

**ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651**

t.801/423-2300 - f.801/423-1443 - email [staff@elkridgecity.org](mailto:staff@elkridgecity.org) - web [www.elkridgecity.org](http://www.elkridgecity.org)

**AMENDED NOTICE & AGENDA – CITY COUNCIL**

Notice is hereby given that the City Council of Elk Ridge will hold a regular **City Council Meeting on Tuesday, May 8, 2012, at 7:00 PM**; this Meeting is to be preceded by a **City Council Closed Session at 5:30 PM**.

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

**5:30 PM - CITY COUNCIL CLOSED SESSION:**

Discussion of Personnel Competence

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

Opening Remarks and Pledge of Allegiance Invitation

Approval/Agenda Time Frame

7:05 Public Forum

7:15 1. Road Cross Sections:

A. Adopt Standard Amendment

B. Escalante Drive

7:45 2. Tom Hazen – Request for Keeping of Bees

7:55 3. HR Code Discussion – Brian Burke

8:15 4. Budget Discussion – Schedule Public Hearing – Tentative 2012/2013 Budget

8:50 5. City Celebration – Erin Clawson

8:55 6. Expenditures:

General:

A. Check Registers & Payroll for April, 2012

9:00 7. Approval of 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 4<sup>th</sup> day of May, 2012.

  
\_\_\_\_\_  
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 & an Amended Agenda were emailed to the Payson Chronicle, 145 E Utah Ave, Payson, Utah; and was provided to each member of the Governing Body on May 4, 2012.

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

00:07:25

The Mayor cautioned people that they should not go out to address issues alone; but to call the police or to call him.

The Mayor and Mr. Stephens were discussing the drainage problems and have some options to try that should mitigate much, if not all of the problem. Grading the road again should take care of the drainage. Erin Clawson: She and Deputy Butters are willing to start up a "neighborhood watch" program; a citizen volunteer would be needed to head up the program.

00:09:47

ROAD CROSS  
SECTIONS

As per Council direction, the Planner provided the cross sections for 28' width and 30' width. The Mayor explained that he is trying to get as accurate a picture as possible of the location of the legal boundaries...without spending too much more money. It has already cost \$1,000 to have LEI situate markers to facilitate drawing straight lines on the street.

The current issues: a couple of citizens are of the mind-set that unless the road is straight, they will not agree to the curb & gutter project.

It looks like it will be the 30' width; with 2' on either side for curb & gutter; that needs to be verified. There is a concern about the cost in moving utilities if the road is too wide. (*Council Member Youd offered to go out with the Mayor on Friday of that week, to contact residents and deliver contracts.*)

If everything is in order, June 4<sup>th</sup> is still the beginning date.

- Sump will go in first

- June 4: Construction will begin

Stephanie Pozernick (resident on Escalante): She had questions regarding width and financing.

**WESTON YOUNG MOVED, SECONDED BY NELSON ABBOTT, TO AMEND THE ELK RIDGE CONSTRUCTION STANDARDS BY ADOPTING THE ROAD CROSS SECTIONS AT 28 FEET OF ASPHALT AND 30 FEET OF ASPHALT; AS PRESENTED BY THE CITY PLANNER (LEI ENGINEERING); NOTING THAT THESE CROSS SECTIONS ARE TO BE APPLIED TO EXISTING ROADWAYS AND NOT FOR NEW CONSTRUCTION**

**VOTE: YES (5)**

**NO (0)**

00:18:43

BEE KEEPING

Postponed, giving Mr. Hazen a chance to arrive.

HR CODE

DISCUSSION

Brain Burke:

1. *Comp Time*: There was a question regarding "comp time" paid in different pay periods. He asked David Church (City Attorney) about differences that government entities may have. Mr. Church stated there is an exception; he was not sure how much can be accumulated (either 320 hours or 480 hours)...he is to send Council Member Burke that information.

(*Council Members Abbott and Squires felt it is 240 hours.*) He will amend the wording in the HR Code accordingly.

*Section 4 (B)*: To read: "Compensatory time (for non-exempt employees) would normally be paid during the pay period in which overtime would occur."

*Following sentences to read*: "Compensatory time may be accumulated and paid in a later pay period subject to the approval of the Mayor and the written agreement of the employee. However, it is the responsibility of the Mayor to ensure that excessive compensatory time off is not accrued and that it is taken at a time that will not cause a burden to the City." *Add in*: "No more compensatory time may be accrued per calendar year than is allowed by law."

*Those changes will be made.*

*Two new sub-sections*:

"d) Compensatory time must be taken at 1 and ½ times hours worked."

"e) It is the responsibility of the Supervisor, with the required review of the Mayor, to manage and make every effort to off-set overtime hours with compensatory time off. This is necessary in order to maintain or stay within the hourly wages planned for as controlling the financial budget for payroll."

*And existing*:

"f) Where possible, the employee's wishes will be met on how overtime is paid, but the Mayor has final authority on the payment of overtime."

There was a discussion about defining who and what constitutes a "Department Head". The code would need to be specific. Typically, the term "Dept. Head" has referred to the Council Members. There are Supervisors or Directors over the office staff or public works.

Council Member Abbott suggested taking out the parenthetical qualifications and simply have, "employees exempt from the from the wage and hour law..."

Suggestion: to get away from position definitions in the code.

City Recorder: With "at will" employment, it might be wise to have the supervisors sign an agreement that they accept the "exempt" status accompanying their position's job description. (*The Council agreed.*)

*\*The Mayor asked that Ms. Davis work with Council Member Burke to create that type of document.*

2. *On-call Pay (Section 7080 of HR Code)*: This was changed, as per suggestion from the Council, from the rate being "\$30/day" to "\$60/week". David Church said that "on-call" pay is "all over the board", but he agreed that \$60/week sounded about right for a city the size of Elk Ridge. The rest of the code remained as presented to the Council.

Council Member Burke called attention to the last sentence in the section: "The employee voluntarily remaining on call within 30 minutes of the City offices, without the express approval of the Mayor, does not necessarily obligate the City to pay on call pay."



(Council Member Burke – cont.) Example: If an employee decides to work overtime without the Mayor's approval and decides to "just stick around", the City would not be required to pay for "on-call".

It is the Mayor's decision to decide "on-call" pay; not the employee's.

*Council Member Clawson questioned winter on-call vs. summer on-call...typically in the winter it is for snow plowing; but in the summer, it might be more for water issues.*

*Mayor Shelley:* He agreed that is usually the case; but there could be storm drain issues, sewer issues, etc. Currently the only City employee certified for culinary water is Corbett Stephens. There is an effort to change that.

The on-call status would be assigned as part of regular scheduling. This would not have to be approved week-by-week; it would simply be "part of the policy we work under".

*(Council Member Abbott added that he felt the Public Works Director could put together a schedule assigning on-call throughout the Dept.)*

*City Recorder:* She contacted Sterling Codifiers to see how best to adopt the HR Code amendments; and jnhhe advised doing it all at once, by reference...after each section's changes are approved by the Council.

*The Mayor called for a motion on just the sections discussed.*

*Discussion:*

Council Member Burke mentioned that the Mayor/Council may wish to grant overtime to exempt employees in extreme situations. That should be decided. If overtime is granted to exempt employees, the week that it is paid defines that job as "non-exempt" (for that time period).

Council Members Clawson and Youd did not recall wanting to grant overtime to exempt employees. They felt that "exempt is exempt"...consistently.

*The Mayor proposed bringing this back to another meeting for approval; with corrections, if desired.*

*City Recorder:* Her position is not as prone to overtime as in public works; her overtime hours are seasonal...usually at budget times.

Suggestion: to leave the code the way it is...with exempt not qualifying for overtime. The specific job descriptions could contain any variance from the HR Code regarding overtime for an exempt position.

*Brian Burke:* Even in extreme cases, time off should be used to manage overtime if possible.

*Nelson Abbott:* He stated, "If we are at a point where we can't give a guy time off because he's got too much to do; then we need another employee." He feels that if an employee is classified as exempt, then he/she "should be exempt 24/7...365 days/year..." (No exceptions). He felt the line should be drawn.

*The conclusion was to leave the wording the way it was presented.*

**WESTON YOUNG MOVED, SECONDED BY NELSON ABBOTT, TO APPROVE THE PROPOSED AMENDMENTS TO THE HR CODE; SECTION 7030, ENTITLED "OVERTIME"...INCLUDING SUBSECTIONS 1 THROUGH 7; AS CORRECTED**

**VOTE (POLL): PAUL SQUIRES-AYE, ERIN CLAWSON-AYE, WESTON YOUNG-AYE, NELSON ABBOTT-AYE & BRIAN BURKE-AYE (5) NAY (0)**

*Passed 5-0*

00:39:00

BEE KEEPING

*Tom Hazen:* (Mr. Hazen desires to keep bees on his property. There is no current code regarding bee keeping within the City, though there are others who do have bees in the City. He would like to have the code changed to specifically allow bee keeping.)

He summarized some of the issues/requirements for bee keeping; clarifying that these are not wasps or "killer bees"; but are honey bees. (He provided handouts to the Council.)

He listed the benefits of honey bees to a culture:

- Pollinate other plants, fields, orchards, gardens, etc.
- Beautify neighborhoods
- Increase value of area
- Helps control "pest bees" (wasps)...they actually drive them away

There are current problems with domesticated honey bees and in trying to keep them healthy. There are more and more people interested in raising honey bees. He hopes the interest will grow.

*Discussion:*

It was decided that if he is following State regulations, and the City code does not disallow bee keeping; that he should simply go forward; that the State rules are sufficient. Perhaps the Planning Commission and the Council will look at the code and amend it in some way regarding bee keeping; but for now, there is no need to pre-empt the State laws. If Mr. Hazen wants to apply for a code amendment, he can do so through the Planning Commission...there would be a cost to do that.

Council Member Abbott suggested setting up a booth at the up-coming City Celebration or the State Fair to educate people on bee-keeping.

00:59:17

BUDGET DISCUSSION -  
SCHEDULE PUBLIC  
HEARING

*Tentative 2012/2013 Budget:*

The Mayor asked the City Recorder to assist in the discussion.

*(Budget Worksheets were provided to the City Council Members – Basic explanation of formatting.)*

Many of the suggested budget figures were already entered into the budget worksheet based on calculations from past and current year figures. There are still questions are some major issues:

- Salaries & wages (Public Works, COLA – about 2.7% and/or performance bonuses)
- Road work to be done (Escalante - will it carry over? Chip Seal? Park Drive? Elk Ridge Meadows 2)

Chip Seal on Loafer Canyon Road? (How much contributed by Loafer Recreation Assoc.?)

(Road Work – Cont.)

- Overlays? The “Dugway” at the east end of Park Drive needs to be looked at due to on-going erosion.
- City Center Project (Facade on Public Works Building & Remodel of Fire Station?)
- Will the City extend water & sewer lines on South Loafer Canyon Road?  
(*\$80,000 has been set aside in both Water & Sewer for this proposed project for 2011/2012*)
- Council Member Abbott would rather see that money go into a water line between the two tanks (Fairway & Hillside).
- The City needs a new snow plow; loan payments on the newer truck will end in 2012/2013. That \$20,000/year could go toward a new truck. Sanders are also needed.  
(*Mayor Shelley felt a 3<sup>rd</sup> snowplow would help with winter months.*)
- Purchase of equipment (Various departments) – need list & costs for budge notes
- The backhoe is wearing out; when will that be addressed?
- Mayor: One of the Public Works pick-ups needs to be replaced. (A review of Government Surplus lists would be beneficial.)
- Will the City hire a code enforcement officer and set up Administrative Court?

The current General Fund Balance will change with the addition of certain expenses.

1:40:54

Mayor Shelley: Suggestion: He would like to suggest a \$1.00/hour raise for both the newer employees (Mary Preece & Rex Davis). Council Member Burke would like to see raises tied to performance and certifications. The Mayor further explained that, typically, other employees receive a slight raise after the initial probation time has been completed; whereas Ms. Preece and Mr. Davis did not. He added that the certifications would work for Mr. Davis; but not for Ms. Preece.

City Recorder: Ms. Preece's accomplishments since being hired were reviewed with the Council.

Brian Burke: (Discussion of job descriptions and comparables to other cities) He expressed that many times the description for the same position changes, according to the policies of a particular municipality...for example, in a small city, an employee might end up doing more than someone in the same position in a larger one.

Mayor Shelley: (Water certification – Rex Davis) Mr. Stephens should have been the one training Mr. Davis and assisting in getting him certified; however, “he has neither the patience nor the inclination at this point to even...in fact, he is pretty negative towards Rex becoming certified...and I am pretty frustrated by that...and I am adamant that we are going to do what it takes to get him certified; so that we have ‘redundancy’.” Mr. Davis has tried to understand the material; but without the years of experience that Mr. Stephens has...it is different. There is a contact through Rural Water Association that will assist with training and passing the test. It is not for lack of effort; it just has not been done. The Mayor stated further that, though there are some major conflicts, Mr. Davis is working hard. “Both he and Wayne are working awfully hard shovel work”.

Paul Squires: (He spoke to Mr. Stephens about the HR Manual, as asked) Mr. Stephens told Council Member Squires that he had obtained Rex's last two tests...so he could see where he needs to study.

Mayor Shelley: He may have the information; but has backed away from doing that.

(*There was more to discuss on this topic; but the Mayor felt it would be best at another time.*)

The Mayor would like to proceed with Rural Water and have them come out to assist. For now, he still proposed raises for Ms. Preece and Mr. Davis.

1:47:40

The Council Members were asked to have lists and costs to the City Recorder before the next Council Meeting, which will be a Public Hearing for the Tentative Budget.

Council Member Youd wanted to clarify the necessary budget estimates he would be responsible for:

- Weston Youd - Roads...repairs, overlays, & installation (costs)
  - Paul Squires – Water – Cost estimate on Water line between tanks (lower to upper)
  - Erin Clawson – Park Projects & Public Safety (Fire Dept.)
    - (23,000 in impact fees need to be spent in 2012/2013 fiscal year)
    - (FYI) Tricia Dent, the current Athletic Director, will finish off T-Ball for the City; but will be resigning after. There was not a very good response for sign-ups and she questioned even offering sports through the City (except for young children).
    - Suggestions from Council Member Youd regarding City Center fields: City swimming pool or rodeo arena (revenue for the City)
    - Trails development is another option
    - Deputy Butters said he knew of no increases for Police Protection next year
  - Brian Burke – Code Enforcement (Officer needed: will the position be a paid one?)
    - Council Member Burke spoke with Dave Johnson / Salem City; they are not interested.
    - Mayor Shelley: Something must be done to remedy the lack of enforcement. He has handled some calls himself; but the violations must be dealt with in some way. Do we need to partner with another city?
    - Council Member Burke also spoke to Woodland Hills; they are experiencing the same problems Elk Ridge is.
    - \*Mayor Shelley will talk to Woodland Hills' Mayor. He would prefer having an officer from outside the City.
    - Council Member Abbott wanted to know the approach the City will take toward violations: “go after the fight or wait for the fight to come to us”?
- The Mayor commented that there are already calls coming in; but when the City only responds to complaints, then other violations...perhaps in the same vicinity...go unaddressed.

**WESTON YOUNG MOVED, SECONDED BY PAUL SQUIRES, TO SCHEDULE A PUBLIC HEARING ON MAY 22, 2012, AT 6:00 OM; TO CONSIDER THE TENTATIVE BUDGET FOR THE 2012 / 2013 FISCAL YEAR**

**VOTE: YES (5)**

**NO (0)**

#### CITY CELEBRATION

*(Question: Will sign-up packets go out to residents? If so, when?)*

Comment: Mrs. Anderson has been difficult to get hold of; is there better contact information?

Erin Clawson: Natalie Anderson (Chair of Committee) is having a problem getting volunteers to help with any part of the Celebration. Currently she only has about 4 or 5 volunteers and she needs about 20. *(Mayor Shelley said he found someone to head up the "Car Show".)* The Carnival is the big area that needs someone.

Council Member Clawson pointed out that it is the City's Celebration and if the citizens do not volunteer, then she feels it is the Council's duty to "step up" and help out; then evaluate what is necessary for the Celebration and what isn't.

Mayor: The only way the Celebration will grow is to have a great event and build from there; building motivation.

*\*Council Member Clawson will go by and talk to Mrs. Anderson and get updated information. She attempted to reach her before the meeting, but was unable to. Council Member Clawson can also be contacted regarding any questions that come up.*

2:03:40

#### NON-AGENDA ITEM - SESD REPORT

Nelson Abbott: Board Meeting for SESD

1. May 21, 2012:

All the Council Members are invited to the SESD Office at 6:00 PM for an orientation tour.

2. Alarm System:

Council Member Abbott asked if Mayor Shelley could contact the Mayor of Woodland Hills regarding the alarm system that SESD installed for them. They purchased one more than they needed and may be willing to sell it to Elk Ridge; and if they are willing, Dan Ellsworth (SESD) said they could install it for us.

