensible landscaping, for sufficient tree root space as well as for watering and maintenance purposes, the adjoining park strip should not have any less than a ft. width. These objectives cannot both be achieved in a 9-foot easement area.

Staff and Planning Commission recommend that the standards be amended so that meandering is an option, and that a straight sidewalk with a minimum of 4-foot width be allowed adjacent to a 5-foot minimum planter strip. This would make much better use of the narrow 9-ft. easement area. A 5-ft. wide sidewalk is more common on larger, busier streets, whereas a 4-foot wide sidewalk is commonly used in less busy residential areas, which suits well the Elk Ridge community.

*Recommendation:*

It is recommended that the City Council approve the proposed amendments to the Elk Ridge City Development & Construction Standards regarding sidewalks."

*Comments:*

Alvin Harward: This proposed change was the original intent of the Planning Commission; the recommendation and the motion simply got reversed. This is a correction.

Nelson Abbott: The original approval was for meandering; yet this gives the option of a straight sidewalk, as well. There are examples in other cities where the sidewalks do not line up well.

Raymond Brown: There are situations when a meandering sidewalk may not be appropriate.

Example: Randy Young's PUD (Elk Ridge Drive): The straight sidewalk was more appropriate on that wide of a street.

Nelson Abbott: The choice is meandering or straight: the proposed "strike-out" would mean there would only be a 4-ft. section in which to meander.

After discussion, it was decided to change the third bullet on Page 1 to: "Planter strips shall be between three (3) & five (5) feet in width for a meandering sidewalk; and five (5) feet for straight sidewalks"

**MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY MARK JOHNSON TO  
APPROVE THE RESOLUTION AMENDING THE DEVELOPMENT AND CONSTRUCTION  
STANDARDS FOR THE CONSTRUCTION OF SIDEWALKS; WITH THE FOLLOWING  
CHANGE:**

**Change the third bullet on Page 1 to: "Planter strips shall be between three (3) & five (5)  
feet in width for a meandering sidewalk; and five (5) feet for straight sidewalks"**

**VOTE: YES (5) NO (0)**

DOE HILL ESTATES – *(Memo from Planner to Council, dated 2-27-07)*  
FINAL PLAT *"Background*

The Preliminary Plat was reviewed and approved earlier by the City Council on 12/12/06, and the applicant now desires approval of the Final Plat for this 58-lot subdivision. Corrections/additions since the last City Council review include:

1. Type "b" curbing shown,
2. Access limitations or prohibitions for lots with frontage on Rocky Mountain Way & 11200 S.
3. Secondary water system lines shown,
4. Addresses for all lots shown.

One additional correction needs to be shown: Valves for the pressurized irrigation lines. Other than the above, the technical Review Committee has no additional concerns.





*Special Request:*

One special request item was brought forward at the Planning Commission meeting of this plat on February 1, 2007: The meandering sidewalk requirement does not appear to be the best plan for use in this development with only a 9-foot easement within which to place the required 5-foot wide sidewalk. The applicant is requesting a modification to the sidewalk requirements, as found in the development standards.

Regarding the established sidewalk requirements found in the Development Standards, staff and the Planning Commission are recommending a permanent change (see staff report & resolution to amend the Development & Construction Standards.

*Recommendations:*

It is recommended that the City Council approve this plat, subject to the amendment of the Development Standards regarding sidewalks, and based upon the completion of all engineering requirements."

The Council reviewed the required corrections:

Mark Johnson: Fire hydrants are shown at the ends of the cul-de-sacs...this is not something he, as a fire-fighter, approves of. He would rather see the hydrants at the opening of a cul-de-sac.

Tony Trane (Engineer for the Project): There must be a balance between providing a hydrant that is easily accessible and one that acts to clean out the end of the line. If that line gets contaminated, it is much easier to clean it out at the end of the line. Many of the water depts. In various cities prefer the hydrant located at the end of the line, for this purpose.

He sees the point of view that another location could utilize the hydrant more; but there is the other consideration to take into account.

Mark Johnson: Looking at Doe Hill Circle & Meadow Lark Lane: There is one fire hydrant right at the end of the circle that joins Meadow Lark Lane. A fire hose brought into the circle would block the entire intersection. (Mr. Trane will do what the City insists on.)

This was Councilmember Johnson's only concern.

It was asked if there is still a "development agreement"...there were concerns expressed by the Council at some of the terms of the proposed agreement. There is no development agreement accompanying the plat.

Raymond Brown: Asked about the sumps on page 3 of 15 of the plat package: Are 2 sumps enough to handle the run-off on Dee Run Loop?

(Mr. Trane felt that they are sufficient.)

Mayor Dunn: (Pg 3 of 15) Questioned the sewer on Rocky Mountain Way...He verified that the main would be shallow in front of lots 1, 2, & 3...

(Mr. Trane verified that the house on lot #1 would probable "sit high"...he added that he did not feel it would affect the sewer too significantly on those lots...the lots would probably sit up higher to accommodate the sewer. He felt it might be 6' in front of lot #1.)

One of the developers, Griff Johnson requested to speak to the Council:

Griff Johnson: Mr. Johnson expressed his concern about the requirement to install secondary water systems with new development. He feels it is a great expense if the City really has no plans to utilize the system. He is seeking approval to install only the casing ("crossings") at this point; so the street would not have to be torn up if the City comes to a point that secondary water is a reality. To him, this option does not seem feasible for a City the size of Elk Ridge.

Alvin Harward: Though he understands where Mr. Johnson is coming from, there are plans to have a secondary system at least to the north part of the City. He does **not** see this happening; however, that is his opinion.

Mayor Dunn: The Code does provide for the system being installed at the **time** of development.

*Explanation of CUP Water:* CUP water was allocated for smaller communities. When it eventually comes down Spanish Fork Canyon, a treatment plant will have **to** be built to handle the water. It will be pressurized; but he pressure will only take the water coming to the City as high as the current City Hall. Providing a secondary system to the southern portions of the City will be much more difficult. Developers are being asked to install the lines so **they** will be in place when the water becomes available. It would be cost prohibitive for the City to **provide** all the lines and pay for the 80/20 split expected for CUP water.

The Mayor cannot predict how long this will take; but as long as he is in **office**, he will be looking for cost-effective ways to get this water to the City.

City Recorder: The original intent discussed in previous City Council, was **to** not only provide the residents with perhaps more cost effective water; but to also conserve the **culinary** water from the wells. In the recent drought experienced, one of the City's smaller wells **dried** up.

Mr. Johnson: Suggested possibly placing the money for the system in escrow for a number of years; after which, if the City abandons the idea of a secondary system, then they could get their money back.

Mayor Dunn: Question: if the money were put into an account, would that bond cover inflation? (Response: There would be added interest to the account; perhaps that could assist with inflation.)

Comment: (One of the developers...unknown)

What benefit could be stated in making the lots more marketable? If they could be helped in understanding that benefit with the added secondary system.

Alvin Harward: There are many options being looked into to make this feasible for the City.

Mayor Dunn: Reviewed some water conservation concerns with those present.

(There were further comments and suggestions made by Mr. Johnson regarding other alternatives besides a Secondary Water system, that will be costly to them, as developers.)

Mayor Dunn called for comments from the Council:

Mary Rugg: She understands the concerns stated; however, eventually CUP water will be here; and it is in the Code that these "dry-water" systems are to be installed..."that is the Code and it is your job to follow it, if you want to build here". She also stated that she understands the expense, but they are costs that can be recouped in the selling of the lots.

Mayor Dunn: Salem City has been requiring this of developers and assessing homes for the future of CUP water in their City for over 10 years. He asked if this system would hold up over time, with no water in the lines...there is confidence that they will.

Raymond Brown: Water shortage in Utah has become an issue. If he were going to buy a home, he would like to know that the opportunity is there to take advantage of "gray water" for irrigation purposes.

Mr. Johnson: Expressed appreciation that there is confidence that there will be secondary water available in the future; he has not heard that confidence in the past.

Alvin Harward: The only way to receive approval from the Council tonight is to follow the Code that are in place; if an exception is to be granted, the developers would have to pursue that further...but, not in this meeting.