3. Code Enforcement: Is Ray Brown still acting as the Officer for the City? There have been reports that he has been seen out driving around. *(No, he is no longer the Code Enforcement Officer for the City.)*

4. Erin Clawson: She asked if the Council wants to do another Safety Fair next year.

Comments: It was a great turn-out. Perhaps next year there could be a dinner or something to attract citizens in. It was felt that it was very positive and worthwhile.

*\*Place on a future agenda for evaluation.*

5. City Recorder: (FYI) Lee Haskell Assisted Living Development:

This is on the Planning Commission agenda for Preliminary & Final Approval; there is an issue with water rights. He has none left. Is there a possibility of negotiating with SUVMWA for water rights as in the past? If so, at what price?

There are not many options for transferred rights and to go through the transfer process at the State can take up to a year or more. Conveyance of water rights is on the Final Checklist; so Final approval would have to be contingent upon that conveyance to the City. Both Gary Winterton and J. Spencer have transferred rights; they may be willing to sell them...depending on how many acre feet Mr. Haskell will need.

The City Planner was going to contact Tony Fuller regarding the amount of water needed; a site plan will be required to calculate what is needed; and that must go back before the Planning Commission.

*\*Paul Squires is to contact SUVMWA to find out if water rights are still available and at what cost.*

6. Loafer Canyon Water Pressure: Council Member Squires mentioned that the residents in Loafer Canyon are very pleased with the pressure changes after the adjustment in the line.

#### EXPENDITURES

General:

Mayor Shelley: (Mary Preece – Retirement)

*(He asked the City Recorder to explain)*

Recorder: Mary Preece worked for Utah County in the past as a full time employee. At that time, she was on a pension plan with the State Retirement Systems. Even though her position is part time by the City's definition (20 hours per week) she actually qualifies for a continuation of her pension plan under the State Retirement System (cut-off at 20 hours per week). To do this, a "buy-back" to her start date would be necessary (about \$1,000); but she is willing to pay for that. It would be worth it to her to increase her monthly distribution when she retires.

This would affect Janine Nilsson as well; but she does not want to buy-back her pension to her start date over 4 years ago). She said she is fine with things as they are.

A. Check Registers & Payroll for April, 2012:

No comments.

**ERIN CLAWSON MOVED, SECONDED BY WESTON YOUNG, TO ACCEPT THE CHECK REGISTERS AND PAYROLL REGISTERS FOR APRIL, 2012**

**VOTE (POLL): PAUL SQUIRES-AYE, ERIN CLAWSON-AYE, WESTON YOUNG-AYE. NELSON ABBOTT-AYE & BRIAN BURKE-AYE (5)**

**NAY (0) Passed 5-0**

CITY COUNCIL  
MINUTES

*City Council Minutes of 4-10-2012:*

**NELSON ABBOTT MOVED, SECONDED BY ERIN CLAWSON, TO APPROVE THE CITY COUNCIL  
MINUTES OF APRIL 10, 2012**

**VOTE: YES (5)**

**NO (0)**

CLOSED SESSION

**WESTON YOUNG MOVED, SECONDED BY ERIN CLAWSON, TO MOVE TO A CITY COUNCIL  
CLOSED SESSION AFTER ADJOURNMENT**

**VOTE: YES (5)**

**NO (0)**

ADJOURNMENT

The Mayor adjourned the City Council Meeting at 9:30 p.m.

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

9:30 PM -

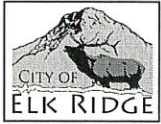
**CITY COUNCIL CLOSED SESSION**

ROLL

*Mayor:* Hal Shelley; *City Council:* Erin Clawson, Weston Young, Nelson Abbott, Brian Burke  
& Paul Squires

Discussion of Personnel Competence





**ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651**

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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, May 22, 2012, at 7:30 PM;** which will be preceded by a **City Council Public Hearing at 6:00 PM** wherein a Tentative Budget for the 2012/2013 Fiscal Year will be considered: as well as a **City Council Work Session at 6:30 PM;** and a **City Council Closed Session at 5:30 PM.** The meetings will be held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

**5:30 PM - CITY COUNCIL CLOSED SESSION**

Personnel Competence - Discussion

**6:00 PM - 1. PUBLIC HEARING/TENTATIVE BUDGET FOR THE 2012 – 2013 FISCAL YEAR:**

Public Hearing / to consider the Tentative Budget for the 2012/2013 Fiscal Year for the operation of Elk Ridge City

A. Personnel:

1. COLA

2. Employee Wages

a. New Public Works Employee

b. Public Works Director Position

**6:30 PM - CITY COUNCIL WORK SESSION AGENDA ITEMS:**

2. Speed Trailer – Deputy Butters

3. Discussion / 2011-2012 Fiscal Year Budget

A. Personnel:

1. Public Works Director Position

a. Past Overtime

b. Contractual Agreement

c. Oak Hill Estates, Plat D – Storm Drainage – Mayor Shelley

**7:30 PM - REGULAR COUNCIL MEETING AGENDA ITEMS:**

Opening Remarks and Pledge of Allegiance - Invitation

Approval/Agenda Time Frame

7:35 Public Forum

7:45 4. Tentative Budget for 2012 – 2013 Fiscal Year for the Operation of Elk Ridge City

A. Employee Wages / Salaries

1. COLA

2. New Public Works Employee

3. Public Works Director Position

4. Adoption of Tentative Budget

8:15 5. 2011 – 2012 Fiscal Year Budget:

A. Personnel

1. Public Works Director Position

a. Past Overtime

b. Contractual Agreement

8:45 6. Code Enforcement – Mayor Shelley

8:55 7. Planning Commission Report – Brian Burke

9:00 8. City Celebration – Erin Clawson

9:05 9. City Council Minutes

9:10 10. 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 21<sup>st</sup> day of May, 2012.

  
\_\_\_\_\_  
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 provided to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and to each member of the Governing Body on May 16, 2012; as well as an Amended Agenda on 5-21-2012.



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City Recorder

ELK RIDGE  
CITY COUNCIL MEETING  
May 22, 2012

TIME & PLACE  
OF MEETING

This Regularly Scheduled Meeting of the Elk Ridge City Council, was scheduled for Tuesday, May 22, 2012, at 7:30 PM; this was preceded by a City Council Closed Session at 5:30 PM; and a Public Hearing at 6:00 PM to consider the proposed Tentative Budget for the 2012/2013 Fiscal Year. The City Council Work Session was scheduled to begin at 6:30 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 these Meetings were provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on May 16, 2012; & an Amended Agenda on 5-21-2012.

5:30 PM -

CITY COUNCIL CLOSED SESSION

ROLL

*Mayor:* Hal Shelley; *City Council:* Erin Clawson, Brian Burke, Nelson Abbott, Paul Squires & Weston Youd  
Discussion of Personnel Competence

6:00 PM -

PUBLIC HEARING – TENTATIVE BUDGET FOR THE 2012/2013 FISCAL YEAR

Public Hearing/to consider the proposed Tentative Budget for the 2012/2013 Fiscal Year, for the operation of Elk Ridge City.

ROLL

*Mayor:* Hal Shelley; *City Council:* Erin Clawson, Weston Youd, Nelson Abbott Brian Burke & Paul Squires; *Building Official:* Corbett Stephens; *Public Works:* Rex Davis; *Sheriff:* Deputy Butters; *City Clerk:* Janine Nilsson; *Fire Chief:* Seth Wait; *Public:* Cory Hiatt, Ed Christensen, Paul Eddy, Ray Brown, Sandra Burke, Tricia Gunnerson, Melissa Brimhall, and another person (signature un-readable); and the *City Recorder:* Janice H. Davis

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

The Mayor directed the discussion toward "Wages & Salaries" to begin with. The proposed COLA is at 2.7% (cleared with the Finance Director, Curtis Roberts); which was the same a year ago...later in the past year, the percent increased to 3% and adjustments were made accordingly. He asked that the Council refer to the handout of the various wages and salaries of the individual employees and how 2.7% COLA affects the hourly and annual amounts. The Mayor proposed that COLA be applied to all employees (*any new employee in Public Works would not be included*).

*City Recorder:* She pointed out that "on-call" pay and "overtime" were listed at the bottom of the page, rather than applying it to any of the employees; so there is a lump sum to be utilized by whomever. The overtime pay (\$7,312) was figured as 5% of the total of the Public Works' Dept. gross pay; and the on-call = \$60/week X 52 weeks (annually).

*Mayor:* (New Employee) Wayne Frandsen is retiring in September, 2012; this employee is being hired to replace him...the City is using SOS Staffing to begin the application process. The wage for that position would start out at \$16.35 for 3 months and there would be a \$.50/hr raise after the probation time period is complete; which is typical of what has been done in the past...with the exception of Rex Davis and Mary Preece; they did not get any raise at that time.

Since it has been the pattern in the past to give a \$.50/hour raise after the initial 3 months; the Mayor also proposed \$.50/hr raises for both Mr. Davis and Ms. Preece (effective July 1, 2012). Any other raises would be performance-based.

The Mayor asked for any question or comments.

*Erin Clawson:* She questioned the reason for the proposed \$.50/week raise; is it simply due to completing the initial probation time? (*The Mayor answered that it has been the policy in years past to increase the hourly wage by \$.50 at the completion of the probation time period. He also sees that there has been a lot to learn and a lot to do.*)

There were no further questions or comments at that time; so the Mayor turned the time over to the City Recorder for the rest of the budget review.

*City Recorder:* She explained that both the current year and the next fiscal year are tied together and that how this year ends up will affect the coming year.

She mentioned several main issues to keep in mind:

- Mr. Stephens' back overtime payment; as well as back "on-call" payments (Will the payments be all in the current fiscal year? The back pay is being split between General Fund, Water Fund & Sewer Fund; the Administrative Fees to the General fund have been increased...the Water Fund more than the Sewer Fund, since more time was spent in that Dept. These increases are temporary and will go back down as of July 1.

*General Fund:*

- The calculated tax rate was not yet available; so the Property Tax was estimated at \$255,000, based on the current year's collections to date of \$263,872.

(*The formatting of the budget Worksheet was explained*)

- Greenbelt property tax: It was explained that 17,894 was reversed back into the previous year (Mr. Roberts).

00:11:18

- Building Permits: Are up by about 18,000 from the beginning of the current year...next year's figure starts out somewhat conservative (as most revenue sources do). Salisbury Homes is building many homes in the PUD, Phase 2...they only have about 27 lots left; so it is unknown if the current rate will be consistent in the next fiscal year.
- Administrative (Salaries & Wages): This account will be affected in both the current year and next:
  - Current: Paying back overtime & on-call wages to Mr. Stephens and the subsequent increase in the Benefits Account.
  - Future (2012/13): Increases due to added employee for Public Works Dept. (possibly two, if a new Director is hired, as well).
- Contract Services: New employee will be paid through SOS Staffing for the 1<sup>st</sup> 3 months.
- Roads: 105,000 of the budgeted 200,000 is for repairs to Elk Ridge Meadows, Phase 2; from separate bank account resulting from the agreement with the developers. Chip & seal will be used on Park Drive. It is not known if Escalante Drive will be completed in the current fiscal year.
- Fire Dept: The accounting for the Fire Dept has to be moved back into the General Fund in 2012/13; it does not qualify as a "Special Revenue Fund" and the State mandated that we account for it in the General Fund. It really always has been part of the General Fund; it was simply separated out to track the balances easier. The Fire Chief is aware of this move. He handed in a breakdown of his budget for both the current and 2012/13 years; it was handed out to the Council.
- Public Works Building: the facade will be budgeted for in 2012/13...no cost estimate.
- Police: Deputy Butters said costs are not expected to increase.
- 4<sup>th</sup> of July: Increase from \$5,000 to \$5,500 to allow for the Chairperson to be paid without getting into the regular expenses allowed for the Celebration  
(The City Celebration may not include a Carnival due to no volunteer to head it up. Mrs. Anderson (Chair) was coming in to the Meeting later to discuss the details.)

Parks – Special Revenue Fund:

About \$20,000 in Park Impact Fees must be spent in the 2012/13 fiscal year...it has not been decided what the project will be; but the money will be budgeted.

Storm Drain Fund:

The City is not meeting the costs and the fee must be raised to accommodate any needed sumps or curb boxes. Most of the budgeted money is for "depreciation".

With no new installations next year, the Storm Drain Fund is budgeting over \$10,000 as a deficit. When the Storm Drain Study is completed, the fee needs to be reviewed and increased.

Water Fund:

- 2011/12: "Retained Earnings": \$400,000 is budgeted to cover the early payoffs on the two water bonds.

- 2012/13: No payments are budgeted on bonds, since they will be paid off...this is good for the City. There is much in the aging water system that needs to be replaced and the added money will be needed for this in operations & maintenance.

- Utilities: This has decreased tremendously since the Loafer Well has been upgraded to the point of being the "default well". The Cloward Well (with high pumping costs) is rarely used. In the past, pumping costs were budgeted at about \$60,000; the budget for the current year started at \$35,000 and is ending up at about \$20,000.

- Administrative Fee (to the General Fund): This has increased to cover a large portion (about 60%) of Corbett Stephens' back overtime pay-off. It goes back down in 2012/13.

Sewer Fund:

- Sewer Plant Buy-out & payment to Payson: The last 50,000 payment from Salem City for the buy-out of the City's portion of the sewer plant came in this year and the last payment to Payson goes out this year, as well...this is zeroed out next year.

- Administrative Fee (to General Fund): Increased slightly in the current year to cover 10% of the back overtime pay-off to Corbett Stephens...it goes back down in 2012/13.

Comments:

Paul Eddy:

1. Flooding on High Sierra Drive: There has been an on-going problem and it is getting worse; he feels the new homes will be affected...curb & gutter is needed in that area. Is the City budgeting to remedy the situation?

Mayor Shelley: This is an issue that he will review and see what solutions can be arrived at. It may be possible to install the curbing with an agreement with property owners.

(Note: The owners of the 3 lots (now only 2) that are without curb & gutter did have a chance at one time to have it installed at the cost of the developer; but they did not want to and actually held off signing the subdivision plat when it was at the recorder's office waiting to be recorded. Initially those lots were included in the subdivision; but when they wanted to make a deal with the developer in exchange for their signatures, he pulled the plat and changed it to exclude those lots...went through the process with the changed plat and recorded it without the lots in question. There is a house on one of the 3 lots and it has curb & gutter...installed by the current owner.)



Mayor Shelley closed the Public Hearing at 6:43 PM.

6:43 PM -

**CITY COUNCIL WORK SESSION AGENDA ITEMS:**

**ROLL**

Mayor: Hal Shelley; City Council: Erin Clawson, Weston Youd, Nelson Abbott Brian Burke & Paul Squires; Building Official: Corbett Stephens; Public Works: Rex Davis; Sheriff: Deputy Butters; City Clerk: Janine Nilsson; Fire Chief: Seth Wait; Public: Cory Hiatt, Ed Christensen, Paul Eddy, Ray Brown, Sandra Burke, Tricia Gunnerson, Melissa Brimhall, and another person (signature un-readable); and the City Recorder: Janice H. Davis

**SPEED TRAILER**

Deputy Butters: The City participated in the purchase of a speed trailer with Woodland Hills (\$1,000 each); with Utah County paying \$5,000. Deputy Butters had the trailer parked outside the City Office for the Council to see. The Council took a brief break to go out to see the trailer.  
There was a brief discussion about the speeds on Park Drive. The speed was set at 25mph from Loafer Canyon Road...going west on Park Drive...to just past the ball field, then it should go to 30 mph; however, any change in the speed limit must be posted.  
\*Get a speed sign for the west section of Park Drive.

**2011-2012 BUDGET  
DISCUSSION**

**1. Public Works Director Position:**

**A) Past Overtime:**

Mayor Shelley: (Brief summary) Corbett Stephens has been heavily involved over the past two years with many areas of the Public Works Dept. When Mayor Ken Lutes took office, Mr. Stephens was asked to take over the position of Public Works Director (the previous Director had left employment with the City). There has been much discussion as to whether Mr. Stephens was considered "exempt" or "non-exempt". Mr. Stephens feels he should be considered "non-exempt", as per his employment contract; regardless of what has been understood over the years. He had not turned in time cards over the years; however has now turned them in for the time since January 1, 2010 to January 1, 2012.  
The Council has discussed and has researched the timecards for a long time period. The Finance Director, Curtis Roberts, was asked to review the time sheets as well. The Mayor is not sure there will be perfect agreement on the claim for back overtime; but the Council has come to a general consensus regarding an offer for the overtime...this has been discussed with Mr. Stephens.  
One of the issues has been the claim going back to January, 2010; and the law states that up to two years back can be compensated for past overtime...but, it is two years from the "time of settlement"...that would leave out 3 or months of overtime out of the calculations. The Council decided to use March 1, 2012 as the settlement date...that would go back to March 1, 2010.

Agreed upon proposal to Corbett Stephens:

**Back Overtime Pay:**

- March 1, 2010 – March 1, 2012 (2 year period)
- Amount figured for the above dates: \$46,766.48
- On-call pay for those 2 years: \$4,500
- Total: \$51,266.48

**Contract Agreement:**

- Employ Mr. Stephens as a Building Inspector
- Employ Mr. Stephens as a Public Works employee ("Lead employee") rather than in the Director Position
- Status: Non-exempt
- The Mayor will assist in directing overall in the various assignments to the Public Works employees

The Mayor would like to move forward in a very positive way. He will be directing overall; but desires to have various assignments in the Public Works Dept. made to each of the 3 employees; utilizing differing skills and experience...while counting heavily on the insights, talents and skills of Mr. Stephens to make sure of the direction the City follows on projects.

He recommends that the other Public Works employees be allowed to exercise judgment for their own learning...and for the sake of redundancy. He hopes that over time, the quality of work will evolve in a positive manner. The new employee will also need to be trained.

"I don't want to be a public works director. At this point here, I really heavily count on the insight of the workers right now...to help me to make the right decisions and to direct what is going on. We hope that we can move forward and at some point there is the probability of going back to a Public Works Director position." As to who or when that will be; that is still a tentative situation.

The Mayor asked if that summarized the consensus of the Council. He also asked for any additional comments.

Ed Christensen: (Former Mayor) He asked what that would do to the Asst. to the Public Works Director. He pointed out that that was his official title when he was hired.

Mayor Shelley: He agreed that was his title when hired. He was not sure how the changes will affect this position. "The overall position to take care of public works is extensive...Rex knows that." If the City could eventually bring Rex (Davis) on as Public Works Director...he (the Mayor) would not have a problem with that...as long as he is qualified in all the required areas. He has spoken to Mr. Davis and he agrees that he is not currently in that position.

00:43:57

The Mayor would like to see all of the training possible to take place...on an on-going basis. He would like both Mr. Davis and the new employee trained and certified, as well. The City needs redundancy. The Mayor feels Rex works hard and he wants to keep that in place and build upon his qualifications; on the other hand, Mr. Stephens has done an excellent job in the past and he continues to progress. He just finished going through the process to certify for waste water for the City. He studied and passed the test; now we do not have to rely on another city for that certification. He would like to see the other Public Works employees get these certifications. (*Mr. Christensen asked of the position has been posted.*) The Mayor answered that the position was not only posted in the newsletter; but SOS took care of all the advertising and applications. The same process is being followed now that was followed when Rex Davis was hired. The goal is to bring on the new employee as of July 1, 2012; but interviews will not take place through the City until after SOS Staffing narrows the field of applicants. He spoke to SOS about two weeks ago and the indication was that there were numerous applications...some from within the City. They want to get a few more and then screen it down to the top 3 or 4. The pay scale is similar to that which was used when Mr. Davis was hired. (*Mr. Christensen asked about the Director position.*) Mayor Shelley responded that the Council is not looking for a Director at this point in time; only an employee to replace Wayne Frandsen, who is retiring in September.

Paul Eddy: He asked for clarification from the Mayor in that it sounded like the Mayor had taken on the position of Public Works Director. He thought that Corbett Stephens was the Director. He wanted to know what the Mayor's qualifications are to enable him to take on those responsibilities.

Mayor Shelley: He attempted to explain that circumstances had forced him to take on the role of directing the Public Works employees for the time being. There have been concerns regarding management of the Dept., not with the skill of Mr. Stephens. The details are being worked out regarding compensation as well as certain concerns and frustrations regarding some of the management requirements of a Director. The Mayor said he had taken on the duties, not based on qualifications; but based on his duties as Mayor and City Administrator. Mr. Stephens still functions in the Public Works Dept, and is available to give advice; just not as the current Director. The Council and he (Mayor) have spent a considerable amount of time reviewing various alternatives and solutions. Though it may sound like he was not answering the question directly, he (the Mayor) was trying to answer the questions appropriately and with sensitivity.

Mr. Eddy: He thought it sounded like there may be inter-personal skills issues. But, he further did not understand why the Mayor would take on the title of Public Works Director, when the work is being done by Mr. Stephens.

Mayor Shelley: Very technically speaking, the actual "directors" of the various departments are the Dept. Heads; or the assigned City Council Members. Due to the fact that he is the Mayor, there are times and circumstances that require that he "take a stand" to attempt to solve situations that come up...as the Administrator of the City. "It is not to my liking. I am trying very, very hard to be very delicate about it; but straight forward about it...where I have needed to be...and not diminish the value of any one individual. That has been my priority." The Mayor added that he is also trying to address the issues while keeping confidences. Hiring a replacement Public Works employee has been "in the works" before any other issues came about. The Mayor hopes this helped Mr. Eddy.

Mr. Eddy: He understood and cautioned the Mayor as he proceeds forward; "toes can be stepped on" and legal issues arise.

The issue of code enforcement is for the entire Council, not just the Mayor. There is no enforcement at this time.

00:51:31

#### B) Contractual Agreement:

The Mayor asked for any suggestions from the Council Members regarding any proposed terms for an agreement between the City and Mr. Stephens. The current contract is in place until December, 2013.

The Mayor was referring to any proposed terms that would govern employment until that time; other than what he had already covered earlier...

Weston Youd: He understood that the current contract would be the governing document with the City and any additional responsibilities are covered under the contract by the following statement: "other duties, as assigned".

Erin Clawson: "His current contract is still in force until it expires."

Weston Youd: He is:

- The Building Inspector
- Plans Examiner

Mayor Shelley: That is what he was hired as back in April, 2007.

00:55:34

OAK HILL ESTATES,  
PLAT D – STORM DRAIN

Mayor Shelley: (Brief History of Issue)

There is a problem that has occurred with a ravine that is a natural drainage area in the Oak Hill Estates, Plat D Subdivision. The drainage area extends into Plat D from what was going to be part of the Fairway Heights Development (now void). Evidently this issue was missed by all; including the developer, the City Planner & City Engineer at the time.

The lot owned now by Davenports (200 S. Mahogany Way) has had the natural drainage area filled in by the developer.

(Maps of the area were displayed) Mr. Davenport came to Corbett Stephens and brought the problem to his attention. Mr. Davenport inquired what the required setback is from the natural drainage channel that runs the length of his property, along the west side.

Corbett Stephens wrote up a recommendation for a solution to the problem:

Mr. Stephens researched the original plat and saw that it shows this drainage easement to be 15', both sides of the west property line; yet the natural drainage clearly shows the ravine between 15' and 30' from the property line. City code requires that all improvements stay 15' away from any natural drainage.

"The Davenport's interest is to have the City help in facilitating the piping of this drainage." This has been previously proposed when the Fairway Heights Subdivision was pending.

Previous proposal: To pipe this natural drainage, extending it to the south end where Davenports are now requesting. This improvement would follow the same design as proposed with Fairway Heights: pipe from the existing inlet box and continue south just beyond the south property line of the Davenports. The total length of the pipe would be 265' with the new inlet box on the south end of the pipe. Estimated total cost would be just under \$8,500. The Davenports and the Burdicks would appreciate the City's participation on fronting a portion of the cost as follows:

- Total length of improvement – 265'
- Cost - \$8,437.40
- Davenport frontage – 160'
- Burdick frontage – 105'
- City sponsored frontage (west ½ of entire length) 265'
- Cost per linear foot per ½ - \$15.9196
- Davenport share - \$2,547.14
- Burdick share - \$1,671.56
- City sponsored share - \$4,218.70

The portion sponsored by Elk Ridge can be recovered through the assessments at time of subdivision approvals. (These are only estimates; the actual costs may vary slightly.)

*(The Mayor directed the Council to look at lot 5 on the maps.)*

The owners wish to develop their lots and the drainage issue needs to be addressed. The Mayor pointed out the slopes shown on the map. He indicated the areas referred to in Mr. Stephens' summary/recommendation. The suggested assessment would come at the time when any future development takes place in the area where Fairway Heights was going in.

The Mayor feels the City should address this drainage problem.

Nelson Abbott: He asked if this area is in the CE-1 or HR-1 Zone. *(Yes it is.)*

Due to the slope and where the channel is located, it may be that it is not to be disturbed in any way. He should not be improving the area, if it should remain undisturbed. The City should not facilitate this in the HR-1 Zone.

Paul Eddy: He pointed out to Council Member Abbott that the "natural terrain" was already disturbed when the developer created the subdivision. There should be some remedy to this to accommodate the drainage.

Another question: What happened to the old 55 gal. drums of oil that were out there? Hopefully they were not dumped out on the ground.

Erin Clawson: At this point she felt the issues should be researched...what zone is it? And what are the requirements?

Corbett Stephens: The proposed Fairway Heights was the one that all the paper work was done for their Preliminary approval; even though the plat did not receive Final.

Mayor Shelley: The Durability Retainer has been released on Plat D.

*(Discussion of which lots in Plat D already have houses)* The Mayor reviewed where the culvert would go, if installed.

*(Corbett Stephens assisted the Mayor in indicating where the culvert and inlet box should go.)*

\*The Mayor agreed that the associated issues need to be researched further. He asked that Council Member Abbott and any other former Planning Commission Members need to add their suggestions, based on their experience with the regulations. The subdivision was approved by the City and there must be a solution.

Corbett Stephens: To solve the problem in the future there should be better review by the staff...this problem goes all the way back to Aqua Engineering.

1:13:32

# ELK RIDGE CITY COUNCIL MEETING May 22, 2012

## TIME & PLACE OF MEETING

This Regularly Scheduled Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, May 22, 2012, at 7:30 PM**; this was preceded by a **City Council Closed Session at 5:30 PM**; and a **Public Hearing at 6:00 PM** to consider the proposed Tentative Budget for the 2012/2013 Fiscal Year. The **City Council Work Session was scheduled to begin at 6:30 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 these Meetings were provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on May 16, 2012; & an Amended Agenda on 5-21-2012.

7:30 PM -

CITY COUNCIL REGULAR SESSION AGENDA ITEMS:

## ROLL

Mayor: Hal Shelley; City Council: Erin Clawson, Weston Youd, Nelson Abbott, Brian Burke & Paul Squires; Building Official: Corbett Stephens; Public Works: Rex Davis; Sheriff: Deputy Butters; City Clerk: Janine Nilsson; Fire Chief: Seth Wait; Public: Cory Hiatt, Ed Christensen, Paul Eddy, Ray Brown, Sandra Burke, Tricia Gunnerson, Melissa Brimhall, Natalie Anderson and another person (signature un-readable); and the City Recorder: Janice H. Davis

OPENING REMARKS &  
PLEDGE OF  
ALLEGIANCE

An invocation was offered by Ed Christensen; and Mayor Shelley led those present in the Pledge of Allegiance, for those willing to participate.

AGENDA TIME  
FRAME

*Meeting started on time.*

## PUBLIC FORUM

1. Paul Eddy: Every year he has a great concern about potential fire hazard in the City and surrounding areas. He was a fire fighter in California and knows first hand how easily a fire can get out of control. He encouraged the Council to contact property owners to cut down weeds.  
City Recorder: (FYI) Mr. Don Mecham (Woodland Hills) contacted the City some time ago regarding him grading a fire break type road between our two cities. The engineers are aware of Mr. Mecham's intent and that he will need a grading permit from both cities.  
 Mr. Mecham is also interested in a boundary adjustment.  
 \*The Mayor of Woodland Hills contacted Mayor Shelley and wanted to talk about the grading; so Mayor Shelley will call him back and inform the Council.

2. Tricia Gunnerson: (Drainage issues on Salem Hills Drive)  
 She wanted to know if the issues would be addressed soon; even if it is simply diverting the run-off to the south side of the road...to a possible collection pond.  
Mayor Shelley: He has spoken to Chief Wait regarding blocking the road (dirt road) off; however that is not wise from the point of view of emergency access to the area in case of a brush fire. The Council has discussed an alternative solution: Perhaps a "forest gate" could be installed...with locks that the Fire Dept. would have keys to.  
 Likely gates would have to be installed at both ends of the dirt road. They also considered "forest-type" burms that could help to divert some of the water. This would benefit all in the surrounding area. There might even be the possibility of purchasing a road grader so the City can maintain these dirt roads.  
 Installing restrictive signs has also been proposed.  
Nelson Abbott: This is all private property and people do not have the right to trespass. There really are no areas that are open to ATV recreation without permission from the property owners...it is all private land.

3. Ed Christensen: Suggestion to clean up around the new Public Works Building:

- The retention basin looks like a "concrete dumping area"
- The old 10-wheeler is leaking oil /fuel on the asphalt; could it be parked on the gravel or out of sight?
- There are some lots where it is difficult to mow weeds; could these property owners be contacted early as well as having someone come and grade those areas to make them easier to mow?

Mayor Shelley: He is aware that codes must be enforced.

Public Works Building:

Currently the Mayor is working with Ken Harris to design a façade for the Building. That will be done soon...along with designing the remodeling of the Fire Dept. Bay area. He has also discussed future additions to enhance the appearance of the building...perhaps a gate and/or a wall. This will take time and money.

*No further comments.*

1:26:05

TENTATIVE BUDGET  
FOR 2012 -2013  
FISCAL YEAR

1. COLA:

The proposed rate was 2.7%.

Comments:

Nelson Abbott: He questioned the part time position filled by Annebel Meredith; he understood that Mary Preece was hired to replace Mrs. Meredith.

City Recorder: Ms. Preece was hired to fill the position of Deputy Recorder; the duties of that position had not really been filled by anyone. The title used to belong to Janine Nilsson; however she is more appropriately the Accounts Payable & Payroll Clerk. Ms. Preece has taken on most of Mrs. Meredith's former duties and others that more closely assist the City Recorder. Mrs. Meredith's position has narrowed to just 12 hours per week and includes only accounts receivable and billing (to assist the Treasurer). Anyone associated with the "expenditure" side of the finances cannot handle receivables.

2. New Public Works Employee: As discussed, the wage for this position is budgeted at the same starting wage as the last employee hired in the Public Works Dept. (Rex Davis). There were no further comments.



3. *Public Works Director Position:* It is too soon to budget for this and it is not known what will happen with this position. No action at this time.

The City Recorder asked if the Escalante Road project should be changed into the up-coming fiscal year. The Mayor asked Corbett Stephens and he felt it would be done in the current fiscal year.

Mr. Stephens said he did not feel it would be a "big deal" to get in; but it needs to get started...if not, then he needed to inform Geneva (Asphalt). *(He explained the process and who would be doing the work.)* Mr. Hiatt said 800' of gutter could be done in a day...so it would take a couple of days to lay the gutter down both sides of the road; then another day to set the sump and an additional day for the inlet boxes (4 days for Mr. Hiatt).

Mr. Stephens said Geneva would take 2 or 3 days at the most (beginning part of the work).

Mr. Stephens wanted to take the rock for the sump from the excavation that Robert Nelson will do on the City property.

Council Member Youd was trying to figure what would be needed for this year vs. next year for the Project. Mr. Stephens reiterated that the Project could be completed this year.

\*Council Member Youd was to stop to ask residents (Curtis') about moving the road...after the Meeting. The road would remain within the right-of-way, but not be completely centered...which is Curtis' preference. The eastern side would be impacted the most.

It was decided to keep the money for the Project in the current fiscal year.

The point was made prior to the motion that in adopting the budget, this would be approving the figures included in the budget: COLA at 2.7%, wage for new Public Works position at starting rate of about \$34,000/year; with the amount for any new position for Director not being included at that time.

**WESTON YOUNG MOVED, SECONDED BY PAUL SQUIRES, TO ADOPT THE TENTATIVE BUDGET FOR THE 2012/2013 FISCAL YEAR FOR THE OPERATION OF ELK RIDGE CITY; AS PRESENTED VOTE (POLL): WESTON YOUNG-AYE, ERIN CLAWSON-AYE, NELSON ABBOTT-AYE, PAUL SQUIRES-AYE & BRIAN BURKE-AYE (5) NAY (0)**

Passed 5-0

1:36:22

2011 – 2012 BUDGET  
DISCUSSION

*Personnel:*

*Public Works Director Position:*

1. Past Overtime:

The Mayor asked Mr. Stephens if he had anything to say or any response before the Council commented or moved to approve the amount of back overtime to be paid; he did not have anything to say.

*Comments:*

Brian Burke: *(Question regarding "on-call")* He asked if that status was being moved to other employees.

Mayor Shelley: He felt that was an issue that needed to be addressed. He stated that any on-call of a critical nature is currently with the water system and Mr. Stephens is the only one certified to handle that; however, there could be on-call situations involving other areas...like flooding or plowing in the winter.

Nelson Abbott: He mentioned that at the SESD Board Meeting the previous day it was discussed that other operators could be called on to fill in when an emergency occurs. Since Woodland Hills uses Mr. Stephens, there would have to be someone else to fill in. Sharing an operator with another city could be an alternative.

Rex Davis: He mentioned that he had been on-call up until about a month ago...for other situations.

Mayor Shelley: Any interlocal agreement to share an operator for the water system could work and other on-call duties for either Mr. Davis, Mr. Frandsen or (eventually) for the new Public Works employee would have to be addressed financially. Someone has to be on-call for water and the other needs, as they arise.