(The Developers responded that, Yes, they did want Final Approval that night. If anything changes in the City, they would rather put their money toward other benefits.)

**MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY RAYMOND BROWN TO GRANT FINAL APPROVAL TO THE DOE HILLS ESTATES, PLAT A, AS RECOMMENDED BY THE PLANNING COMMISSION**

**VOTE: YES (5)**

**NO (0)**

NON-AGENDA  
ITEM

Tony Trane: A deed is coming to the Council regarding re-aligning Rocky Mountain Way with Goosenest Drive: Burke Cloward deeded some property to the City at a time when the City was planning a different road plan; this is no longer the case and Mr. Cloward needs that piece back. \*This will be coming to the Council for the next Council Meeting, on 3/13/07.

ACTION ON

1. Code Amendment/Collection of Park Impact Fees:  
Postponed.

2. City Street name Change (n. Loafer Drive):

**MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY NELSON ABBOTT TO:**

**1. TABLE ANY DECISION ON THIS PROPOSED STREET NAME CHANGE FOR**

**N. LOAFER DR. TO THE FIRST COUNCIL MEETING IN OCTOBER, 2007**

**2. TO TAKE THE FOLLOWING ACTIONS NOW:**

**A. CORRECT THE SIGN ON LOAFER CANYON ROAD (SOUTH END)**

**B. HAVE THE STREET SIGN INSTALLED AT THE INTERSECTION OF THE NEW SECTION OF N. LOAFER DRIVE AND E. PARK DRIVE (THE DEVELOPERS ARE RESPONSIBLE FOR THIS INSTALLATION; THEY ARE TO ACQUIRE THE COORDINATES)**

**VOTE: YES (5)**

**NO (0)**

\*Shawn Eliot to bring the corrected sign in for the correction of the sign on Loafer Canyon Road.

\*Mayor Dunn to call Carissa Nosack for street sign.

ORDINANCE –  
STREETS & ROADS  
REGULATIONS IN  
THE CE-1, CE-2  
ZONES

(Memo from Planner to Council, dated 2-27-07)

*"Background:*

Following review of the grades on streets and roads in the City, and especially in the south hills (CE-1 Zone area), the Planning Commission recommended that an ordinance amendment be prepared for a public hearing, which would address the grades of streets, which have been included in the City's Development Standards. Codifying these requirements will make them better understood. This is, in essence, a housekeeping amendment in that no new provisions are being added, except for an optional grade at intersections.

Adding "3% extending a minimum of 50 feet" as an option to the existing requirement of "4% extending a minimum of 100 feet on each leg of the intersection" allows flexibility when dealing with steep road grades. Either option is acceptable to Public Works and Engineering, as both options provide the same result for vehicles approaching an intersection.

The proposal includes section on Streets and Roads, aligning them with the Development Standards, so that all would include the following verbiage:

*"Grade: No major collector / arterial street shall have a grade of more than 8% and no local street shall have a grade of more than 10%, except that the City Council may approve up to an additional 2% grade for short stretches of roadway where, in its opinion, the 8/10% standard would result in undesirable extra earthwork or circuitous routes that the proposed steep grade section will not result in the establishment of a hazardous condition. It is the responsibility of the developer to present evidence that the additional allowance in grade is desirable. The City Engineer shall provide recommendation regarding hazardous conditions and any other concerns on the proposed steep grade sections.*

- 1. Roads that cross slopes greater than thirty percent (30%) must be reviewed by the Planning Commission and the City Engineer; they must conclude that such streets or roads will not have significant adverse visual, environmental, or safety impacts.*
- 2. Streets and roads proposed to cross slopes greater than (10%) are allowed, subject to the following:*
  - a. Proof that such street and/or road will be built with minimum environmental damage and within acceptable public safety parameters.*
  - b. Such street and road design follows contour lines to preserve the natural character of the land, and are screened with trees or vegetation.*
- 3. Cutting and filling is minimized and must be stabilized and re-vegetated to a natural state within 1 year. A stabilization and re-vegetation plan must be approved by the Planning Commission and the City Engineer.*

*Intersection Grade: The maximum grade of intersecting roads shall be either 4% extending a minimum of 100 feet on each leg of the intersection, or 3% extending a minimum of 50 feet on each leg of the intersection. The grade shall be measured from the edge of the asphalt of the intersecting roadway to the nearest grade break/vertical curve.*

*Slope: No street providing access to a lot shall be constructed in a location or in such a manner which results in the creation of a slope arch exceeding the critical angle of repose of a disturbed cross section which exceeds the cut and fill slope standards for streets in the City. Any driveway providing access to a buildable area shall have a slope of not more than 12% and shall not result in any cut or fill slopes greater than 7 feet. Any cut or fill between 5 feet and 7 feet shall be subject to Planning Commission approval."*

Some of the above text exists currently in various parts of the identified Code sections to be amended. The above shows that following approval, all of these Code sections will include this information. For exact amendments to each section, please see attached proposed ordinance.

*Recommendation:*

It is recommended that the Planning Commission recommended that the Planning Commission recommend that the City Council approve these proposed Code amendments."

*Comments:*

Mary Rugg: Some of the terms in the City's ordinances seem somewhat unclear and ambiguous; for example, "minimum environmental damage"...the meaning is not clear. The developers' interpretation of this could be very different than its original intent.

Raymond Brown: Is there some type of universally accepted standard for re-vegetation or to protect the environment when roads are installed.

*(Perhaps environmental impact studies.)*

Nelson Abbott: Detailed re-vegetation plans are required as part of the development process stated in this proposed ordinance; and the performance guarantees must include the costs for these re-vegetation plans.

Alvin Harward: Question on Page 2: Under section 10-9B-10 (C) This statement seems to be incorrect.

Shawn Eliot: (Discussed this paragraph) 10-9B-10 (C)

The main paragraph is incorrect. The 15% grade is from the old Code. Replace (C) on page 2 with (C) on page 1. (That section has already been approved with the 8% & 10% grades.

(1) This was passed last summer as a development Standard. This was to be implemented in the Code, as well; it simply has not until now; it is a "housecleaning" issue.

(2) The same thing applies...this was passed last summer as a change to the standard; but was not put into the Code...this corrects this non-action.

(3) This was also passed as a Standard amendment; but not codified.

(D) Intersection Grades: Either 4% extending a minimum of 100' on each leg of the intersection; or 3% extending a minimum of 50' on each leg of the intersection...that was something that the developers south of the City asked of the City, to give them flexibility; this has been before the Council before, but denied...the Planner wanted this before the Council again, without the rest of the previous ordinance that was denied.

This is the only thing that is really new.

*Discussion of intersections.*

Nelson Abbott: Several times it is mentioned to re-vegetate with one year...one year from what? After further discussion, it was decided to change this to "within the first year of the two-year Durability Time". (Item 3 on the sections.)

Shawn Eliot: All of these changes could be applied to the CE-2 Code as well; if the Council wanted to make this as part of the motion.

**MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY NELSON ABBOTT TO ACCEPT THE PLANNING COMMISSION RECOMMENDATION TO APPROVE AN ORDINANCE AMENDING THE ELK RIDGE CITY CODE PROVIDING FOR STREETS AND ROADS REGULATIONS IN THE CE-1, CE-2 ZONE AND SUBDIVISION CODES, CODIFICATION, INCLUSION IN THE CODE, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING AN EFFECTIVE DATE; WITH THE FOLLOWING CHANGES TO THE PROPOSED ORDINANCE:**

1. PGS 1, 3 & 5 [SECTIONS: 10-9A-6 (3), 10-9B-10 (3) & 10-15C-2 (F-3)]

*"within the first year of the two-year Durability Time". (Item 3 on the sections.)*

2. PG 2 (SECTION 10-9B-10 (C) REPLACE THIS WHOLE PARAGRAPH WITH (C) ON PAGE ONE

3. PG 2 (SECTION 10-9B-10 (C) (2-a): Add at the end of sentence, "Refer to 10-9B-10 (F)"

*(This will refer to minimum standard)*

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

*Passes 5-0*

PARKS  
MAINTENANCE

Mary Rugg: (Memo from Councilmember Rugg to Council, dated 2-27-07)

"Concern has been expressed by Kris Bluth (park employee hired to care for building & outdoor bathrooms) about the neglect of pavilion bathrooms.