Brian Burke: One person cannot be on-call all the time.

Erin Clawson: That was part of the problem and one of the reasons that Mr. Davis was hired. One of the conditions was for Mr. Davis to get water certified. As soon as he passes the test, he will have the capability to fill in for Mr. Stephens.

*There was concern expressed by one of the public present that the City only has one person certified in case of emergency.*

*Suggestion: Would Rural Water Association be able to assist in this? In an emergency and in the absence of Mr. Stephens, there needs to be a back-up. (LEI Engineering or Rural Water are possibilities that need to be checked out.)*

Cory Hiatt: A couple of week prior to the meeting, Woodland Hills' water system had a problem and there was no one available. Mr. Hiatt assisted with the problem. If agreeable, he (Cory Hiatt) would be available to help out where needed. He is not "board certified" but he has a life time of experience...he could become certified.

Mayor Shelley: The City wants Mr. Davis to become certified; but that is certainly an option worth pursuing for emergency situations. *(Council Member Abbott added that Kent Haskell is also water certified for emergency situations.)*

The Mayor continued: there are options available; they just need to be looked into and discussed.

\* Council Member Youd recommended that the Council look into getting redundancy in the water system as soon as possible.

Rex Davis: Taking this into consideration, he wanted to know if he would be trained and be able to learn about the water system as well as going to get the certification.

1:43:45

Mayor: He replied that this would have to occur since it would not do any good to be certified without knowing what is actually going on; that is part of the "redundancy" that is being discussed...it has to happen that way.

**WESTON YOUNG MOVED, SECONDED BY BRIAN BURKE, TO MOVE FORWARD WITH THE PAST OVERTIME FOR CORBETT STEPHENS; WITH THE BACK OVERTIME PAY OF \$46,766.48; AND PAST ON-CALL PAY OF \$4,500**

**VOTE (POLLED): WESTON YOUNG-AYE, BRIAN BURKE-AYE, NELSON ABBOTT-AYE (3)  
ERIN CLAWSON-NAY & PAUL SQUIRES-NAY (2) Motion passed 3-2**

*Explanation of "nay" votes:*

*Erin Clawson: She felt that the Council should have gone back to all the past time worked...it should have been paid. It was done and she would have voted for more money to be paid.*

*Paul Squires: His vote was based solely on the wage and hour act, allowing overtime to be paid. There was some discrepancy as to what was allowed and what was not allowed.*

1:46:20

## 2. Contractual Agreement:

*Discussion:*

*(This would be the contractual agreement between the City and Mr. Stephens)*

The Council agreed that the current contract the City has with Mr. Stephens stands as it is for now.

1:46:41

## CODE ENFORCEMENT

Mayor Shelley: He expressed his desire that there could be a better answer in place; but there was not.

He presented copies of enforcement forms to the Council and suggested that the individual Members assist with enforcement of the code. There are many violations and the Mayor needs help with enforcement until there is a better solution. The Mayor has addressed some of the violations; but not all. He would like for the Council to familiarize themselves with the following:

- Nuisance Code
- Code concerns
- Various forms involved with enforcement

He would like for the Council to take time to go through the City to assist with the violations temporarily.

He would like to handle the violations as follows:

- Contact the one in violation to inform them of the particular violation
- Offer voluntary correction (Preference)
- As a last resort, go to "administrative citations"

The City still needs to address getting an enforcement officer.

*The Council asked who would actually be going out to address the violations.*

Nelson Abbott: If one of the Council discovers a violation and the forms are filled out; would the Council Member then sign as the "enforcement officer"?

*(Council Member Clawson suggested just signing "City of Elk Ridge")*

Mayor Shelley: It is important that some of the current issues be addressed as soon as possible; keeping in mind that the City be actively involved in finding a "Code Enforcement Officer" and/or committee for the City. The Council has discussed finding someone for that position that is not a member of the Community. He felt that "more sets of eyes" would be helpful.

Nelson Abbott: He pointed out a potential problem with multiple "eyes" out finding violations: redundancy in the findings and duplicating the enforcement efforts. Could the Council turn in the findings at the City Office and have some way to record any current action prior to any further efforts.

Ray Brown (Former Code Enforcement Officer): He felt the suggestion was "already flawed" in that there is nothing in place to take the violations to the Administrative Court (the "next level").

Mayor Shelley: He agreed that the Court does need to be set up and in place; but at least the voluntary aspect could be addressed.

Ray Brown: He added that the former violations were handled via voluntary corrections...none went to court; but he felt the issues cannot be handled by a committee. If the process is started and there is no follow-through, it would be a wasted effort. The citizens are already under the impression the City does not enforce codes.

Brian Burke: He has contacted surrounding cities and this is an uncomfortable problem for all. He suggested coming up with an arrangement with Woodland Hills (perhaps) and trade officers so there could be someone from out of town...so as to not place neighbor against neighbor...this is not a healthy situation. Suggestion:

- Decide the action
- Decide the pay for this position
- Consult with SOS Staffing to locate an individual with certain qualifications to fill this position
- Hire someone on a part-time basis (perhaps share with Woodland Hills)
- Could pay on an hourly basis or on a per-capita basis (prefer hourly)

1:56:43

Weston Young: He had an issue with the Mayor's suggestion for the Council to assist in enforcement; he has brought this up in the past. When a political body (the Council) is asked to perform "executive" functions; he feels a line is crossed. Example: Law enforcement is never under the purview of a legislative body...because a legislative body has political motivation to everything they participate in. That is why there are separations of powers. The Executive Branch should be handling enforcement.

The Legislative Body can create the law that is enforced; but should hand over enforcement to another body. He felt there could be legal issues.

Mayor Shelley: He could see Council Member Youd's point of view. He also liked the suggestion offered by Council Member Burke. He felt that avenue should be pursued.

Nelson Abbott: He has communicated with one of Woodland Hills' Council Members and Mayor about this subject and he thought that they might be favorable to this idea. He suggested a joint meeting with the two Councils to discuss the details. There are many projects that could be joint in nature and be beneficial for both Communities.

Paul Squires: Last year his wife was asked to identify the problem areas as well as occupied lots without any landscaping. He wondered what happened to that list. *(The Mayor did not know.)*

October of 2010 was the deadline to have the landscaping completed for many.

Sandra Burke: They owned their lot for three years before they were able to build. The weeds were a concern for them. They were out of the State and would have appreciated a list of contractors they could have called to arrange any required mowing.

Ray Brown: Code enforcement must be consistent and unbiased. He feels an Administrative Court is the answer.

*\*The Council agreed that Mayor Shelley should move ahead and contact the Mayor of Woodland hills.*

2:03:21

# PLANNING COMMISSION REPORT

Brian Burke: The last Planning Commission Meeting he attended the previous week was very short and was without a quorum to be able to take any action. A public hearing did take place regarding a Conditional Permit for chickens.

There was also discussion about the TRC concerning the Assisted Living Center. It was frustrating with members of the Commission out of town, since all the corrections had been made to the Plat. The Commission would hold another Meeting on the following Thursday for action on these items. The outstanding issue was still the lack of water rights for the development. There could be an approval conditional upon water rights being provided.

City Recorder: The question remained regarding any contingency that would rest with an approval; would the water rights be required for building permit or recording? There should be no recording until there are water rights to serve the approved lot. If the Plat is not recorded, a building permit could not be issued.

Nelson Abbott: He questioned the ½ road on Goosenest Drive; will it be finished? *(The development is not located on Goosenest; it is on the corner of Olympic and Star Lane.)*

Brian Burke: There was discussion of extending curb & gutter to a sump that exists at Star Lane and Goosenest Drive.

Corbett Stephens: There will have to be a slight correction to the existing sump.

2:07:25

# CITY CELEBRATION

Erin Clawson: Natalie Anderson was contacted and said she would try to attend the meeting *(she was not present at the time)*. A couple of things were discussed:

- Fire Fighter's Breakfast: Tables & chairs are needed. In the past, these items have been borrowed from the LDS Church; however, that is no longer possible. About 100 chairs are needed. Should the City purchase them or simply rent them?

*(Chief Waite will get the chairs and tables for the breakfast and the cost would be charged to the City Celebration.)* The rest of the Celebration is coming together.

- The car show is headed up by Mr. Louge.

- The races are ready to go.

The only thing that there are problems with is the Carnival; there was no one to head it up. There were no volunteers and zero interest.

*\*(Council Members Abbott and Burke volunteered to head up the Carnival together.)*

Party Land has called and there is a concern with the cost of the inflatables...\$100/hour to rent. Other places will rent them for \$30 - \$50 / hour; but there would be no one manning them. Party Land does not man the inflatables either. Council Member Abbott will check on prices.

Council Member Burke was concerned about the way in which the Carnival is run since Mrs. Anderson had differing ideas for this year. Council Member Clawson felt that decision was not up to Mrs. Anderson since she would not be running it; but the Council Members would be. The Chairmen of the Carnival should make those decisions. Mrs. Anderson can assign the budget for the Carnival and Council Members Burke and Abbott can run it the way they choose.

It needs to be determined who Mrs. Anderson has contacted regarding the Carnival.

2:14:36

# NON-AGENDA ITEM

1. SUVMWA: Paul Squires: *(Report on the meeting he attended)*

- The annual fees will increase to \$712.27

- Water rights: 300 acre feet of water right was available for purchase according to the previous agreement between SUVMWA and the City; only about half of those were utilized...the other ½ (150 acre feet) would still be available. The previous price was \$3,500 per acre foot; the current asking price was being reviewed.

- There is a focus on re-charging the aquifers (taking used agricultural waste water and waste water and basically cleaning it up and pumping it back into the underground aquifers in the Valley). This would not really be helpful to Elk Ridge; which was mentioned to SUVMWA Board.

- CUP Water: They are still under the impression that CUP water is 10 to 15 years out; but Council Member Squires spoke to the Project Manager for the Dept. of the Interior and he felt the time frame would be more like 3 to 3 ½ years away...or less.

2:18:18

Once CUP Water is available, there is the possibility of \$5 million to assist with infrastructure. Every house from 2006 forward (north section of the City) has the infrastructure for secondary water in place (just the main lines).

*There are other parts of the infrastructure that would be required:*

- Connections from the main to the properties
- Reservoir or tank
- A way to get the water from the canal to the City

(Council Member Squires continued): The City needs to be planning for this. Elk Ridge is still one of the few cities that have committed to CUP Water.

There are some unknowns:

- Delivery charge?

Mayor Shelley: There is a great deal of research that still needs to go into this; but there is water available for Mr. Lee Haskell for his assisted living development, if he needs it.

2:21:04

# CITY CELEBRATION (CONT.)

*Natalie Anderson (Chairperson over the Celebration) arrived at the meeting and was invited to come in.*

Brief Review:

- Friday:

- Parade (Connie Reece said all was ready)
- Family Picnic in the Park
  1. SESD is sponsoring the band (so far)
    - Band is all set up
  2. There will be a tent and chairs...people can bring food or there will be food vendors there, as well.
  3. An inflatable bull is being considered for entertainment

- Saturday:

- Squirt gun Run and Mile Run (Pam Lundberg was heading that up and she had it under control) Posters would go out soon. There would be beach towels for the winners rather than T-shirts.
- Fire Fighter Breakfast (Mountain Star Health has committed to sponsoring) Chief Waite is handling details with this event. 100 chairs will be rented for the breakfast...the cost will come out of the budget for the Celebration.
- Craft Fair: There has been a good response
- Carnival (Mrs. Anderson was informed that Council Members Burke and Abbott would be heading up this event. She was glad to have the help. She was asked to assign them a budget and to allow them to handle the event. (She agreed.) Council Member Abbott felt that the total success of the rest of the day would be enhanced by attendance at the Carnival. They still needed volunteers to help with the Carnival that day.
- Car Show: The Chair of the car show has done this before and has experience.

She said she would leave the decision on the inflatables up to the two Council Members.

In the past, helpers have been paid.

(Inflatable: "Ultimate Inflatables and Party Rentals" is the contact. Mrs. Anderson said there was to be a 40% discount over Party Land.)

*Council Member Clawson suggested giving Party Land the chance to match the discount, since they have served the City in this capacity for a number of years.*

*\*Mrs. Anderson said she would give them that opportunity.*

2:30:06

## NON-AGENDA ITEMS

1. *Agreement with Robert Nelson (Grading):*

Corbett Stephens: He received the proposed contract from Robert Nelson just that day.

Mr. Stephens asked that the Council review the proposal and make any suggestions / corrections and get the agreement in place as soon as possible; the City would save money on the installation of the sump on Escalante Drive by using our own rock rather than having to purchase it (perhaps \$2,000).

Perhaps the Mayor could poll the Council after giving all a chance to review the proposal. If the contract cannot be decided on, then arrangements must be made to start hauling rock for the sump on Escalante.

2. *Rental Property: (Nelson Abbott) Have arrangements been made for the occupants to vacate? They were given until the end of May, 2012.*

Will the grading affect the nearby residents?

Mayor Shelley: He had spoken to Mr. Anderson and he assured him they would be out by the end of May.

They were concerned with "how clean" the City wanted the house to be. The Mayor responded that it should be clean enough to paint, if needed.

Nelson Abbott: He was concerned with:

- Dust
- Hours of operation

*He will comment on that on his copy of the proposed agreement.*

Mr. Stephens wanted to know if the Council was okay with the site plan that he had proposed.

The Council was good with the level areas; they were not sure what would be done with the area.



2:34:32

3. *CERT Trailer:* The Mayor asked Chief Waite if he knew who owned the green trailer located on the City's property. Chief Waite answered that it was donated to the City for CERT; he felt it needed to be burned, given the current state of disrepair.  
The Mayor knows someone who would like to have it for "salvage". The Chief agreed; but he needed to get all the CERT things out of it first. There are a lot of bees in it.  
*(The question came up if there would be hurt feelings to those that donated it. The Chief feels it has served its purpose and could even be considered a liability if someone were to get hurt on or in it.)*

2:36:29

CITY COUNCIL  
MINUTES

A. *City Council Minutes of 4-24 -2012:*

**ERIN CLAWSON MOVED, SECONDED BY NELSON ABBOTT, TO APPROVE THE CITY COUNCIL MINUTES OF 4-24-2012; AS PRESENTED**

**VOTE: YES (5)**

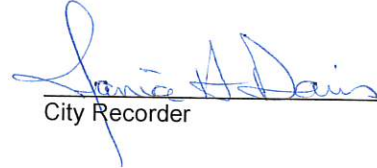
**NO (0)**

EXPENDITURES:

General: None

ADJOURNMENT

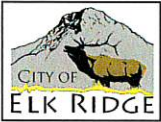
At 8:55 PM, the Mayor adjourned the Meeting.

  
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City Recorder

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**ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651**

t.801/423-2300 - f.801/423-1443 - email [staff@elkridgecity.org](mailto:staff@elkridgecity.org) - web [www.elkridgecity.org](http://www.elkridgecity.org)

**NOTICE & AGENDA – CITY COUNCIL**

Notice is hereby given that the City Council of Elk Ridge will hold a Special **City Council Executive Closed Session on Tuesday, May 29, 2012, at 6:00 PM.**

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

**6:00 PM - SPECIAL CITY COUNCIL MEETING – CLOSED SESSION:**

Discussion of Personnel Competence

Dated this 27<sup>th</sup> day of May, 2012.

  
\_\_\_\_\_  
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 emailed to the Payson Chronicle, 145 E Utah Ave, Payson, Utah; and to each member of the Governing Body on May 27, 2012.

  
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City Recorder

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ELK RIDGE  
CITY COUNCIL MEETING  
May 29, 2012

TIME & PLACE  
OF MEETING

This Specially Scheduled Closed Session of the Elk Ridge City Council, was scheduled for Tuesday, May 29, 2012, at 6:00 PM.

The meeting was held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah.

Notice of the time, place and Agenda of this Meeting was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on May 27, 2012


8:00 PM –

CITY COUNCIL CLOSED SESSION:

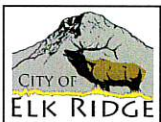
ROLL

*Mayor:* Hal Shelley; *City Council:* Weston Youd, Nelson Abbott, Brian Burke, Erin Clawson & Paul Squires  
*City Attorney:* David Church

Discussion of Personnel Competence

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





**ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651**

t.801/423-2300 - f.801/423-1443 - email [staff@elkridgecity.org](mailto:staff@elkridgecity.org) - web [www.elkridgecity.org](http://www.elkridgecity.org)

## **NOTICE & AGENDA**

Notice is hereby given that the City Council of Elk Ridge will hold a regular **City Council Meeting on Tuesday, June 12, 2012, at 7:00 PM;** which will be preceded by **two City Council Public Hearings**, on the following: The **first Public Hearing at 6:00 PM** will be regarding the suggested Certified Tax Rate for the 2012 Tax Year. **The second Public Hearing; at 6:15 PM,** is regarding the proposed adoption of the Approved Budget for the 2012/2013 Fiscal Year. After the Public Hearings, there will be a **City Council Work Session at 6:30 PM.** The meetings will be held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

**6:00 PM -**

**1. PUBLIC HEARING/SUGGESTED TAX RATE FOR 2012 TAX YEAR**

Public Hearing/to consider the proposed adoption of the suggested Certified Tax Rate for the 2012 Tax Year

**6:15 PM -**

**2. PUBLIC HEARING/APPROVED BUDGET FOR THE 2012 - 2013 FISCAL YEAR**

Public Hearing/ to consider the proposed adoption of the Approved Budget for the 2012/2013 Fiscal Year for the operation of Elk Ridge City

**6:30 PM -**

**CITY COUNCIL WORK SESSION AGENDA ITEMS:**

**3. City Council Departments – Reports**

Roads Dept. – Weston Youd

Public Safety & Parks – Erin Clawson

A. City Celebration Report

Sewer – Nelson Abbott

Water – Paul Squires

Planning Commission – Brian Burke

A. HR Code Discussion

Administrative – Mayor Shelley

A. Rental Property

B. City Council Retreat

**4. Elk Ridge Meadows PUD, Phase 2 – Fee-in-lieu of Park Impact Fees – Discussion of use – Chris Salisbury**

**7:00 PM -**

**REGULAR COUNCIL MEETING AGENDA ITEMS:**

Opening Remarks and Pledge of Allegiance - Invitation

Approval/Agenda Time Frame

7:05

Public Forum

7:15

**5. Elk Ridge Meadows PUD, Phase 2 – Usage of Fee-in-lieu – Council Action**

7:25

**6. Haskell Commercial Development:**

A. Water Right Allocation

B. Preliminary & Final Approvals

8:00

**7. Tax Rate and Budget:**

A. Adoption of the Suggested Tax Rate for 2012 Tax Year

B. Adoption: 2012/2013 Fiscal Year Budget for the operation of Elk Ridge City

8:15

**8. City Council Assignments – Any Required Action**

8:25

**9. Public Works – Mayor Shelley**

9:00

**10. City Council Minutes**

9:05

**11. Expenditures:**

General:

A. Check Register and Payroll for May, 2012

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 7 day of June, 2012.

  
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 provided to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and to each member of the Governing Body on June 7, 2012

  
City Recorder





ELK RIDGE  
CITY COUNCIL MEETING  
June 12, 2012

TIME & PLACE  
OF MEETING

This Regularly Scheduled Meeting of the Elk Ridge City Council, was scheduled for Tuesday, June 12, 2012, at 7:00 PM; this was preceded by two Public Hearings on the following: The First Public Hearing, held at 6:00 PM, was to consider the proposed Adoption of the 2012 Tax Rate; and the Second Public Hearing, scheduled for 6:15 PM, was on the proposed adoption of the Approved Budget for the 2012/2013 Fiscal Year. The City Council Work Session was scheduled to begin at 6:30 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 these Meetings were provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on June 7, 2012.

6:00 PM -

**PUBLIC HEARING - SUGGESTED TAX RATE FOR 2012 TAX YEAR**

Public Hearing/To consider the proposed adoption of the suggested Certified Tax Rate for 2012

ROLL

*Mayor:* Hal Shelley; *City Council:* Erin Clawson, Weston Youd, Brian Burke, Paul Squires & Nelson Abbott; *Planning Commission:* Clint Ashmead; *LEI Engineering:* Cory Pierce; *Public:* Cody Burdick, Chris Salisbury, Neil Dykstra & Rebecca Devenport; and the *City Recorder:* Janice H. Davis

Mayor Shelley opened the Public Hearing on the 2012 Tax Rate at 6:00 PM.

Since the City is not proposing to exceed the suggested Tax Rate, the rate will be set at .002715; which will generate \$244,414 in Property Tax for the City in the 2012/2013 Budget Year.

*Comments:*

Nelson Abbott: He stated that he felt the City should have a "Truth in Taxation" Hearing next year. There were no further comments regarding the proposed tax rate.

NON-AGENDA ITEM

The Council went forward to discuss future agendas: the Mayor would like to have City Council reports on the various assigned areas on every agenda during the Work Session. This would assist the Mayor in keeping up to date from the Council.

Mayor Shelley closed the Public Hearing on the 2012 Tax rate at 6:15 PM.

6:15 PM -

**PUBLIC HEARING/APPROVED BUDGET FOR THE 2012/2013 FISCAL YEAR**

Public Hearing/Proposed adoption of the Approved Budget for the 2012/2013 Fiscal Year, for the operation of Elk Ridge City.

ROLL

*Mayor:* Hal Shelley; *City Council:* Erin Clawson, Weston Youd, Brian Burke, Paul Squires & Nelson Abbott; *Planning Commission:* Clint Ashmead; *LEI Engineering:* Cory Pierce; *Public:* Cody Burdick, Chris Salisbury, Neil Dykstra & Rebecca Devenport; and the *City Recorder:* Janice H. Davis

The Mayor opened the Public Hearing of the 2012/2013 Fiscal Year Budget at 6:15 PM.

The City Recorder reviewed a few of the changes to the 2012/2013 Tentative Budget adopted in May, 2012:

*(From the Memo to Council from Recorder, dated 6-12-2012)*

General Fund:

- *Fire Dept:* The accounting for this Dept. will be back in the General Fund; as it does not qualify as a Special Revenue Fund (as per State Auditor). No grants have been budgeted for the year.
- *Administrative Fees into the General Fund* from the Water & Sewer Funds increased in 2011/2012 to accommodate the back overtime claim against the City by Corbett Stephens; but went back down in the new fiscal year.
- *Curb & Gutter Assessments:* These will be coming into the General Fund rather than the Storm Drain Fund (it is considered part of the road edge...the boxes and sumps are still in Storm Drain).
- *Salaries & Wages:* At this point, the only new position is the one in Public Works...the employee that will replace Wayne Frandsen when he retires in September, 2012...wages for that position is included in the budget. If a Director position is decided on by the Council, then the Budget would have to be amended to allow for the added wage/salary.
- *Employee Benefits:* The Retirement Systems will be charging \$7,466.34 for the back overtime for Mr. Stephens; this should be paid before the end of June, 2012. (A waiver must be signed by Mr. Stephens releasing the City from any further claims for that time period...there was a brief update from the Mayor).
- *Public Works Building:* 50,000 is being budgeted for the facade and equipment to go into the building.
- *Recycling:* There is currently no budget set up for this that is separate from the garbage service.
- *Roads:* Question: Backup snowplow drivers: will wages go from \$12/hr to \$13/hr?
  1. Chip seal: Park Drive (anywhere else?)
  2. There was discussion on the possible purchase of a 3<sup>rd</sup> snowplow; will that be happening?

- *Parks:* As per recommendation by the Mayor: one of the pick-ups needs to be replaced; this would be accomplished financially by a 4-way split with Water, Sewer, Parks & Roads.
- 1. *Salaries & Wages:* Currently the part-time position (summer help) is at 40 hours / week at \$10.50 per hour. At this rate, the wages for the current year would equal over 11,000 (until June 30). In the next fiscal year, the budget for this position (July – September) will be about 5,460. This is more than usual since the position is usually part-time. The Mayor planned on discussing this with the Council later in the regular session.

Storm Drain Fund:

There are currently no projects budgeted. The fee will have to be reviewed and increased to allow for any future infrastructure. The current deficit = 10,031 in this Fund.

Water Fund:

No cost estimate for water line project between the two tanks (suggested by the Council); another option discussed was an extension of the water and sewer lines up South Loafer Canyon Road.

The Loafer Well is saving the City with lower pumping costs. This will be a good summer to test out the ability of the Loafer Well to supply the City with water since it appears that it will be very hot and dry.

Comments:

*Nelson Abbott: (Recycling)* This program will go into effect as of July 1, 2012; the cans will be delivered before that date. *(The City Recorder questioned whether the City would be doing more advertising to inform the citizens.)* Council Member Abbott replied that the Newsletter had contained information and that there will be a flier with each recycle can going to every home. This information will explain how to "opt out" of the program if the citizens desire. Allied will come back and pick up the cans for those wishing to opt out. *(The Mayor recommended having that information available at the City Office as well.)* The flier will also list the items that can be recycled and what cannot.

Kendall Bell (handling the information from Allied) will get the information to Council Member Abbott and she will forward it on to the Staff and City Council. He did not feel any further fliers or information would be necessary.

Allied will bring in a large dumpster to hold all the cans; then smaller trucks will deliver the cans to the homes. They will need a "staging area" for the large dumpster. It was decided to use the west area by the new Public Works Building for that purpose.

*\*Council Member Abbott will let Allied know about the staging area.*

*Mayor:* Another expense will be insulation for the Public Works Building...this year or next?

*City Recorder:* The Fire Chief has declared "No Fireworks" at all this year due to hot-dry weather.

*\*Signs will be posted and a reminder can go out in the next Newsletter as well.*

*(Council Member Clawson said that if anyone hears or sees fireworks; to call Chief Wait and he said he would have the violators address the issue.)*

There were no further questions or comments.

Mayor Shelley closed the Public Hearing at 6:30 PM.

CITY COUNCIL WORK SESSION AGENDA ITEMS:

*Mayor:* Hal Shelley; *City Council:* Erin Clawson, Weston Youd, Brian Burke, Paul Squires & Nelson Abbott; *Planning Commission:* Clint Ashmead; *LEI Engineering:* Cory Pierce; *Public:* Cody Burdick, Chris Salisbury, Neil Dykstra & Rebecca Devenport; and the *City Recorder:* Janice H. Davis

*Mayor Shelley:* The Mayor commented that he still has so much to learn in his position as Mayor; he would like to keep up better with the various issues within the assigned departments. He would like to place these Council Reports on the Work Session Agendas for the Council Meetings. If there is nothing to report, then the Meeting will simply move forward.

He turned the time over the Council Members:

1. *Roads Dept. – Weston Youd:*

- The Escalante Drive Project seemed to be going well. He had not heard any reports that it was not.

*(The Mayor reported that everything had been hauled off. The next phase would be installing the sump and inlet boxes. Mr. Stephens was asked to over-see that and move forward with Mr. Hiatt. The City was going to use the gravel from the grading /sifting by Robert Nelson; it is Mr. Nelson's opinion that the gravel from that project would be too muddy for our needs.)*

*Weston Youd:* He pointed out that using the gravel in the sump was one of the reasons to do the grading project. Is Mr. Roberts willing to trade the gravel?

*Mayor Shelley:* Mr. Stephens should be asked about that. Another option would be to purchase the gravel from the Salem pit; but the cost would be about \$2,500. Mr. Nelson said he does not have the ability to wash the rock at this point; typically sumps will take a "washed rock".

*Nelson Abbott:* One of the reasons the lot east of the Fire Station was paved was to be able to wash rock for chip & seal. Could the gravel be washed in that area?

*(Council Member Youd thought that would be too much of a mess with clay and mud. The Mayor asked him to check with Mr. Stephens on the other options.)*

*(Weston Youd: cont.)*

- He worked with Spanish Fork City and Corbett Stephens to arrange to get some of the base milled from the road construction between Salem & Spanish Fork; it would be used on Loafer Canyon Road.

Six loads were arranged. One of the Council Members in Spanish Fork owns a cabin in Loafer Canyon and he helped with the arrangements...in exchange for Elk Ridge assisting with Loafer Canyon Road. If the City needed more, he might be able to arrange to get more.

*(Discussion of grading above Canyon View Drive)*

- Forest Service: (Gates) They do not buy them; they build them for their own purposes. They did provide details on the types they build to be able to send out for bids. He suggested the "single-arm" gate. These would be use to close off Salem Hills Drive (dirt road); as well as any other area deemed necessary.

*(Council Member Abbott recommended Scott Young as a possible person to build the gates.)*

The Fire Dept. would have keys to the gates for emergency access; keys could also be provided for Payson and Salem Fire Depts.

*(Council Member Clawson suggested that Mr. Stephens may know someone.)*

*\*Council Member Youd will gather bids and come back to the Council.*

He did not foresee much road work this year; but recognized the need for a long term rotation plan.

00:34:35

## 2. Public Safety & Parks – Erin Clawson:

- Public Safety:

No fireworks this month. We can all be a help to the Fire Dept.

- Parks: The Public Works employees have been working on the Park:

A. Retaining walls

B. Ramps (2) to the smaller playground area

C. More wood chips are coming for the playground area

The crew (those needing "community service" hours) from the Sheriff's Dept. will be back to help with weeding and spreading the bark.

D. The conduit has been run for lighting

They are doing a great job; she encouraged the Council to go out and see what has been done.

*(Council Member Squires discussed various forms of weed killers.)*

She would like to purchase about \$200 worth of flowers before the City Celebration for the front of the City Hall.

- City Celebration:

She announced that the Chairperson was unable to continue with her responsibilities about a week prior to the Meeting. Council Member Clawson has taken over these duties; but she will still not be present at the Celebration due to previous obligations for her job.

She has gone through the various areas and there were still things that needed to be worked out. The main part that she needs assistance with is the dinner and activities on Friday night. Since Council Members Burke and Abbott had volunteered for the Carnival, she was hoping that Council Member Youd could help with this. Most everything has been arranged; she just needs someone to head it up and make sure things happen properly that night. *(He agreed.)*

00:40:35

*(Discussion of a mechanical bull that had been ordered by Mrs. Anderson):* An injury waiver would have to be provided. The Recorder contacted the Insurance (ULGT) and found out that the City can get coverage for the inflatables; but typically, the companies will provide their own coverage if they run their own equipment. An application was sent over from the Trust (ULGT) for the coverage, if we need it. Council Member Youd asked if the bull could be cancelled. *(Council Member Clawson responded that yes we could cancel it.)*

Nelson Abbott: The way around having to apply for the event type coverage would be to require that the company bringing in the inflatables provide a certificate of insurance to the City...and having the equipment manned by their own employees.

*\*(It needs to be determined if they are manning their own equipment.)*

Council Member Clawson asked that Council Member Abbott be over the insurance and look at the application. *(He agreed.)*

*After discussion, it was decided to cancel the inflatable bull for Friday evening.*

*Races - Online registration:*

One of the things the City is already committed to is regarding the 5K and Mile Run; they have arranged for an online service called "Runner's Card" which allows runners to easily sign up for their event. This service has a charge associated with it; it is \$325 to use them...unless you get at least 150 runners signed up...because they are charged a percentage of the race fee.

- The prizes changed this year to towels rather than t-shirts.

- She has received some complaints about the race:

- The temperature at 7:00 Am tend to be chillier and people do not want water thrown on them while they are running.

It is felt that the City would likely not have 150 runners sign up; so the City will probably have to pay the \$325.

- The fliers for the Run: The were fairly expensive and they came with terms:

- The logo design was \$1,000 (gifted to the City by the designer, contingent upon the City using her in future years)
- The poster design was \$185
- Printing had a reimbursement of \$140
- Total Race is costing \$625 (She suggested that this is extreme for Elk Ridge)

00:48:59

The total budget may come in just over \$5,000 (on the high end); and that included the donations. Council Member Burke felt that the City would be fortunate if donations totaled \$2,000 this year. Council Member Clawson pointed out that the City is not trying to make a great deal of money with the Celebration...breaking even would be great.  
*Discussion of the snacks ordered from the Hospital for the Friday dinner...they can be sold Friday night and Saturday.*

- The information packets went out to residents the previous Saturday.

00:52:22

3. *Sewer – Nelson Abbott:* Nothing to report

- *Recycling* – Council Member Abbott will get the information to the City Staff to be reviewed before it goes out to the residents and to have it on hand to be able to answer any questions.

SESD: There was a Board Meeting that day and there is still discussion about a merger with Payson City.

Council Member Clawson reported that SESD wants a bigger banner for the City Celebration this year. She wondered who the contact person would be for that. *(Council Member Abbott said he would check on that.)*

4. *Water – Paul Squires:* Council Member Squires was assigned to find out if SUVMWA is still interested in selling water rights to Elk Ridge; they are not sure of the cost. He called them back and the committee has not met nor ever been formed. The contact he spoke to said to count on the original price that the City had with them (\$3,500/acre ft.). He asked to get that in writing.

5. *Planning Commission – Brian Burke:*

There is not much going on currently. They were not planning to meet that week. Since he has not served on the Commission in the past, he feel at a disadvantage in serving with the Commission.

*Suggestion: To continue the discussion on the Work Session items under Item #8 in the Regular Session; to allow Mr. Salisbury to address the Council under the next Work Session item (#4). (The Council agreed.)*

00:57:17

ELK RIDGE MEADOWS  
 PUD, PHASE 2 –  
 FEE-IN-LIEU OF  
 PARK IMPACT FEES

*(Chris Salisbury was present to discuss the possible use of these fees paid to the City)*

Brief History: As per an agreement between the City and Phase 2 regarding the open space (including a park), at a certain point the City agreed to take possession of the open space...after certain terms were met. Mr. Salisbury is now building on the lots in Phase 2 and desires for the conveyance of the open space to move forward. He is suggesting utilizing the fees that were paid in lieu of Park Impact Fees for Phase 2 for the refurbishing of the park area. The fees were meant to pay the City up to \$114,000 for this original work on the park...one permit at a time.