When sports programs are taking place, the referees are responsible to unlock and lock bathrooms. When a problem has arisen in this area, it has been addressed and resolved. A problem still occurs during winter months(when no sports are taking place) and the maintenance crew is unlocking the bathrooms. They are neglecting to lock them when they leave for the day. Kris has spoken with Kent and Wayne, regarding this issue, but the problem keeps occurring.

Kris has told me that her job description is strictly to care for the building and to care for the pavilion bathrooms, when the pavilion is being occupied by a reservation. She does not feel that she should be responsible for others' neglect and care of the outside restrooms. She has reached her point of frustration. Her solution (I feel is a good one) is to have the summer help maintain and keep clean the pavilion bathrooms. What do you think?

She also has a suggestion/request about the way that she is being informed about the pavilion rentals. Currently, Kris has told me that she finds out about the rentals only when she comes in to check the list. Sometimes that leaves her with only an afternoon's notice. She wonders if it would be possible to be informed by the office staff immediately following the booking. She has offered her email address as a way of communicating this information."



Action:

(Taking the suggestions)

1. Closer check on keeping bathroom doors locked and have large messes cleaned by Public Works

2. Staff to email updates on Pavilion rentals to Kris.

3. Summer help to assist in upkeep of the outdoor bathrooms.

*\*Councilmember Johnson suggested getting new doors for the bathrooms.*

*\*Get Kris's email address.*

*\*Mayor Dunn to speak to Public Works*

ACTION –  
DURABILITY  
RETAINER FOR  
DEVELOPMENT &  
TIERED RATES  
FOR INSPECTION  
BOND

\*Mayor Dunn to speak to Craig Neeley regarding tiered rates for the 6% bond; specifically about appropriate cut-off points for the percentages to change.

PLANNING  
COMMISSION  
APPOINTMENT

(Ratify Polled Vote)

**MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY RAYMOND BROWN TO RATIFY THE POLLED VOTE TO APPOINT THE FOLLOWING TO BE MEMBERS OF THE PLANNING COMMISSION:**

**1. KELLY LIDDIARD TO REPLACE ROBERT WRIGHT**

**2. SEAN ROYLANCE AS AN ALTERNATE MEMBER**

**VOTE: YES (5)**

**NO (0)**

MINUTES

*1. City Council Minutes of 1-23-07:*

**MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY MARK JOHNSON TO APPROVE THE CITY COUNCIL MINUTES OF 1-23-07, AS WRITTEN**

**VOTE: YES (5)**

**NO (0)**

EXPENDITURES:

General: None

SCHEDULE PUBLIC  
HEARING –  
HEARING EXAMINER


**MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY NELSON ABBOTT TO SCHEDULE A PUBLIC HEARING FOR MARCH 27, 2007, AT 6:20 PM; TO CONSIDER A HEARING EXAMINER FOR ELK RIDGE CITY**

**VOTE: YES (5)**

**NO (0)**

ADJOURNMENT

Mayor Dunn adjourned the Meeting at 9:15 PM.

  
\_\_\_\_\_  
City Recorder



## **NOTICE & AGENDA**

Notice is hereby given that the City Council of Elk Ridge will hold a regular **City Council Meeting on Tuesday, March 13, 2007, at 7:00 PM, to be preceded by a City 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. CPA – Financial Advisement Proposal – Curtis Roberts
2. Impact Fee Analysis & Recommendations – Craig Neeley (Aqua Engineering)

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

Opening Remarks and Pledge of Allegiance Invitation  
Approval/Agenda Time Frame

7:05      Public Forum:

\*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 7

7:15      3. Hansen/Thornock Subdivision/Request for Extension of Final Approval/Possible Conditions  
                 John Henry

7:45      4. Abandonment of City Well in Loafer Canyon ("Dead Well") – Jed Shuler

7:55      5. Possible Sale of City-owned Property in Loafer Canyon – Jed Shuler

8:05      6. Financial Advisor/Action – Mayor Dunn

8:10      7. Schedule Public Hearings -

                 A. Collection of Park Impact Fees (3/27 @6:20 PM)

                 B. Bid Amounts Required for City Projects (3/27 @6:25 PM)

                 C. Hearing Examiner (3/27 @ 6:30 PM) – Motion simply changes time from 6:20 to 6:30

                 D. Impact Fee Analysis & Recommendations

8:20      8. 2006/2007 Amended Budget Discussion

                 A. Loafer Canyon Road/Curb & Gutter

8:30      9. Burke Cloward Road Deed – Mayor Dunn

8:35      10. Arbor Day Grant – Mary Rugg

8:40      11. Tiered Engineering Inspections Fees – Mayor Dunn

8:50      12. Development Bonding – Alvin Harward

9:00      13. Per Diem – Mayor Dunn

9:10      14. Approval of Minutes of Previous Meetings

9:15      13. Expenditures:

                 General:

                 Adjournment

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

The times that appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting.  
Dated this 9<sup>th</sup> day of March, 2007.

  
City Recorder

### **CERTIFICATION**

I, the undersigned, duly appointed and acting City Recorder for the municipality of Elk Ridge, hereby certify that a copy of the Notice of Agenda was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and mailed to each member of the Governing Body on March 9, 2007.

  
City Recorder



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**ELK RIDGE  
CITY COUNCIL MEETING  
March 13, 2007**

**TIME & PLACE  
OF MEETING**

This regular Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, March 13, 2007, at 7:00 PM; this was preceded by a City Council Work Session at 6:00 PM.**

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

Notice of 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 9, 2007.

**6:00 PM -**

**CITY COUNCIL WORK SESSION AGENDA ITEMS:**

**ROLL CALL**

*Mayor:* Dennis Dunn; *City Council:* Mary Rugg, Raymond Brown, Nelson Abbott & Mark Johnson (Absent: Alvin Harward); *Public:* Curtis Roberts (CPA), Craig Neeley & Brent Arns (Aqua Engineering), Scout: Will Towse, Jamie D. Towse, Weston Youd, Barbara Andersen; and the *City Recorder:* Janice Davis

**CPA –  
FINANCIAL  
ADVISEMENT**

*Brief Summary:*

Curtis Roberts was the head of the audit team from Jones Simkins (City Auditors) for years. He has a background in government accounting with the State Auditor's office as well as with Jones Simkins. Mr. Roberts has conducted training sessions for the Council in understanding government budgeting/accounting.

Recently, Mr. Curtis decided to further his career and take a position with another company. His new position will allow him the opportunity to assist in the financial reporting of certain smaller cities that he has serviced in the past. Accounting practices are becoming more stringent as far as freedom of the Auditors to act as financial advisors as well as conduct the annual audit; it is considered a "conflict of interest". Several years ago, Mr. Curtis warned the City that rules were tightening up and may require that the City seek financial assistance from an outside source.

Mr. Curtis has proposed that he be hired by Elk Ridge in the capacity of a Finance Director; as he explained it, he would assist current staff with the financial reporting on a quarterly basis, and help prepare for the annual audit.

A memo from the City Recorder indicates that she would welcome the opportunity to work with Mr. Roberts and to have him help in keeping the City's finances on track for the annual audit.

*Proposal for Shared Finance Director; Curtis Roberts, CPA:*

*"Why needed?"*

1. New auditing standards change what must be reported to the City Council
  - A. Any material audit adjustment is an indication of a significant deficiency
  - B. Standard setters expect you to be able to record transactions from "cradle to grave" (initiation of transaction to presentation in the financial statements)
  - C. Uncorrected deficiencies must be reported each year
2. Improved financial controls provide better financial information during the year
  - A. Frustration can exist when significant audit adjustments are made but not fully explained
  - B. Expand financial reporting from cash receipts and disbursements to financial analysis
  - C. Decrease the time between year-end and closing the year
  - D. Discuss potential impact of Council actions before those actions are taken
3. Meet the demands of a changing regulatory environment
  - A. State reporting requirements are becoming more complex (impact fees, etc.)
  - B. Shifting duties allows current City personnel to focus on key City functions
  - C. Accounting regulations aren't the only thing changing

*Why me?*

1. Knowledge matters
  - A. Over 14 years of experience, mostly with cities in Utah
  - B. More than just a working knowledge of State laws and regulations
  - C. Past performances is an indication of future results
  - D. You are hiring a specialist in government accounting
2. Flexibility for the City and for CVTD
  - A. Flexible for the City and for the CVTD
  - B. More responsive to specific City needs

*Costs:*

Quarterly service - \$10,000 plus travel costs

This includes preparation of financial statements and all related documents for the audit."