Mayor Shelley said that Mr. Salisbury has spent a "good deal of time in trying to pull things together and make things work...down there (Phase 2) and for the City".

*Chris Salisbury: (He provided a spreadsheet for the Council which showed a breakdown of the monies: City Funds, Neighborhood Repairs, Park Repairs as well as proposed balances of City Funds.)*

Total collected: \$59,850.00

Now that the "Dave Milheim Agreement" is over with and both parties (Salisbury and the City) know what there is to deal with physically and with the fees-in lieu of Park Impact Fees; he has gone forward to summarize the areas to present to the Council.

The previous week he met with the Mayor, Council Member Clawson and Corbett Stephens to go over some of the issues; and he wants to present these ideas to the Council.

Breakdown:

*City Funds:*

- City / Milheim Agreement (2,853.65 X 72 lots): Reimbursement will be kept by the City = \$205,462.80

- Fee-in-lieu (Paid with each building permit) = 104,025 (59,850 collected)

*Neighborhood Repairs:*

- \$159,375.05 (Estimate)

*Park Repairs:*

- Grass seeding of southern park (Mr. Frandsen felt that some of the grass in the park might come back with enough watering)

- Repair sprinkler system

- Tree replacement (The types will come from the approved list)

- Subtotal: 29,400

They have a new landscaper they are using to be able to take advantage of a "volume discount". He has come up from St. George to do all of Salisbury's landscaping. He was asked to look at the park in Phase 2 and did so with Wayne Frandsen. Some things have already been fixed by Salisbury  
*Proposal for Salisbury to pay for Park Repairs instead of "PI" (Pressurized Irrigation System)*

Manhole covers are on top of these other costs; after the overlay, the manholes will have to be dug out, collared and set.

*City Recorder:* She reminded the Council of the machine the City purchased for collar work to be done; perhaps this would save the City some money.

*Mr. Salisbury: (Cont.)* Plan on the overlay: It is a long-term plan; after the lots are built out. It appears that there were only about 27 lots left to build on in Phase 2.

The "surety money" from the durability bond is no longer available; but the reimbursement money is (only about \$105,000 had come in thus far).



Mr. Salisbury proposes that Salisbury Homes takes on the park repairs.

*Discussion of PI System:*

One of the original conditions with the development was the installation of the PI System. The main line is installed around the "inside" of the community; then there are stub lines under the street. This was discovered by Salisbury Homes after they purchase the lots in Phase 2. It was not anything they had budgeted for.

They understand that Elk Ridge still plans on using the PI System; but that could be months or even years out. He would rather take those resources (about \$50,000) and use them in a different way: put this money toward the park repairs...this would benefit the citizens now.

*Comments:*

*Nelson Abbott:* He wanted to know if there are any areas where the PI boxes are already in. (No.)

The main trunk lines are the only part of the system already installed. Does the code require the boxes as well?

*Weston Youd:* He was concerned about the expectation of CUP Water and the eventual requirement to assess future and current residents the money to connect to the mains. Were the original residents told they are ready to connect? Do other residents have a similar expectation? These home owners would have to be identified and not assessed at that time, if that money is used for something else.

*Mr. Salisbury:* Since they did not know the system was in the ground, it was not a "line item" for them as they built. He said that Corbett Stephens tell them they have to install a PI box with every permit.

Currently there is a bond for landscaping (including the box) for every lot built on in Phase 2. He thinks there were 5 or 6 homes that were built before they took over and he is not sure what promises were made to them. Salisbury's buyers had no commitment.

His suggestion was simply to free up that money and instead of installing the boxes; use the money for park repairs. If that suggestion were approved by the Council; Mr. Salisbury would get going with his landscaper.

*Weston Youd:* Though he felt Mr. Salisbury's option was a viable one; he wanted to make sure that the Council understands that this would not be without cost to the City...the cost of installing those inlet boxes would have to be accounted for in some way.

*Paul Squires:* He mentioned the 5 million dollars that would be available with CUP water, when it becomes available.

*The Council discussed the necessity of the boxes and whether or not it would be wise to wait for installation. Council Member Clawson felt it would be best to use the money now to repair the park.*

*Council Member Abbott brought up the fact that other places in the City would also need to have assistance, once CUP Water is available.*

The City Recorder looked up the original annexation agreement due to a question being raised as to what the requirement for a PI System: The agreement states that, "The developer shall install a dry secondary system to service the development within the area of the property." The agreement also states that the installation could be done in phases. The Council agreed that the statement is vague and could be interpreted to just include the mains; or it could mean that boxes are to be included, as well.

*(The intent was that each residence be serviced; and there is a current requirement of bonding for "landscaping", which includes the PI box.)* This was the agreement referred to by Mr. Salisbury that was in place prior Salisbury purchasing the lots in Phase 2.

\*Phase 1 needs to be checked out to see what is going on regarding secondary connections.

No further discussion.

**ELK RIDGE  
CITY COUNCIL MEETING  
June 12, 2012**

**TIME & PLACE  
OF MEETING**

This Regularly Scheduled Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, June 12, 2012, at 7:00 PM**; this was preceded by two Public Hearings on the following: **The First Public Hearing, held at 6:00 PM**, was to consider the proposed Adoption of the 2012 Tax Rate; and **the Second Public Hearing, scheduled for 6:15 PM**, was on the proposed adoption of the Approved Budget for the 2012/2013 Fiscal Year. The **City Council Work Session was scheduled to begin at 6:30 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 these Meetings were provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on June 7, 2012.

**7:26 PM -**

**CITY COUNCIL REGULAR SESSION AGENDA ITEMS:**

**ROLL**

*Mayor:* Hal Shelley; *City Council:* Erin Clawson, Weston Youd, Brian Burke, Paul Squires & Nelson Abbott; *Planning Commission:* Clint Ashmead; *LEI Engineering:* Cory Pierce; *Public:* Cody Burdick, Chris Salisbury, Neil Dykstra & Rebecca Devenport ; and the *City Recorder:* Janice H. Davis

1:21:13

OPENING REMARKS &  
PLEDGE OF  
ALLEGIANCE

An invocation was offered by Jan Davis and Weston Youd led those present in the Pledge of Allegiance, for those willing to participate.

AGENDA TIME  
FRAME

**WESTON YOUNG MOVED, SECONDED BY ERIN CLAWSON, TO APPROVE THE AGENDA TIME FRAME AND TO ADJUST THE START TIME TO 7:26 PM**  
VOTE: YES (5) NO (0)

PUBLIC FORUM

*1. Rebecca Devenport – Status of drainage issue on S. Mahogany:*

Mayor Shelley: He responded: Council Member Abbott had been asked to do some research on the issues. When he and Council Member Abbott visited the area; it appeared that a great deal of grading and landscaping had been done. It seemed like the grading that had been done would allow for the drainage to flow around to the side...he was not sure of the intent of the grading. Mrs. Devenport was asked to fill in the details.

Mrs. Devenport: She responded that the grading that was done was there before they moved in. They were told they needed to maintain the ravine; so they worked around what was already in place.

Mayor: A 24" culvert was discussed between Mr. Stephens and Mr. Devenport; connecting into the drain box in the previous Fairway Estates Development (*now null & void*). After looking at the issues; should the original idea of installing a culvert be considered?

1:25:37

Nelson Abbott:

- He discovered that the lot in question is in the HR-1 Zone
- He researched the HR-1 Code under "removal of natural vegetation: "Areas with slopes of 20% or greater that are not part of an approved building envelope...ravines, drainages and wild life corridors shall remain in a natural state". He realizes that the Devenport lot is not in a "natural state" because Mr. Yergensen (developer) did the initial grading.

(Mrs. Devenport interjected that she understood it was not in the HR-1 Zone when the development started.) Council Member Abbott said that it was in the HR-1 Zone from the beginning of the development...the code accompanying the zone was "quite loose" compared to what is in place. Council Member Abbott referred to the previous zone designation (CE-1 Zone) and stated it was much less restrictive.

He referred to the building envelope for her lot:

- Where the natural drainage channel was, Mr. Yergensen filled that in...and, in a sense, "relocating" the ravine (10 to 12 ft of fill).

*Discussion of ownership of the lot south of Devenports: Mr. Cody Burdick (in the audience) stated he owns another lot in that area.*

1:28:04

- Council Member Abbott commented that Mr. Burdick's property seems to have been a "dumping ground" for a while...
- If the City were to install a culvert; it is questionable if that would be within the code...since that would be outside the building envelope. Nothing over 20% slope should be disturbed.
- If the water will flow the way it is now, why disturb the ground even more for a culvert? It appears that the water does flow well.

Code Burdick: He is concerned about the natural ravine location is fairly restrictive. (Council Member Abbott pointed out that he would not be able to go outside the building envelope anyway.) Mr. Burdick wonders how the envelope was set; since it is not 30' from the real of the property.

Nelson Abbott: He said it comes down to the grade and the code for the HR-1 Zone.

Mayor Shelley: He felt that there needed to be a conclusion as to how best to proceed.

Nelson Abbott: His biggest concern was that the drainage issues being discussed are on private property. If there is an issue on private property, it would be the owner's obligation to address it. He did not feel that it is "right, fair or prudent" for the Council, as representatives of the City, to address drainage issues on private property; not to use funds from taxes for that purpose. The citizens on Escalante Drive are being assessed for curb & gutter to handle their own drainage.

Recommendation:

If the owners want to install a drainage pipe on their property; he does not have a problem with that; as long as it is allowed by the code. The question would be which code they would be subject to.

*\*The Mayor suggested having the City Planner research this and Council Member Abbott suggested getting the City Attorney's advice. (All of the information had already been emailed to David Church.)*

The desire is to make sure any solution is legal.

*\*The Mayor is to meet with the Planner and contact the residents (they would like to be present). The Mayor is to arrange the meeting.*

Paul Squires: He said he has access to an original recommendation letter for the whole area.

*\*The Mayor asked him to get a copy of that letter (the residents wanted a copy as well).*

1:39:59

ELK RIDGE MEADOWS,  
PHASE 2 / FEE-IN-LIEU  
OF PARK IOMPACT  
FEES – USE

Mayor Shelley called for any further discussion before any action.

City Recorder: The money that the City is getting from the agreement wherein the City waived the surety bond for Phase 2 is to be considered a "donation" from the developer; those monies will not be restricted and may be spent more freely. The original understanding was that the City would utilize the surety bond money to help refurbish that park; however, the City is not legally required to spend that money in that manner. Part of that money is to be used to repair the road in that area.

(City Recorder – cont.) The “fee-in-lieu of Park Impact Fee was figured from the estimated cost (\$114,000) of bringing that park back; so, it would be logical to use that money that has been paid to the City for that purpose.

Erin Clawson: It is going to be the City park and Phase 2 has met the 50% requirement to take over open space. Mr. Salisbury is ready to go. Council Member Clawson does not want a run-down park. She is in favor of using the fee-in-lieu of park impact fees for the park.

**WESTON YOUNG MOVED, SECONDED BY ERIN CLAWSON, TO ACCEPT THE PROPOSAL, AS PRESENTED BY CHRIS SALISBURY, TO UTILIZE THE FEE-IN-LIEU OF PARK IMPACT FEES; AS LISTED IN THE SPREAD SHEET PROVIDED TO THE COUNCIL...FOR NEIGHBORHOOD REPAIRS AND PARK REPAIRS IN ELK RIDGE MEADOWS PUD, PHASE 2...NOTING THAT THE PRESSURIZED IRRIGATION SYSTEM, AS IT CURRENTLY EXISTS, MEETS THE TERMS OF THE DEVELOPMENT AGREEMENT**

**VOTE: YES (5)**

**NO (0)**

1:45:03

HASKELL  
COMMERCIAL  
DEVELOPMENT

*Staff Report (LEI Engineering – Cory Pierce, P.E.)*

“This application is for a Preliminary and Final subdivision requested by Lee Haskell. The purpose of the subdivision is to create a lot to facilitate an assisted living facility. Mr. Haskell received a conditional use permit for the proposed facility in December of 2010. Subdivision improvements include asphalt widening, sidewalk, curb and gutter and along the west side of Star Lane, as well as any other improvements outlined in Elk Ridge City Code. Specific requirements for the C-1 zone are located in Section 10-10 of the Elk Ridge City Code. As per Section 10-12-37-D4 of the City Code, the preliminary and final subdivision plats can be reviewed together. The TRC reviewed the preliminary and final documents based on current Elk Ridge City Code, as well as the Development and Construction Standards.

*Recommendation:*

**TRC Recommendation:**

The Technical Review Committee (TRC) has reviewed the application and proposed plans for compliance with the Land Development requirements, and other land use policies of the City, and recommends approval of the Haskell Preliminary and Final Subdivision with the following conditions:

1. That the required water rights to facilitate the proposed use be deeded and transferred to the City prior to recordation of the final plat.

**Planning Commission Recommendation:**

On May 10, 2012, the Planning Commission held a public hearing and discussed the application; however, there were not enough Planning Commission members to have a quorum and the necessary vote. The Planning Commission reviewed the application again on May 24, 2012 and recommended approval with the following condition:

1. That the required water rights to facilitate the proposed use be deeded and transferred to the City prior to recordation of the final plat.”
2. Added to the recommendation conditions: Bonding for the Development (infrastructure required to extend curb & gutter to sump located at the corner of Star Lane and Goosenest Drive; as well as any required improvements for that portion of Olympic Lane.

City Recorder: The Final Checklist for development includes providing a cost breakdown of the development improvements to be covered by bonding. Those estimates are submitted to the engineer for approval and their review will add on 20% for “Durability Retainer” and 6% for engineering inspections...the bond is then 120% of the cost estimate. The developer has options to actually secure the bonding (letter of credit, performance bond, escrow account, etc.) This must all be done prior to recording.

1:47:36

*Comments / Questions:*

Nelson Abbott: (Sewer Impact Fee) This facility is different than what was initially anticipated when the sewer agreement with Payson City was created; how will this development impact what Elk Ridge pays Payson? Is Payson aware of the proposed development? Is \$4,550 sufficient? He wanted to be sure the City's fees are covered.

*(Mr. Pierce responded that this figure is based off of Elk Ridge's impact fee.)*

\*It should be discovered if Payson's fees would be covered for this type of facility.

\*Mr. Pierce said he would look into this with Greg Magleby on this. Do they have a separate fee schedule for commercial enterprises?

Lee Haskell: Mr. Haskell asked about Park Impact Fees; he did not see them included on the list of impact fees. He also wanted to know the cost of water rights.

\*It was decided that the Planning Commission should address: was there a reason park impact fees were not included for this development in particular and what about future commercial developments?

Mr. Pierce briefly discussed water rights and the required usage for commercial enterprises.

City Recorder (re: price of water rights) It depends: SUVMWA rights are going for \$4,500/acre foot; but there are also developers that have transferred rights that they may be willing to sell. The current market value is unknown at this time. The cost may be a bit higher than market value; but the advantage is that there would be no waiting period for the transfer process at the State.

With in the motion or in a separate one, there should also be reference to water right allocation of 2.7 acre feet of water right from the Elk Ridge Water System for this Subdivision.



1:58:16

WESTON YOUD MOVED, SECONDED BY PAUL SQUIRES, TO GRANT PRELIMINARY AND FINAL PLAT APPROVAL TO THE HASKELL COMMERCIAL ASSISTED LIVING DEVELOPMENT; CONTINGENT UPON THE FOLLOWING:

1. COST ESTIMATES FOR THE REQUIRED IMPROVEMENTS ARE TO BE PROVIDED AND BONDING SECURED FOR THE DEVELOPMENT PRIOR TO RECORDING THE PLAT
2. THE REQUIRED WATER RIGHTS ARE TO BE PROVIDED TO THE CITY PRIOR TO RECORDING THE PLAT

THE CITY COUNCIL ALSO APPROVES THE ALLOCATION OF 2/7 ACRE FEET OF WATER RIGHT BE ASSIGNED TO THE HASKELL COMMERCIAL ASSISTED LIVING DEVELOPMENT  
VOTE: YES (5) NO (0)

1:59:15

2012 TAX RATE &  
2012-2013 BUDGET

1. 2012 Tax Rate:

NELSON ABBOTT MOVED, SECONDED BY BRIAN BURKE, TO APPROVE THE SUGGESTED, CALCULATED TAX RATE FOR THE 2012 TAX YEAR AT .002715  
VOTE: PAUL SQUIRES-AYE, ERIN CLAWSON-AYE, WESTON YOUD-AYE, NELSON ABBOTT-AYE & BRIAN BURKE-AYE (5) NAY (0) Passed 5-0

2. 2012-2013 Fiscal Year Budget:

(This item was postponed until later in the Meeting to allow for discussion of items that would affect the budget.)