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City Recorder: The City has consultants in Engineering, Legal Advice, Planning...the finances of a city, company, etc. determine the success of that entity; yet we do not have a consultant in the area of finance.

Mary Rugg: She felt the memo from the Recorder was "great" and she commented that she is Acquainted with Mr. Roberts and personally feels comfortable with him. She only knows a bit of what he does; "above all else, the person who handles this trusts you explicitly".

Question: In considering the cost proposal, will the City be saving any money by hiring him as a consultant? She understands the advantages; but she wants to know the advantages "dollar wise".

Mr. Roberts: There may be some savings in that the audit could take less time with fewer adjustments and with all reports ready to go; and he would be doing some of the reports that the Auditors have done in the past...but there may not be a significant savings, dollar-wise.

The City will be incurring these costs for assistance with financials in the future; the question is when? Planning for growth in the City and looking at the financial possibilities that are available is important... he feels this is a value of added service; and he feels it would be worth the cost.

Mary Rugg: So, there are long-term savings.

City Recorder: Any advice from the City's professionals, like the Impact fee study updates, is going to cost the City, but the information is invaluable.

Mr. Kidman (Jones Simkins) advised that the City wait to act on these new laws until after the spring session when the State Auditor's office determines how they will react to the Cities and "non-compliance" issues. Is it simply a question of how the State will react; or is it a question of how firm do we want the City's financial reporting? This year, since the fiscal year is coming to a close, the City would probably be only looking at having Mr. Roberts come in for the year-end closing of the books. Since he is billing by the quarter, it may be slightly over \$2,500 for the year-end...possibly a bit more for the first time through.

Mr. Roberts: He stated that he could generate in-house financial projections for the utility departments; and he anticipates that the City could close its books by August/September and be ready for the Audit...with no audit adjustments. The City will know exactly where we stand at a much earlier date; usually the Audit presentation is later in the year. There is a letter typically generated by the City that is a part of the Audit Report called the MD&A (Management Discussion & Analysis) that would be done by Mr. Roberts.

Nelson Abbott: He wants to see someone that can advise the City in things like the early pay-off of the Water Bonds (Wells); someone that can make evaluations based on current circumstances and be a resource to the members of the Council, who do not have these skills. He wants to have someone that "knows how to look at the numbers and can tell"...trends can be projected and corrections can be made to prevent future problems.

City Recorder: The day-to-day jobs of the staff will not change much; it is just that we will be reporting to a Director other than the Auditors.

Nelson Abbott: "We have to have someone in place because the Auditors can't do it." (Referring to acting in the consulting capacity of a CPA)

Mr. Roberts: The standards are becoming more restrictive and this is one of the reasons he chose to leave the Firm; he wants more of a "working relationship" with his clients.

Mayor Dunn: He likes the idea of having him here in this capacity, because he is already acquainted with the City's finances (Councilmember Rugg agreed).

\*The City Recorder will contact Mr. Roberts with the Council's decision.

IMPACT FEE  
ANALYSIS &  
RECOMMENDATIONS  
- AQUA  
ENGINEERING

Brent Arns & Craig Neeley (Aqua Engineering): Mr. Neeley was present to review the Impact Fee Analysis with the Council and those present.

Growth and changes in the plans for Capital Projects dictates that Impact Fees be reviewed on a regular basis. The City has had impact fee studies for water & sewer; however, has not had a Road Impact Fee Study. Aqua Engineering was authorized by the Council to address all three of these areas.

*Review of the Study:*

*Demographics (Land use & population):*

"A demographic study was performed to utilize the assigned land use designations and the zoning density values to calculate projected populations in undeveloped areas and to project where the major growth will occur in the City". Tables were provided to illustrate various aspects of this study. Mr. Neeley discussed the tables with the Council.

Total ERC (Equivalent Residential Connections) at build-out = 2,240

Total build-out population = 9,860

Based on building permits, the average growth rate will be about 4.31% (Mountainland Assoc. of Gov. figures 2.81%)

Mr. Neeley feels that Elk Ridge will be built out in 30-40 years.

With the population at build-out = 9,860, this would equal about 2,240 ERC's (current = 542)

\*(Since this is only in a draft form at this point, there may be adjustments to the calculations.)

Water Impact Fee Analysis & Recommendations:

"As Elk Ridge City moves forward with plans to upgrade the Cloward Well to 1200 gpm and installing a new one million gallon storage tank (Fairway Tank), including a booster station and pumpline, the impact of growth will be less significant of the culinary water system. This culinary water impact fee revision will be calculated to include these current improvement projects plus additional future water projects recommended to accommodate the buildout population estimated to be reached in the year 1040." (The pressure rezoning required by the proposed placement of Fairway Tank will be included in this impact fee analysis.)

Review of Water Storage & Source Capacities:

Listed: Loafer Canyon Well, Cloward Well, Dugway Well & Oak Lane Well (no longer in service)

Covered: Distribution System & Existing Pressure zones

Water Rights:

Using the formula listed on Pages 6 & 7, the projected number of acre feet of water right needed in the year 2040 will be 2,055 (current = 497)

Source Capacity:

Using the formula listed on pages 8 & 9, the projected gallons per minute (gpm) necessary for the year 2040 will be 3,484 (current = 843).

"With the upgrade to the Cloward Well to 1200 gpm, the City will have adequate source capacity for approximately 1,250 connections, which is projected to be attained in 2028."...."To provide the required water source for the City's buildout capacity in 2040, a future well of 1350 gpm will be required to supply the necessary water source requirement stated by the State of Utah Drinking Water Code."

Water Storage Capacity:

Using formula on pages 10 & 11, the total projected storage capacity (in gallons) will be 2,730,880 by year 2040 (current = 782,704 gal.)

Table 6: Projects & Projected Costs:

Listing the projects as: Cloward Well, Fairway Tank, Fairway Booster Station & Pumpline, Pipe Upgrade, New Well, New Tank, Hillside Booster Station & Pumpline...

The current cost for these projects = \$5,664,462

Construction Year Costs = \$7,399,296

IMPACT FEE CALCULATION:

Calculation on page 15 and Table 7:

Total Culinary Water Impact Fee per new ERC = \$4,640

(This may decrease with some adjustments to the Analysis.)

A total breakdown of all the projects and their costs were listed on separate pages.

Wastewater Collection System:

"The purpose of this Wastewater Collection System Impact Fee (Analysis) is to revise and update the Wastewater Master Plan Update completed by Aqua Engineering in 2006, which is a revision of the Wastewater Collection & Treatment Master Plan completed by Sunrise Engineering in 1988. As requested by Elk Ridge City, the necessary work required to complete this impact fee is to finalize the work completed last year by Aqua Engineering to include the Payson City trunk line contract and associated costs established to the transition for the change-over from a joint relationship with Salem City to a joint relationship with Payson City. Additional analysis is required due to the magnitude and increased pressure from large scale subdivisions to the south that have previously been included but not to the scale currently being purposed."

(There was a brief analysis of Payson City's Treatment Plant and Elk Ridge's future with them.

*The Collection System was discussion with regards to Analysis, recommendations & upgrades.*

Sewer System Projects listed: Elk Ridge New 15" Trunk Line, E. Goosenest 12" Trunk Line Upgrade, Cortez 10" Trunk Line Upgrade, Elk Ridge 10" Trunk Line Upgrade.

Current costs for these Projects = \$1,128,334

Construction Year Costs = \$1,434,824

IMPACT FEE CALCULATION:

Page 9: Total Wastewater Collection System Impact Fee per new ERC = \$860

(This would be in addition to the "Treatment Fee of \$1,700.)