2:00:04

CITY COUNCIL  
ASSIGNMENTS

1. Brian Burke: (HR Code)

"Personal Time-Off" – Section 8015

City Recorder: The City Staff have expressed their desire to have some input and/or a chance to review the various sections of the code that are being amended, prior to adoption.

Nelson Abbott: If nothing is being taken away from the employees, then he felt the Council could move forward with the amendments.

Brian Burke: He feels there should be agreement amongst the Council Members and then let the Staff review what is being proposed.

Sections 1 – 6:

- 1-B: Typographical change (Change word "there" to "the")
- 2-B: "Accrual" – Add the following under "Length of Service": "Up to a Maximum of 12 'sick' days, converted to 'Personal Time Off'...and, '10 days vacation converted to PTO'  
(Note: "Vacation and Sick Time" was already changed to PTO by a previous Council)
- 4: Regarding the policy of carrying over unused PTO days at the end of the year...
- Line 1: Employees may carry over 5 unused PTO days into the next year and accumulate a maximum of 17 days of PTO leave)
- 5: Change: Change the words "traded for cash" to "paid"
- 6 (2<sup>nd</sup> line): Change the word "should" to "will"  
(4<sup>th</sup> line): Remove word "Mayor" and add "Your immediate supervisor"

*Discussion of employees reporting to "Mayor" each day of their absence: That has changed with the positions of Director for Public Works and Office Manager...the employees report to them directly.*

The suggestion was to change "Mayor" to "Supervisor" (which would be applicable to either)

Question: The proposed amendment refers to "sick days" and those have been changed to "PTO". The next line referred to "any sickness or illness beyond the 1<sup>st</sup> three days"; would this still be applicable?

*Discussion:*

- Any Paid Time Off requires review and approval by the Supervisor or the Mayor
- If it is thought that the time off is being abused, then a doctor's note may be required (This would be at the Mayor's discretion)
- Any extended time off must be scheduled ahead and approved; according to the needs of the office
- It is simpler to track all PTO days than part sick and part vacation
- 5 days could be paid for at the end of the year

(Wayne Frandsen feels he had a certain amount of time off prior to retiring; that time needs to be checked to make sure there is proper understanding of the paid time off.)

Weston Youd: He cited an example of an employee calling in to report illness (extended for several days); the Supervisor could respond that it would be fine and the position could be covered; but a doctor's note could be required...the question would be; is that employee still going to plan on being sick for those planned days?

Another response could be that the employee may not have enough paid time off to cover the request; it could be approved based on a doctor's note.

The Council felt that is "pretty standard".

Question: What if the illness is simply a "condition" that is chronic and flares up at times...this would not require a visit to the doctor.

Council Member Burke mentioned that ADA also covers certain chronic illnesses. Reasonable accommodations must be made for certain ailments. He also asked about injury; that would require time off. (Workman's Comp does cover on-job injury; but there are penalties involved.)

Office Policy can cover individual needs of the different departments.



- 7-C (2<sup>nd</sup> Sentence shall read): "Seniority will be used to resolve requests for PTO time off except for a verifiable emergency situation; in which case emergency requests or use of PTO may be given extra consideration."

Weston Youd: Management should be given the opportunity to "manage" their departments... "the duties of the department continues on regardless of who is here doing it...the duties of the dept. happen". He feels the Dept. Managers should prioritize tasks so that the department's functions occur.

- Section 13 (1<sup>st</sup> line): Change "Mayor" to "Supervisor". The intent is to push responsibilities down to a lower supervisory level to alleviate some of the duties of the Mayor.

- Section 8020 (Funeral Leave): Suggested to add step parents and grandparents to list. (Current leave = 3 days) Leave the discretion to the supervisor to approve the relationship.

- Section 6: Delete the term, "vacation leave" and replace with "PTO"

Delete the last sentence which states: accrued sick leave days may not be used for funeral leave".

- Holidays: Question on ½ day for New Year's Eve (Eliminate this). This will be considered a full work day. If things are done and people want to go and it is okay with the supervisor; then okay.

- Section 2-C (Shall read): "part time employees: When a holiday falls on a normal scheduled day of work and the entire office is closed, the part time employee may be paid for the normal number of days and hours that they would otherwise have to work. Management reserves the right to allow part-time and temporary employees to work any other day during a pay period."

The question came up regarding part-time employees getting benefits...should they receive any?

Question: How many employees work less than 20 hours per week? (*Annebel, Linda & Marissa*)

*Explanation*: Current policy: If the employee is scheduled on a day that a holiday falls on; then they would get paid for the normal number of hours they would have worked...IF they also work the scheduled day before and after the holiday. (They are not getting overtime or "holiday pay"...it is just straight time.)

In the past, certain employees would come in and work, if they did not want to take the day off and lose that pay...it was decided that it was not a good idea to have an employee here working alone.

Suggestion: Don't pay the employee; but allow them to come in on another day. The thought was that anyone under 20 hours per week would not be eligible for holiday pay.

*Discussion of benefits for part-time employees*:

It was mentioned that typically part-time employees receive no benefits; however at the City Office, some benefits have been offered...holiday pay is one of the benefits. The question came up as to the types of benefits that are offered or actually paid to the part-time employees.

City Recorder: She explained that it was under Mayor Jacobson's administration that employees (full-time or part-time) started receiving benefits. Previously there had been no benefits even for full-time employees. Mayor Jacobson was a retired vice president of US Steel and was determined to get employees benefits; this included an offering of either a 401K or a 457 plan for part-time employees. This was instigated at the same rate that the non-contributory plan called for (full-time employees had no choice; they had to go onto this pension plan). That rate has fluctuated over the years; it is set by the Utah Retirement Systems (URS). Mayor Jacobson was trying to make up for the lack of comparable wages paid to Elk Ridge's employees; compared to other cities and towns.

- There is also an option for pro-rated health insurance for part-time employees (20 hours per week would qualify for ½ the premium being paid by the City (this was not the original intent; but began toward the end of Mayor Fritz's Administration). It was instigated due to a situation that came up with a part-time employee at the time whose husband lost his employment and insurance...the Mayor took it to the Council and the pro-rated option was approved...nothing under 20 hours per week was included. There has only been that one employee who took advantage of this offer. This option is in the code (*The current Council did not agree with the pro-rated insurance option being offered to part-time employees.*)

The employees have been notified that these benefits will be under review with the review of the HR Code and they have been prepared that some or all of these benefits could be questioned and denied in the future. The question has been brought up about "grandfathering"; when the code changes, are the current employees "grandfathered"?

Weston Youd: 401k's are renegotiated every year. "Now the days off does not seem so bad for holidays."

Nelson Abbott: The Council can simply declare that the City is not going to "match" any contribution.

Brian Burke: The rules governing retirement are very clear; and the current policy may be in violation of those regulations.

*\*He said he would look into this and the health insurance for part-time employees and bring clarification back to the Council.*

- The section on "Temporary Employees": They are not entitled to "holiday pay".

Paul Squires: (Regarding Section...item 1) He read from the code wherein it states that "exempt employees" are not eligible for overtime pay.

He has reviewed the Fair Labor Standards Act and it is applicable to municipalities and businesses: (He read a statement about "blue-collar workers") The statement read said that the exemptions applied only to "white-collar" workers who meet the salary and duty tests. "The exemptions do not apply to manual laborers or other blue-collar workers who perform work involving repetitive operations with their hands, physical skill and energy. Fair Labor Standards Act covers non-management employees in production, maintenance, construction and similar occupations such as carpenters, electricians, mechanics, plumbers, iron workers, craftsmen, operating engineers, longshoremen." The statement went on to explain that those in construction are entitled to minimum wage and overtime and are not exempt; no matter how highly they may be paid.

2:49:49

Council Member Squires wanted to apply what he just read to Mr. Stephens. Where does he stand currently?

*(Council Member Youd replied that he is "hourly"; that he has a "non-manager" status.)*

Council Member Squires wanted a copy of his current agreement with the City.

*(Mayor Shelley will provide a copy to Council Member Squires.)*

2. Erin Clawson: (City Celebration – "Citizen of the Year") Council Member Clawson pointed out that the selection needed to be decided that night.

*After discussion, it was decided that Connie Reece should be selected due to her long-time service to the City as a great citizen and for heading up the Parade for a number of years.*

*\*The City Recorder offered to arrange for the plaque for her.*

3. Mayor Shelley: (Rental Property) June 1, 2012 was the date for the family to be out of the house. A reminder note was sent back at the end of April or the 1<sup>st</sup> of May; they responded with the assurance that they could be out by June 1. Mr. Anderson came to the Mayor at the beginning of June to request an extension because the place they were going to purchase would not be available until the end of June, 2012. The Mayor told him he would take this request to the Council; but that there could be no assurances.

*After discussion, it was decided unanimously that if the family were to be in the house until the end of June, that rent would be due for the month.*

*\*Mayor Shelley is to contact Mr. Anderson to inform him that the rent is due for June; but that an eviction process would begin on July 1, 2012.*

Council Member Clawson said that (for the record), she was "upset to be put in that position". She felt that the Council was "more than generous" and she felt that was being taken advantage of.

3:02:18

4. Mayor Shelley: (City Council Retreat)

The Mayor expressed his desire to be a successful Council in all the many projects and duties that lay ahead. He feels that long-term planning is the key. He would like to see either a five or six year plan in place for Capital Projects. There are projects like: Storm Drain, City Center, Roads etc.

A Council Retreat would be for the purpose of getting away to discuss these responsibilities without interruption...it would be an open meeting. He would like all members to come prepared with suggestions for their respective departments and areas of concern.

Suggestion: Perhaps August 11, 2012. The Council will consider this and get back with the Mayor. Perhaps spouses could be invited to a cabin; with the understanding that the purpose would be "Council oriented."

Weston Youd: He is acquainted with this type of process and he would like to see the Council Members come prepared with certain "initiatives" for their departments. He would like to see well thought-out projects and the way to accomplish the project...complete with cost projections.

There can then be quality evaluations, based on the goals set and plans made.

The Members are committed to stay until the 5-year plan is completed. If everyone comes prepared, then they could adjourn early and go and enjoy other activities.

It would be good if they could find someplace fairly close and not too expensive. (Not August 5; that is Council Member Youd's anniversary.) The Council was encouraged to check their calendars.

3:13:10

## PUBLIC WORKS

Mayor Shelley: The Mayor emailed the Council with a summary of duties involved with the position of Public Works; not all the Council received the email.

Even though there have been frustrations involved with some of the issues associated with Corbett Stephens and the position of Public Works Director; he still feels that the position ought to be offered back to him with the understanding that there are certain terms and conditions that go with the job description.

Mr. Stephens has stated that he does not want to be salaried / exempt. The Mayor was not sure if there could be an option of offering the position and still allow him to be non-exempt.

Even though the Mayor felt there was little choice given him in temporarily taking over the functions of the Director, he does not have the experience and knowledge to continue to direct the day-to-day operations of the Department. He is not getting anything else accomplished. He has seen good things happen...hard work has taken place; but he (the Mayor) cannot continue in this capacity...it must be a temporary arrangement. The question is what the offer should include and how to make it attractive, since he has a standing contract as the building inspector with no wage reduction.

Nelson Abbott: He felt that the position could be offered to Mr. Stephens with:

- A raise for the recent Wastewater Certification (Care needs to be taken in what the raise will be because it will apply to the other employees as well.) This will show recognition for his accomplishments. The need to determine how much those certifications are worth to the City. Example: SESD gives raises to their employees based on the certifications they attain.

Weston Youd: If a Public Works Director were hired for \$65,000, he would expect that those certifications would be included in that package. Why pay extra if they are expected to be present to be hired? Compared to other municipalities, Mr. Stephens' current wage is within the range of other cities for the same position. Some cities would pay more; but those are bigger cities with more responsibilities.

Mayor Shelley: Rex Davis had already been told that he could expect an increase in wages for those certifications. Mr. Stephens asked how much the certification was worth. That worth needs to be established.

Another option would be to continue the contract with Payson for their services and certification.

Questions:

1. Does the Council want to approach Mr. Stephens for the position of Public Works Director? Will he be willing to accept?

2. If he and the Council were to negotiate this; then the Council would have input and he could as well. The Mayor can offer him the position; but cannot approve a dollar amount.

3. Either this option; or advertise for a Public Works Director through SOS or bypass SOS.

Weston Youd: He agreed with the options presented by the Mayor; however, with a slightly different approach.

- It has been established that the City needs a Public Works Director.

- Is there an acceptable and current job description? That description needs to be in place.

(Erin Clawson: What Corbett Stephens brings that cannot be put on paper are:

- Connections with people that save the City a great deal of money)

(Council Member Youd continued)

- The job description needs to be solidified and a "pay grade" attached to that.

- Then go to Mr. Stephens with this offer and give him "right of first refusal"

- Mr. Stephens can weigh the terms of the offer and either accept or reject the offer

- If he accepts; the City moves forward

- If he rejects the offer; the City advertises for the position (same job description)

Council Member Youd agreed with this approach; however, he feels the City needs a City Manager.

Mr. Stephens (or a new Director) would report to the City Manager.

Question: Why couldn't a Public Works Director, who is willing to manage, do the job? Is the City too small to necessitate a City Administrator?

Mayor Shelley: He contacted Dave Tuckett (Payson City Manager & Elk Ridge resident) to get his opinion about his position and whether he felt Elk Ridge was ready for a City Manager.

Though he was very "tactful" and not trying to make decisions for the City, he offered the following:

- He felt that perhaps Elk Ridge was premature for this type of position and was not sure if our City would ever be big enough.

- It would definitely cost the City more

He identified certain problems:

- A City Manager also needs an engineering background, an accounting background, as well as other qualifications in order to pull away from those jobs/projects that are currently being contracted out.

- Elk Ridge would have to change its form of government

Weston Youd: He pointed out that David Church had told them that a City Manager would be a good idea.

(City Recorder: A good Public Works Director can manage the Dept.; leaving the Mayor free to be the "Administrator")

Council Member Youd agreed; but asked if "Corbett is the right person for that?"

The Mayor added that if the job description were properly "couched" and he understands every aspect of it...not just the physical labors of it; but the management aspects of the job...and will he accept training?

Brian Burke: He saw 2 problems:

1. Mr. Stephens is not comfortable with management responsibilities; he has expressed that and shown that. "It is not just Rex; I don't think he wants to supervise people. He wants to get out and get the job done; but he doesn't want to take responsibility for others...because it is a pain in the neck."

2. Mr. Stephens wants to be non-exempt. He feels the Council would be making a big mistake to have a position like Public Works Director anything but exempt. That is why these types of jobs are exempt; so they don't have to argue and nit-pick over hours.

Weston Youd: "I cannot support a Public Works Director that is not exempt." (Council Member Burke agreed; but mentioned that Mr. Stephens will not accept that status.)

Mayor Shelley: The offer can be made and it is an option to refuse it; then the City will have to find someone else.

Weston Youd: That position is in place to manage a department and should be exempt; the department then should "get the stuff done". A "Director" directs others to do the work...he explains and directs; that needs to be explained to whomever ends up being the Director. It is part of managing the Dept. to make sure there are people certified in the necessary fields. He needs to make sure those needs are met through funding and training personnel.

(City Recorder: Mr. Stephens is so good at what he does...in so many areas.)

Council Member Youd went on to say that it is the Council's responsibility to ensure that the City has a Public Works Dept. that is functioning correctly; right now, do we have that?

(Mayor: "No, I don't think we do.") We need someone that can direct the necessary changes to make the department run efficiently. When the Director approaches the Council with needs, it should never be that "I" need this or that; it should be that the "Department" would benefit from whatever the request would be and why.

Brian Burke: The Council needs to look at where we want the City to be 20 years in the future. The value of the Mayor to the City is in assisting the City to progress.



3:30:17

The duty of the Council is to ask "What steps need to be taken now so that goals are reached?" He said that the Mayor is currently so "bogged down with trying to manage the day-to-day" duties and projects that he does not have time to fulfill his own administrative purpose and focus on the "big picture". "You don't take a CEO and put him over a department and have him manage it; because then he is no longer the CEO." The City needs someone to manage the department; "I don't think it is Corbett". Perhaps the City can utilize his skills on a temporary basis while his contract is still in force; but in the long term, "I don't think that is in the best interest of the City...for you (Mayor) to manage the department".

*(The Mayor agreed.)*

Nelson Abbott: He agreed with Council Member Youd:

- A good job description is needed
- Give Mr. Stephens first right-of-refusal
- If he is unwilling to accept all of the terms; then he would remain as the Building Inspector (With other duties, as assigned...as stated in his contract)
- Hire a Public Works Director that will direct and manage our Public Works employees

*(Council Member Burke felt that would be extra cost of perhaps 60k to 70k.)*

Council Member Abbott disagreed and felt that the starting range would be more like 45k or 50k.

Mayor Shelley: He felt that the starting range could start lower with the ability to rise; but the reality is..."Corbett was brought in under exceptional circumstances". The Council decides where the starting point is. This person would have to be backed by the Council as well as have the skills to be able to perform the job asked of him/he.