*Roadway Impact Fee Analysis & Recommendations:*

"The purpose of this Essential Roadway Improvements Impact Fee is as follows:

- Improve accessibility options & response times for emergency & public safety vehicles through the completion of alternative routes.
- Improve traffic flow & accessibility through the completion of selected roads to their full widths.
- Improve pedestrian accessibility through the completion of sidewalks.
- Improve pedestrian safety through the completion of curb & gutter to provide a buffer from vehicular traffic.
- Provide full road improvements for access to city sponsored commercial development districts.

The projects identified herein are all designated as high priority transportation element or pedestrian enhancement improvements and as such, are slated for completion within seven years at the rate of one project per year."

*Projects listed:* Loafer Canyon Dr. Curb & Gutter, Salem Hills Drive Completion, Salem Hills Drive (widen and curb/gutter), Goosenest Drive (widen & curb/gutter), Hillside Drive Completion, High Sierra Drive (widen and curb/gutter), Commercial Area Access Roads.

Current Year Cost = \$985,792

Construction Year Cost = \$985,792

IMPACT FEE CALCULATION:

Page 7: Total Impact Fee Cost per new ERC: \$615

*(Funding for Projects: Bonds, Government Agency Loans or Government Agency Grants)*

*Comments:*

Mayor Dunn: Road Impact Fees are "different creatures"; they come off line when the project is completed. It is difficult to identify the areas of concern. Some of these projects may come about through the development process rather than through the City.

The Council needs to review this rough draft and give suggestions and voice concerns.

Raymond Brown: Asked Elk Ridge Dr.: As it comes to the intersection with Goosenest Drive and south...will that section be widened? It is the main entrance to Elk Ridge and should be considered for widening.

Mr. Neeley: The Planning Commission will be involved with the Road Impact Fee portion, since it is a "land use" issue.

*\*After discussion, it was decided to have all three analyses in the same public hearing on the same night...on 4-24-07.*

Nelson Abbott: Sidewalks are factored into the completion of Salem Hills Drive; he is not sure how he feels about sidewalks in the middle of a street that would not have them on either end. If it is not contiguous, is this as necessary cost in developing the middle section of the road?

*(Mr. Neeley feels that the recommendations are flexible enough to be able to work through some of these problems.)*

Mark Johnson: Should widening the "dugway" (E. Park Drive) be considered for the list of road improvements?

**ELK RIDGE  
CITY COUNCIL MEETING  
March 13, 2007**

**TIME & PLACE  
OF MEETING**

This regular Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, March 13, 2007, at 7:00 PM;** this was preceded by a **City Council Work Session at 6:00 PM.**

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

Notice of 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 9, 2007.

**ROLL CALL**

*Mayor:* Dennis Dunn; *City Council:* Mary Rugg, Raymond Brown, Nelson Abbott & Mark Johnson (Absent: Alvin Harward); *Public:* Scout Will Towse, Jamie D. Towse, Weston Youd, Barbara Andersen, Joann Bigler, John Henry, Tracy ?, -Jed Shuler; and the *City Recorder:* Janice Davis



OPENING  
REMARKS &  
PLEDGE OF  
ALLEGIANCE

Opening Remarks (prayer) were offered by Nelson Abbott, after which the Pledge of Allegiance was led by Scout Will Towse, 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 START TIME TO 7:50 PM**  
**VOTE: YES (4) NO (0) ABSENT (1) ALVIN HARWARD**

PUBLIC FORUM

Jed Shuler: There was a request to clarify certain regulations governing Impact Fees; when are they due for payment? *(At the time of building permit.)*  
Joann Bigler: (Discussion of future development & annexation.)

HANSEN/  
THORNOCK  
SUBDIVISION –  
EXTENSION

This proposed subdivision has gone forward as two lots, located on the corner of Hillside Drive & Salem Hills Drive. The owners of the south lot are unwilling to go forward at this time with the development of their lot. Mr. John Henry would like to go on with only the lot on the corner. He will return to the Planning Commission for re-approvals and will come back to the Council through the regular process. He is requesting to maintain the water right allocation for this one lot. *(The Council agreed to honor this water right allocation for the corner lot.)*  
There will still be a sump at the corner.

CITY WELL –  
LOAFER CANYON  
("DEAD WELL")

(Possible abandonment of well)  
This well was drilled (test well) in 1990. It was never a producing well. There is a request to officially abandon the well, since one cannot build within 100' of an existing well (wellhead protection). Past Councils have discussed this action; but it has not been done.  
Mayor Dunn has had Aqua Engineering begin the application for the abandonment of this well; he is not sure where it is in the process.  
*\*Mayor Dunn to check on this.*

**MOTION WAS MADE BY MARY RUGG AND SECONDED BY NELSON ABBOTT TO ABANDON THE LOAFER CANYON WELL LOCATED JUST SOUTH OF THE INTERSECTION OF E. PARK DR. & LOAFER CANYON RD. ("DEAD WELL")**  
**VOTE: YES (4) NO (0) ABSENT (1) ALVIN HARWARD**

*\*The City is to take action on accomplishing this.*

CITY-OWNED  
PROPERTY –  
LOAFER CANYON

Jed Shuler: The City owns property located behind the Dennis Shuler Subdivision (2 lots) on Loafer Canyon Rd. The property is between these two lots and E. Park Drive (dugway). Jed Shuler is the owner of one of the lots and Mr. Youd owns the other. They would like to purchase the City-owned property to add to their lots. As they see it, there is nothing the City could do with the land; it is not big enough to build on.

This property was given to the City by Dennis Shuler. The purpose is not known.

Jed Shuler: The purpose of the land may have been for the purpose of widening the dugway...he is not sure.

*\*Mayor Dunn to check with Gary Bowen (Mayor Pro-tempore at the time of the deal).*

*\*Mayor Dunn to also obtain a fair market value for the land.*

Mary Rugg: Will the drainage channel continue? This could be a condition of sale.

Mayor Dunn: Allen Anderson is addressing the drainage problem on his side of the road. There is a flooding problem at times on the west side of the canyon.

Mr. Youd: He wants to maintain weed control to avoid fire hazard.

FINANCIAL  
ADVISOR

*Action on proposal by Curtis Roberts as Financial Director:*

**MOTION WAS MADE BY MARY RUGG AND SECONDED BY MARK JOHNSON TO APPROVE THE PROPOSAL FROM MR. CURTIS ROBERTS TO BE THE FINANCE DIRECTOR FOR ELK RIDGE CITY; EFFECTIVE AS OF THIS MOTION**  
**VOTE (POLL): RAYMOND BROWN-AYE, MARK JOHNSON-AYE, MARY RUGG-AYE (3)**  
**NELSON ABBOTT-NAY ABSENT (1) ALVIN HARWARD**

*Passes 3-1*

SCHEDULE PUBLIC  
HEARINGS

*Collection of Park Impact Fees, Bid Amounts & Hearings Examiner:*

**MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY NELSON ABBOTT TO SCHEDULE THREE PUBLIC HEARINGS: THE FIRST PUBLIC HEARING ON A CODE AMENDMENT REGARDING THE COLLECTION OF PARK IMPACT FEES FOR MARCH 27, 2007, AT 6:20 PM; THE SECONDE PUBLIC HEARING, ON A CODE AMENDMENT REGARDING BID AMOUNTS FOR CITY PROJECTS, FOR MARCH 27, 2007, AT 6:25 PM; AND THE THIRD PUBLIC HEARING, ON A CITY CODE AMENDMENT REGARDING A HEARINGS EXAMINER, ON MARCH 27, 2007, AT 6:30 PM**  
**VOTE: YES (4) NO (0) ABSENT (1) ALVIN HARWARD**

*Impact Fee Analysis & Recommendations:*

**MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY MARK JOHNSON TO SCHEDULE A PUBLIC HEARING TO CONSIDER THE IMPACT FEE ANALYSIS AND RECOMMENDATIONS, AS PRESENTED BY AQUA ENGINEERING, FOR APRIL 24, 2007, AT 6:00 PM**  
**VOTE: YES (4) NO (0) ABSENT (1) ALVIN HARWARD**

2006/2007  
AMENDED BUDGET  
DISCUSSION

City Recorder: Presented a draft of the current budget. She explained the format of the budget worksheet. The Council is to consider their various areas of responsibility and to make any amendments to the current budget. Councilmember Brown was asked to consider when he would like to include the installation of curb & gutter on Loafer Canyon Rd. (*Probably next fiscal year*).

- Councilmember Harward suggested allowing \$30,000 for auto-read meters.
- The Fire Dept. Grants need to be updated for the budget and the associated expenditures.
- Impact Fees (Park) in the amount of \$10,000 will be added to landscape the rock wall.
- Money is set aside for additional fire hydrants; these need to be installed.

BURKE CLOWARD  
ROAD DEED

A piece of property was deeded to the City by Mr. Cloward to extend Salem Hills Drive at the north end; however, the topography will not allow this plan to be completed. Mr. Cloward needs this land back to complete his subdivision project.

There is a concern that there is already construction at this site.

*\*Mayor Dunn to check the construction site in the area.*

**MOTION WAS MADE BY MARY RUGG AND SECONDED BY NELSON ABBOTT TO DEED THIS LAND BACK TO BURKE CLOWARD**  
**VOTE: YES (4) NO (0) ABSENT (1) ALVIN HARWARD**

ABOR DAY  
GRANT

Mary Rugg: Elk Ridge is applying for the \$250 grant. The proposed project would be to plant 11 trees within the City Park. One of these trees would be used to finish off a border along the perimeter of the ball field. 8 of the trees would be planted along a new fence and would enhance a future walking path. The remaining 2 trees would be planted in the playground area. \$1,530 will come from City funds.

**MOTION WAS MADE BY MARY RUGG AND SECONDED BY NELSON ABBOTT TO ACCEPT THE ARBOR DAY PROJECT, AS PRESENTED**  
**VOTE (POLL): RAYMOND BROWN-AYE, MARK JOHNSON-AYE, MARY RUGG-AYE, NELSON ABBOTT-AYE NO (0) ABSENT (1) ALVIN HARWARD**

TIERED  
ENGINEERING  
INSPECTION FEES

Mayor Dunn: Presented a sample tiered structure for the rates for engineering inspections on subdivisions. Mayor Dunn was to consult with Craig Neeley (Aqua Engineering) to determine the cut-off points for the tiers. It was decided to use the amount of the cost breakdown for the improvements, rather than the size of the subdivision (number of lots) because there may be a need for more inspections due to location and topography of the land, rather than how many lots there would be. The following was the result:

\$0.00 - \$1,000,000 @ 6%  
\$1,000,001 - \$2,000,000 @ 5%  
\$2,000,001 - \$3,000,000 @ 4%  
\$3,000,001 - \$4,000,000 @ 3.5%  
\$4,000,001 - \$5,000,000 @ 3%

Administration Fee to the City would be figured at .05 of the Inspection Bond  
The Council agreed.

**MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY RAYMOND BROWN TO SEND THE PROPOSED TIERED RATE STRUCTURE TO THE PLANNING COMMISSION TO AMEND THE CODE**

**VOTE: YES (4)**

**NO (0)**

**ABSENT (1) ALVIN HARWARD**

**DEVELOPMENT  
BONDING**

Mayor Dunn: The current process allowed by the City Code to allow developers to bond for improvements is not adequate for all circumstances, particularly larger amounts; example The Elk Ridge Meadows PUD. The wording is restrictive. It is proposed to change this to allow "Performance Guarantee" in the form of: Cash Escrow Acct., Irrevocable Letter of Credit or a Bond Letter (new); this is in addition to the Durability Retainer and the Inspections Bond, which would still be required to be in an Escrow Acct. The bond would be available to the City "upon demand".

The Council agreed.

**MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY NELSON ABBOTT TO SEND THIS PROPOSED CHANGE TO THE CURRENT CODE TO THE PLANNING COMMISSION**

**VOTE: YES (4)**

**NO (0)**

**ABSENT (1) ALVIN HARWARD**

**PER DIEM**

Mayor Dunn: Provided additional information regarding employee per diem, as provided by a government web site. This is a table that gives per diem for the various states in the country. Mrs. Frandson arranges trips for employees and also indicated that this is a "flat" amount. The Council still held to the original proposal to split the per diem and not pay for meals provided by any given conference.

**MINUTES**

*City Council Minutes of 2-13-07:*

**MOTION WAS MADE BY MARY RUGG AND SECONDED BY MARK JOHNSON TO APPROVE THE CITY COUNCIL MINUTES OF 2-13-07**

**VOTE: YES (4)**

**NO (0)**

**ABSENT (1) ALVIN HARWARD**

**EXPENDITURES:**

*General: None*

*Check Registers for January & February, 2007:*

**MOTION WAS MADE BY NELSON ABBOTT AND SECONDED BY RAYMOND BROWN TO APPROVE THE FINANCE REPORTS (CHECK REGISTERS) FOR JANUARY AND FEBRUARY, 2007**

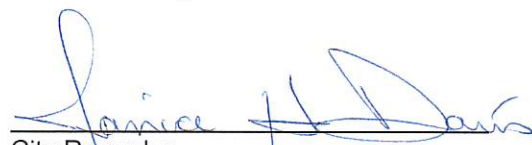
**VOTE (POLL): RAYMOND BROWN-AYE, MARK JOHNSON-AYE, MARY RUGG-AYE, NELSON ABBOTT-AYE**

**NO (0)**

**ABSENT (1) ALVIN HARWARD**

**ADJOURNMENT**

At 8:30 PM, Mayor Dunn adjourned the Council Meeting.

  
City Recorder







### **AMENDED NOTICE & AGENDA**

Notice is hereby given that the Elk Ridge City Council will hold **four Public Hearings on Tuesday, March 27, 2007**; for the purpose of hearing public comment on the following: the **first Public Hearing, at 6:00 PM**, is on a proposed Amendment to the 2006/2007 Fiscal Year Budget. The **second Public Hearing, at 6:20 PM**, is to consider an Amendment to the Elk Ridge City Code regarding the timing of collection of Park Impact Fees. The **third Public Hearing, at 6:25 PM**, is to consider an Amendment to the Elk Ridge City Code regarding the bid amount required by the City to seek outside contractors for work performed for Elk Ridge City; and the **fourth Public Hearing, to be held at 6:30 PM**, is concerned with an Amendment to the Elk Ridge City Code regarding the board of Adjustments; proposing a Hearing Examiner.

These Public Hearings will be held in conjunction with the **Regularly Scheduled City Council Meeting, to begin at 7:00; 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.

- 6:00 PM**      **1. PUBLIC HEARING/AMENDED 2006/2007 BUDGET**  
Public Hearing/Proposed Amendment to the 2006/2007 Fiscal Year Budget
- 6:20 PM**      **2. PUBLIC HEARING/PARK IMPACT FEE COLLECTION**  
Public Hearing/City Code Amendment regarding the collection of Park Impact Fees (Cancel)
- 6:25 PM**      **3. PUBLIC HEARING/CONTRACT BIDS FOR CITY WORK**  
Public Hearing/City Code Amendment – Amount required for the City to collect bids for work performed for the City
- 6:30 PM**      **4. PUBLIC HEARING/HEARING EXAMINER**  
Public Hearing/City Code Amendment – Hearing Examiner (Cancel)
- 6:40 – PM**      **CITY COUNCIL WORK SESSION**  
5. Updates: Mayor Dunn  
    A. Letters to SUVMWA Mayors  
    B. Sale of City Property  
    C. Ballpark Landscaping & Sprinkler System  
    D. Work Session with the Planning Commission  
    E. Water Rights (Status & Billing)
- 7:00 - PM**      **REGULAR CITY COUNCIL MEETING AGENDA ITEMS:**  
Opening Remarks and Pledge of Allegiance  
Approval/Agenda Time Frame
- 7:00      6. Public Forum:  
    \*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
- 7:10      7. Lot Line Adjustment – Loafer Heights; Lots 3, 4 & 5 – Carissa Nosack
- 7:15      8. Planning Commission Appointment  
(Paul Squires to Replace Ed Christensen)
- 7:20      9. Action of Public Hearings:  
    A. 2006/2007 Budget Amendment  
    B. Park Impact Fee Collection (Reschedule Public Hearing)  
    C. Contract Bids for City Work  
    D. Hearing Examiner (Reschedule Public Hearing)
- 7:35      10. Expenditures:  
    A. General
- 7:40      11. Minutes  
    Adjournment



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

The times that appear on this Agenda may be accelerated if time permits. All interested persons are invited to attend this meeting.  
Dated this 26<sup>th</sup> day of March, 2007.

  
City Recorder

### **CERTIFICATION**

I, the undersigned, duly appointed and acting City Recorder for the municipality of Elk Ridge, do hereby certify that a copy of the Notice of Agenda was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and provided to each member of the Governing Body on March 22, 2007; & an Amended Agenda on 3-26-07.

  
City Recorder



**ELK RIDGE  
CITY COUNCIL MEETING  
March 27, 2007**

**TIME & PLACE  
OF MEETING**

This Regular Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, March 27, 2007, at 7:00 PM.** It was preceded by four scheduled **Public Hearings (two of which were cancelled): the first Public Hearing, at 6:00 PM,** was on a proposed Budget Amendment for the 2006/2007 Fiscal Year; **the second Public Hearing, scheduled for 6:20 PM,** was on a proposed City Code Amendment regarding the Collection of Park Impact Fees (Cancelled); the **third Public Hearing, at 6:25 PM,** was on a proposed City Code Amendment regarding the amount of cost required for the City to Collect bids for work performed for the City. The **third Public Hearing, at 6:30 PM,** was on a proposed City Code Amendment regarding a Hearings Examiner (Cancelled). The **City Council Work Session was scheduled for 6:40 PM.** 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 March 22, 2007; & an Amended Agenda on 3-26-07.

**6:23 PM**

**PUBLIC HEARING/AMENDED 2006/2007 BUDGET**

Public Hearing/Proposed Amendment to the 2006/2007 Fiscal Year Budget

**ROLL**

*Mayor:* Dennis A. Dunn; *City Council:* Nelson Abbott, Mary Rugg, Mark Johnson (Absent: Raymond Brown & Alvin Harward; *Public:* Carissa J. Nosack, Ron Cutler; Deputy Rob Riding; and *City Recorder:* Janice H. Davis

Mayor Dunn opened the Public Hearing at 6:23 PM.

There was no public present for the Public Hearing.

*City Recorder:* Brief explanation of the notes listed along with the account numbers in the budget.  
General Fund:

*Elections:* The City will be purchasing 10 voting booths from the County; the cost is not known...perhaps \$35/booth.

*CPA (Finance Director):* The budget did not have to be increased to cover the addition of Curtis Roberts.; there was money left from the Audit.

*Fire Dept:* Grant for the Fire Dept. decreased to 10,000 from 12,292; the EMT Grant increased from 5,874 to 7,071.

*Park Grant:* Denied...decreased by 14,000

*\*CERT Grants:* Change budget notes to reflect one of the grants being 525 rather than 500.

*B & C Roads Funds:* Will increase due to a new map of current roads being submitted.

*Expenditures:*

*Roads:* Councilmember Brown asked that 8,000 be added for road repairs this year.

The General Fund began the fiscal year at over 80,000 deficit...this has decreased to a little over 37,000...this is good.

*Capital Projects Funds:*

*Parks Special Project Fund:*

The changes were discussed that accommodates the added 10,000 for landscaping the rock wall and planting trees for the Arbor Day Project. \$21,246 of the total budget expenditure of 22,776 will come from use of Park Impact Fees (250 from Arbor Day Grant, 1,280 from Fund Balance for this Fund).

(Discussion of water rights: current and future)

There is the possibility of the SUVMWA Water Rights being in jeopardy due to "non-use". There may be ways to prove up on those.

*Nelson Abbott:* Feels strongly that the City needs to safeguard its water sources and aquifers... "without water, there is no city".

*Water:* There is money for the purchase of fire hydrants; Chief Olson feels there is a need for one in Loafer Canyon (intersection, and another one by the City Hall (with a 2" line pulled inside to be able to service trucks in the winter.

Mayor Dunn closed the Public Hearing at 6:40 PM.

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NON-AGENDA  
ITEM

Mayor Dunn: Fire Chief Olson has notified the Mayor of his intension to resign, effective at the end of April, 2007. His obligations professionally have changed so that he cannot continue as Chief; he will stay on as a volunteer.

**PUBLIC HEARING/PARK IMPACT FEES**

Public Hearing/A Proposed Amendment to the Elk Ridge City Code regarding the collection of Park Impact Fees

The Public Hearing was cancelled due to the Ordinance not being available. The City Attorney has not drafted it yet. There was a discussion about the advantages and disadvantages of collecting Impact Fees at the time of building Permit.

These fees used to be collected up-front, at the time of development; but the laws changed around 1996/97 and they are generally collected at the time of building permit. Elk Ridge had the developers pay ½ or earn "credits" by donating a park or open space with their developments. It will be proposed to change this policy to collection at the time of building permit.

6:42 PM

**PUBLIC HEARING/CONTRACT BIDS FOR CITY WORK**

Public Hearing/City Code Amendment regarding the amount required for the City to collect bids Work performed for the City

ROLL

Mayor: Dennis A. Dunn; City Council: Nelson Abbott, Mary Rugg, Mark Johnson (Absent: Raymond Brown & Alvin Harward; Public: Carissa J. Nosack, Ron Cutler; Deputy Rob Riding; and City Recorder: Janice H. Davis

Mayor Dunn opened the Public Hearing at 6:42 PM.

Mayor Dunn: It has been recommended by the City Auditors and the City Engineer to increase the amount of money required by the City to go out to bids for work down for the City.

The suggestion was to increase the amount from \$25,000 to \$100,000.

There was no discussion.

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

**PUBLIC HEARING/HEARING EXAMINER**

Public Hearing/City Code Amendment – Hearing Examiner

The Public Hearing was cancelled due to the Ordinance not being available.

6:45 PM

**CITY COUNCIL WORK SESSION**

ROLL

Mayor: Dennis A. Dunn; City Council: Nelson Abbott, Mary Rugg, Mark Johnson (Absent: Raymond Brown & Alvin Harward; Public: Carissa J. Nosack, Ron Cutler; Deputy Rob Riding; and City Recorder: Janice H. Davis

UPDATES:

Mayor Dunn:

1. Letters to SUVMWA Mayors: Mayor Dunn sent out 7 letters to the Certain Mayors regarding about 379 acre feet of water rights and the possibility of purchasing those rights. The Mayors are taking the proposal to their Councils. Since then, Tony Fuller has informed the City that there may be a problem with those rights not having been proven up on. Mayor Bills and Mayor Mangham were both okay with the proposal. SUVMWA would be paid for the rights.

2. Sale of City Property: Jed Shuler has approached the City regarding the possibility of purchasing the City-owned property in Loafer Canyon, located directly west of his property and that of Mr. Youd. Mayor Dunn was to contact Former Mayor-Pro-tempore Gary Bowen and find out the reasoning behind the City owning that property.

Reason: This property was being considered for the possible widening of the dugway. 40 extra feet would be required to add to the existing road width. This is probably not feasible because to continue the widening further north on the dugway, the City would need to condemn the property belonging to 9 other property owners in order to obtain enough land to add onto the width on the east side of the dugway.

The Planning Commission has been reviewing the Circulation Map for the City (part of it was adopted in January, 2007) and Loafer Canyon is not designated as a "collector" road. The Mayor does not see how the widening would occur; perhaps the guard rail could be improved.

Mark Johnson: He can see that the City would want to place some type of retaining "wall" on the west side of the dugway. Suggestion: to consider the "spray on" type of retaining system.

Mayor Dunn: Part of this type of system failed in Provo Canyon (Sundance toward Deer Creek...it failed on the left). The Mayor has a nephew that is one of the engineers on this project; the Mayor asked what happened: He said there was more moisture in the rock than they thought and it wasn't as stable as they figured. In a Council of Governments Meeting, the Mayor asked a UDOT representative about that project in Provo Canyon: he replied that the rods were not put in deep enough...they should have gone into the mountain 150'. He brings this up because it would have to be determined how far the rods would have to go into the wall west of the dugway to keep it intact...those "anchors" are needed to stabilize the hill.

*3. Ballpark Landscaping & Sprinkler System:* The Mayor went to Harward Sprinklers to find out about water conserving methods of landscaping the City Park. He was informed of a unit (cost: about \$150) that senses moisture in the ground and monitors the sprinklers accordingly. The sprinkler heads are also adjustable for distribution. Spanish Fork City uses this system and is saving ½ their water. Recommendation: to have a representative come to the City and meet with Councilmember Rugg, Kent Haskell and the Mayor and get an estimate. The City's Park could act as a model for water conservation.

*4. Work Session with the Planning Commission:* The Planning Commission wants to get together to discuss the Road Impact Fee Study with the Council. They do not agree with some of the roads that have been designated for Impact Fees in the draft of the Study. This joint meeting will take place the first Council Meeting in April (4/10). Road Impact Fees are the only ones that the Planning Commission has concern with; the Water & Sewer Fees are not land-use items.

*5. Water Rights: (Billing)* There has been a great deal of confusion with the billing process for services from Tony Fuller (contracts with Aqua as a water rights expert). There have been unauthorized hours billed for and excessive billing. The Mayor and Jan Davis have met with Craig Neeley (Aqua) to review the breakdowns of Mr. Fuller's billing. In the future, the breakdown of the billing from Mr. Fuller will come to the City for authorization first, before Aqua pays him. (March was the first time the City has seen the broken down invoices.) This money for Mr. Fuller's services can come out of water right money.

Councilmember Harward and the Mayor have informed Mr. Fuller to not do anything until he is authorized by the City. Mr. Fuller is a great source of information for water rights and has benefited the City; however, a change in the billing policy will be forth coming. Any work he does for outside developers will be billed directly to them and not be sent through the City so that Mr. Fuller can avoid what may be perceived as a "conflict of interest". If he feels it is a conflict, he should just not do the work for the developer.

#### NON-AGENDA ITEMS

Nelson Abbott: 1) Scouts attending the Council Meetings could be provided with some sort of certificate for their attendance.

2) Shawn Eliot has done a great deal for the City on a volunteer basis; it may be appropriate to Provide something in recognition of his efforts...a gift certificate, etc.

(The Mayor has given him recognition through some dinner passes to Ruby River.)

Mary Rugg: There are many people in the Community that serve in various ways.

Mark Johnson: Suggestion: to get rid of the snow mobile and purchase either a 6-wheel or a 4-wheel to allow better access to the tanks and the wells. (Could this be accomplished through grants?)

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**7:25 PM**

**REGULAR CITY COUNCIL AGENDA ITEMS**

**ROLL**

*Mayor:* Dennis A. Dunn; *City Council:* Nelson Abbott, Mary Rugg, Mark Johnson (Absent: Raymond Brown & Alvin Harward; *Public:* Carissa J. Nosack, Ron Cutler; Deputy Rob Riding; and *City Recorder:* Janice H. Davis

**OPENING REMARKS  
& PLEDGE OF  
ALLEGIANCE**

An Invocation was offered by the City Recorder, Jan Davis; and Mayor Dunn led those present in the Pledge of Allegiance, for those willing to participate.

**AGENDA TIME  
FRAME**

**MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY NELSON ABBOTT TO APPROVE THE AGENDA TIME FRAME, ADJUSTING THE START TIME TO 7:13 PM**  
**VOTE: YES (3)                      NO (0)                      ABSENT (2) RAYMOND BROWN & ALVIN HARWARD**

**PUBLIC FORUM**

Public Comments: Carissa Nosack asked when the Impact Fee Study will be brought forward and will go into effect. *(The Study will come forward in a Public Hearing at the end of April.)*

**LOT LINE  
ADJUSTMENT  
LOAFER HEIGHTS,  
PLAT A, LOTS  
3, 4 & 5**

*(Memo from Planner to the Council, dated 3-27-07)*

*"Background:*

To achieve the desired buildable area outside of the easement and meet the setback requirements on lot 5, the applicant is proposing to redraw the lot lines for lots 3, 4 & 5 prior to them being sold and developed.

The request represents a small adjustment and does not have any substantial impact of the lots in the subdivision of the City.

*Recommendation:*

The Planning Commission reviewed this request on March 15, 2007 and recommends that the City Council approve this lot line adjustment."

Mrs. Nosack: The phone line is connected to most of the City; the Phone Company will set the lines and should notify the residents.

**MOTION WAS MADE BY MARY RUGG AND SECONDED BY NELSON ABBOTT TO APPROVE THE LOT LINE ADJUSTMENT FOR LOAFER HEIGHTS, PLAT A, LOTS 3, 4 & 5**  
**VOTE: YES (3)                      NO (0)                      ABSENT (2) RAYMOND BROWN & ALVIN HARWARD**

**PLANNING  
COMMISSION  
APPT.**

Mr. Ed Christensen has resigned from the Planning Commission. Mr. Paul Squires has been interviewed by the Mayor.

**MOTION WAS MADE BY MARY RUGG AND SECONDED BY NELSON ABBOTT TO APPOINT MR. PAUL SQUIRES AS A MEMBER OF THE PLANNING COMMISSION**  
**VOTE: YES (3)                      NO (0)                      ABSENT (2) RAYMOND BROWN & ALVIN HARWARD**

ACTION ON  
PUBLIC HEARINGS

1. 2006/2007 Amended Budget:

**MOTION WAS MADE BY NELSON ABBOTT AND SECONDED BY MARY RUGG TO APPROVE THE AMENDED BUDGET FOR THE 2006/2007 FISCAL YEAR**

**VOTE: YES (3) NO (0) ABSENT (2) RAYMOND BROWN & ALVIN HARWARD**

2. Contract Bids for City Work:

**MOTION WAS MADE BY MARY RUGG AND SECONDED BY MARK JOHNSON TO APPROVE AN ORDINANCE AMENDING THE ELK RIGE CITY CODE PROVIDING FOR PURCHASING PROCEDURES FOR PROJECTS WHICH COST IN EXCESS OF ONE HUNDRED THOUSAND DOLLARS; CODIFICATION, INCLUSION IN THE CODE, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILTIY AND PROVIDING AN EFFECTIVE DATE**

**VOTE (POLL): MARK JOHNSON-AYE, MARY RUGG-AYE, NELSON ABBOTT-AYE**

**NO (0) ABSENT (2) RAYMOND BROWN & ALVIN HARWARD**

*Passes 3-0*

*Re-schedule Public Hearings:*

**MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY MARY RUGG TO RE-SCHEDULE TWO PUBLIC HEARINGS FOR APRIL 24, 2007, AS FOLLOWS: THE FIRST PUBLIC HEARING, AT 6:30 PM, WILL BE ON THE COLLECTION OF PARK IMPACT FEES; THE SECOND PUBLIC HEARING, AT 6:35 PM, WILL BE TO CONSIDER THE ESTABLISHMENT OF THE POSITION OF A HEARING EXAMINER**

**VOTE: YES (3) NO (0) ABSENT (2) RAYMOND BROWN & ALVIN HARWARD**

EXPENDITURS

*General:*

1. Playground Equipment:

Councilmember Rugg replaced the City's volleyball net for \$29.95 and the tennis court net for \$149. The statement will come to the City from MVP Sports.

MINUTES


1. City Council Minutes of 2-27-07:

**MOTION WAS MADE BY MARK JOHNSON AND WAS SECONDED BY NELSON ABBOTT TO APPROVE THE CITY COUNCIL MINUTES OF 2-27-07, AS WRITTEN**

**VOTE: YES (3) NO (0) ABSENT (2) RAYMOND BROWN & ALVIN HARWARD**

ADJOURNMENT

Mayor Dunn adjourned the Meeting at 8:45 PM.

  
\_\_\_\_\_  
City Recorder