Weston Youd: He expressed that he felt Mr. Stephens could excel at the position; as long as he would be willing to develop those points that he needs to; and then recognizes that "I am no longer an individual; I represent a department...and I make sure that the department satisfies those needs...instead of, 'I see a problem...I have to fix it.'"

*(Council Member Burke felt that is a "mind-set" and it would be difficult to change someone to think that way.)*

Erin Clawson: "I don't think you can't change that...because Corbett can drive through the city and see a hundred things we could be doing to improve and all of us would only see maybe one or two of them."

Weston Youd: He also needs to know when the department should not be doing something...because there are 1,000 things out there. *(Council Member Clawson: "He has been learning to say that".)*

Part of being a good director is knowing how to prioritize the things that needs to be done

City Recorder: Mr. Stephens has been paid to be the Building Inspector as well as the Public Works Director. Is it necessary to bring a person in to manage 2 employees at \$60,000 to \$70,000?

The point is; there is a possibility that Mr. Stephens will not accept the offer of added responsibility when he can earn the same amount just doing inspections and plan checks.

Mrs. Davis knows what Mr. Stephens is capable of; she has worked with him for a number of years. If he turns down the position; then the City would be hiring for just part of what Mr. Stephens would be expected to do.

Erin Clawson: "So, why are we not willing to pay him any more?...is what I am wondering. We are willing to pay a whole other salary to manage someone who can do all of that...potentially."

*(Council Member Burke interjected, "But, he can't do the management part. Council Member Youd agreed.)*

Council Member Clawson gave a bit of what she felt would be Mr. Stephens' perspective: he was the building inspector, being paid a certain amount; then when Mayor Lutes came in, he was made 'all these other things'...making the same amount. More certifications are being asked of him; with management skills; but no where to go financially. "But you are willing to bring on a whole other person, financially, and pay out double...so why can't you just bump that up based on certain things?"

Brian Burke: "If he doesn't want to manage and if he wants to be 'hourly'...giving him more money is not going to solve anything."

Erin Clawson: But you are not going to take money away from him...so, you are going to end up paying two people..."

Weston Youd: "No. Corbett's contract will be up in a year...then he will be a building inspector that we will re-negotiate the contract; which I think should be at a piece..."

*(Mrs. Davis and Council Member Clawson felt at that point, Mr. Stephens would leave the City.)*

Council Member Youd went on to say that for the City to move forward, that may be the decision that the Council has to go with. *(Council Members Clawson and Squires did not agree.)*

Erin Clawson: She feels that if Mr. Stephens has the potential to excel in this position; then why doesn't he have potential to grow financially?" *(Council Member Burke repeated that he does not want to.)*

Brian Burke: He said that he would not have a problem paying him \$70,000 or \$75,000 if he would be the Public Works Director...

*(Council Member Clawson interrupted and asked where the incentive to change was if he could not be able to make more money? She pointed out that she had taken on more responsibility at her job, but not for the same amount of money.)*

Council Member Burke continued...that he would be willing to pay him more money if he were "willing to step up to the plate"; but he doubted he would. He suggested offering Mr. Stephens \$75,000...with \$10,000 more, he would have full responsibility for directing all projects within the City; and he would be "exempt"...Council Member Burke felt he would not want to give up his over-time, as per his current



contract. Then the City would be paying overtime on \$75,000 rather than \$65,000...instead of \$45/hour, it would be \$55 or \$60/hour. He still maintained that paying extra money is the answer. He has to want to do the job... (Council Member Clawson interjected: "Then tie the money to the job".)

Paul Squires: He still felt that an "exempt" status would not prevent overtime.

Weston Youd: He disagreed with Council Member Squires...there is a difference between "manager" and "managerial"...he suggested that Council Member Squires re-read the statement. Overtime may be allowed; but the law does not *require* that overtime be paid. The City defines this position as an "exempt" position; because it is a director of a department.

Paul Squires: He felt that if it were explained to Mr. Stephens that overtime could be earned, if approved in advance...and it could be quarterly.

*There was discussion regarding overtime worked recently by Mr. Stephens...that it was pre-approved by the Mayor. Council Member Burke disagreed that it was all pre-approved.*

*Council Member Youd suggested that the department would be managed and directed and that there would not be any overtime.*

*Council Member Squires said that generally "comp time" is encouraged; but overtime can be allowed. Overtime could be allowed on an emergency basis.*

Weston Youd: He advised to "Solve the problem at hand...we need a Public Works Director; but we do not know what a Public Works Director is going to do for the City." He recommended taking steps:

1. Define an accurate job description (Do not write the description around Mr. Stephens; just write it for the position, itself.)

- The Mayor had drafts of descriptions from him (Mayor) and Council Member Squires

- He asked that they Council review those and get back to him (Mayor)

- One draft has been presented to Mr. Stephens; but he did not agree with it

Council Member Youd advised that the Mayor (Council) stop doing that...get a good

Job description and present it...Mr. Stephens either accept the description and his willingness to do the job...or he does not.

*(Council Member Clawson agreed with those proposals; she did not agree with no increase in pay for more responsibilities.)*

Council Member Youd felt that building inspections are separate and should not be included in the job description. If it is desired to have both positions filled by one person, then it should be so written.

*Discussion regarding both positions filled by one person: Until January of 2010 (when Kent Haskell left the City, these positions have always been separate. Council Member Clawson said that when Mr. Stephens took over both positions, nothing changed; except working more.*

Weston Youd: If the City is not large enough to hire a full-time inspector, the position is contracted out.

*(Council Member Abbott did not think an inspector could be found for less money than the City is paying Mr. Stephens.)*

City Recorder: When Mr. Haskell left the City, he was earning about \$42,000; the City was also paying Mr. Stephens about \$60,000+...that is over \$100,000 for the two positions. Since then, the Dept. has grown by one employee...that is one more to manage. Even a part-time inspector would cost more than what the City is currently paying Mr. Stephens to fill both positions.

*(Council Member Clawson said that Mr. Stephens resents being taken advantage of by the City. Council Member Youd added that the current Council just paid for that service with a check for past overtime retirement for that time period. Council Member Youd asked how many inspections were done during that same time period.)*

The Recorder reviewed the history of how Mr. Stephens' salary was justified when he was first hired...he was generating all but about \$13,000 of his salary through inspections + some development inspections.

As Council Member Youd alluded to, there was a time when that revenue was not being generated and he still made the same salary. He is again generating revenue for the City through building permits.

Brian Burke: He recommended getting back to the point that the City needs a Public Works Director; the question: "No matter what we pay him, is he the guy? Is he willing to step up to the plate and do the job? I question that."

Erin Clawson: She felt that because he is already a City employee that the chance should be given..."if he doesn't cut it, then that's it..."

Brian Burke: He doubted that Mr. Stephens would accept the exempt status...even at a higher salary.

*(Discussion about overtime)*

Weston Youd: He concluded that, "Overtime is easy; the Mayor can make the directive that 'your Dept. will not have overtime'...if your Dept. has overtime, then you are mismanaging it and you will be corrected for it...that is how you take the overtime...he can call himself non-exempt all he wants." *(Council Member Clawson agreed)* The overtime is balanced out and managed through the Mayor or Director. The Dept. should run more and more efficiently so that emergencies happen less and less.

*(Council Member Squires made the point that comp time should be used as much as possible...but it still entitles an employee for overtime. Council Member Abbott added that the overtime should be assigned to the qualified employee that is paid the least; not the highest paid one.*

*(There was much talking over at this point.)*

Council Member Youd stressed that managing a Dept. so that performance increases as emergencies decrease is possible and should be the goal. *(Council Member Burke doubted that would happen, in reality.)* If the increase in efficiency is not occurring, then the Mayor should insist that the Dept. be re-evaluated and the Director "fix it".

3:52:23

Responding to emergencies is replaced with predicting them and avoiding them, if possible. If issues repeat themselves, then the Council would ask the Mayor about the Dept. and the associated performance. (Council member Squires added that Performance Reviews should address these issues.) The Director finds the root cause and makes the necessary adjustments.

(Council Member Squires agreed with this policy; but the word "exempt" needs to have further explanation that overtime is possible.) The Mayor can control that with an easy statement: "You will control overtime and if it is extensive...and he (Mayor) determines what "excessive" is...then he has to reduce it...he has to manage his Dept, to where that overtime is at an acceptable level." If the overtime is not at an acceptable level then the Mayor reviews the performance of the Director and issues him a directive to decrease the overtime, or there will be steps to correct the situation. If the Director cannot manage his own Dept.; then someone else is found that can.

(Council Member Squires pointed out that the City's infrastructure is aging and will generate emergencies.)

Nelson Abbott: He recommended regular and planned replacement of aging lines...he cited the line on north Canyon View that was pointed out by Kent Haskell and was scheduled for replacement...then Mr. Haskell was forced to leave his position and nothing has been done since. That planning is necessary and needs to be a priority.

(The Mayor added that is one of the reasons why the Planning Retreat for the Council is important and should take place as soon as possible.)

Weston Youd: He went back to the question asked by Council Member Burke...when the job is properly defined; will it be the type of job that Mr. Stephens wants? The job will not be what he had before when he worked all the overtime. He sees that there will not be overtime involved in the Director's position as much as the other employees in the Dept.

(Council Member Clawson: Mr. Stephens is the only one currently certified in water and sewer and that could take time to change. Council member Abbott reminded the Council that the State can be called to over-see a project at no cost to the City until there is another employee certified.)

"What do we want as a City?" When that is determined, put a price on it; then offer it to Mr. Stephens because he is familiar with the needs of the City. (Council Member Burke: "But will he manage it?")

Erin Clawson: "That is a chance we will have to take. He will either accept it and try and succeed; or he is going to accept it, try and fail. You are going to get that with anybody you hire."

(Council Member Youd: "If he refuses to manage...it's in the job description...then that is 'just cause'...")

Brian Burke: He wanted to know if that would mean "termination"...and how since he has a contract. It was discussed that if Mr. Stephens accepted the job description, his current contract would no longer be valid. The Mayor added that if the term of the job description was not met, the job would be offered to someone else. The decision of whether he will accept the terms cannot be made for him.

City Recorder: She asked what the pay range would be if the job of just Public Works Director were put out and posted; if Mr. Stephens refused the offer; would it be \$45,000 to \$55,000 or higher? So if the offer would be \$45,000 or \$55,000 for another person, why not offer Mr. Stephens part of that; say \$30,000 more...the City would still be paying less than we would with two people.

(Erin Clawson: "Or even 1/2 that...")

(Nelson Abbott: Santaquin is paying their Director...about \$45,000.)

Further discussion about generating revenue and the fact that Mr. Stephens has also saved the City money with certain upgrades to the system and doing work in-house. His contract calls for raises and he received no real raise when his duties changed and he took on more responsibility.

Weston Youd: He mentioned that he did receive much more than his set wage; he just received two years of overtime + addition to his retirement.

(Council Member Burke questioned how his benefits package got to be 50%...it is typically about 30%.)

- Offer \$75,000 to be the Director and the Building Inspector

- If not, then the City has a building Inspector for another year +

- Advertise for a Director at \$55,000/year...the offer could include another \$20,000 if that person became certified for building inspections in that year.

Nelson Abbott: He asserted that the City could hire a Public Works Director for less than \$55,000/yr; based on what other cities pay.

Mayor: "But we can't hire someone for \$45,000 if they are not the person we want, either."

Nelson Abbott: Since Mr. Stephens is hourly; if he is done for the day and has no more inspections; and if he was unwilling to assist with "other duties, as assigned"; then he could go home...the City would not have to pay him for 40 hours /week. That would be another option to consider.

City Recorder: She wanted to know how much she should budget for this position; and she reminded the Council that the budget had not yet been voted on.

(More discussion about two positions vs. one position and possible management training for Mr. Stephens, if he accepted the job offer.)

The Recorder made the point that the fund balance for the General Fund stood at about \$69,000; she suggested putting in about \$50,000 more to start with (the budget can be amended later); which would cover any raise offered Mr. Stephens or possibly a new person in the position.

Benefits would also increase for that position. Currently, the budget plus fund balance will cover these options.

1 4:14:34

Elk Ridge City Council Meeting – 6-12-2012

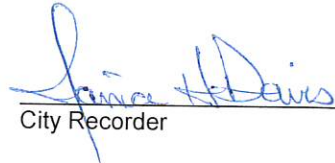
2  
3 WETON YOUD MOVED, SECONDED BY PAUL SQUIRES, TO ADOPT THE BUDGET FOR THE 2012-  
4 2013 FISCAL YEAR, FOR THE OPERATION OF ELK RIDGE CITY; WITH THE ADDITION OF \$50,000  
5 + BENEFITS FOR THE POTNTIAL HIRING OF A PUBLIC WORKS DIRECTOR  
6 VOTE (POLLED): PAUL SQUIRES-AYE, ERIN CLAWSON-AYE, WESTON YOUD-AYE, BRIAN  
BURKE-AYE (4) NAY (1) NELSON ABBOTT *Passed 4-1*

10 *Council Member Abbott explained his vote: he stated that he "had a bad feeling about it...nothing*  
11 *personal"...his "moral compass" would not allow him to go there.*

12 WESTON YOUD MOVED, SECONDED BY ERIN CLAWSON, TO POSTPONE THE REST OF THE  
13 AGENDA ITEMS (ITEMS 10 & 11) UNTIL THE NEXT CITY COUNCIL MEETING  
14 VOTE: YES (5) NO (0)

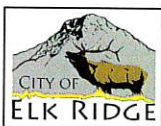
15  
16 ADJOURNMENT

17 At 10:21 PM, the Mayor adjourned the Meeting.

18  
19  
20  
21  
  
City Recorder







**ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651**

t.801/423-2300 - f.801/423-1443 - email [staff@elkridgecity.org](mailto:staff@elkridgecity.org) - web [www.elkridgecity.org](http://www.elkridgecity.org)

### **NOTICE & AGENDA**

Notice is hereby given that the City Council of Elk Ridge will hold a regular **City Council Meeting on Tuesday, June 26, 2012, at 7:00 PM;** which will be preceded by a **City Council Public Hearing at 6:00 PM** regarding the proposed adoption of the Final Amended Budget for the 2011/2012 Fiscal Year. Following the Public Hearing, there will be a **City Council Work Session at 6:30 PM.** The meetings will be held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah; due to Primary Elections, the Meetings will be held in the Fire Dept. Bay area.

**6:00 PM -**

**1. PUBLIC HEARING/FINAL AMENDED BUDGET FOR THE 2011/2012 FISCAL YEAR**

Public Hearing/to consider the proposed adoption of the Final Amended Budget for the 2011/2012 Fiscal Year, for the operation of Elk Ridge City

**6:30 PM -**

**CITY COUNCIL WORK SESSION AGENDA ITEMS:**

**2. City Council Departments – Reports**

Roads Dept. – Weston Youd

Public Safety & Parks – Erin Clawson

A. City Celebration Report

Sewer & Recycling – Nelson Abbott

Water – Paul Squires

Planning Commission – Brian Burke

A. HR Code Discussion

Administrative – Mayor Shelley

A. Rental Property

B. Public Works

C. Weed Control

D. Council Retreat

**3. Elk Ridge Meadows PUD, Phase 1 – Building Lots / Discussion**

**7:00 PM -**

**REGULAR COUNCIL MEETING AGENDA ITEMS:**

Opening Remarks and Pledge of Allegiance - Invitation

Approval/Agenda Time Frame

7:05 Public Forum

7:20 4. Adoption: 2012/2013 Fiscal Year Budget for the operation of Elk Ridge City

7:30 5. City Council Assignments – Any Required Action

7:45 6. City Council Minutes

7:50 7. 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 22 day of June, 2012.

  
\_\_\_\_\_  
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 provided to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and to each member of the Governing Body on June 22, 2012

  
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City Recorder

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ELK RIDGE  
CITY COUNCIL MEETING  
June 26, 2012

TIME & PLACE  
OF MEETING

This regularly scheduled Meeting of the Elk Ridge City Council, was scheduled for Tuesday, June 26, 2012, at 7:00 PM; this was preceded by a City Council Work Session and a Public Hearing 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 these Meetings was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on June 22, 2012.

6:00 PM –

PUBLIC HEARING/FINAL AMENDED BUDGET FOR THE 2011-2012 FISCAL YEAR

ROLL

*Mayor:* Hal Shelley; *City Council:* Erin Clawson, Weston Youd, Nelson Abbott, Brian Burke & Paul Squires; *Public:* Stephan Towse, Seth Waite, Ashley Brailsford, Derrick Brailsford, Laura Stepp, Kenneth Stepp, Dallan Olson, Angelia Olson, Malene Simonsen, Matthew Simonsen, Nicole Wager, Robert Wager, Ashley Taylor, Jennifer Buttofield, Tary Griffiths, Ellen Anderson, Gregg Anderson, Michael Moore, Liz Archibald, Becky Shelley, Derek Peterson, Skylar Peterson, Ray Brown, Nick Taylor, Gerry Whiting, Mandy Dudley, Trevoa Andrus, Chanda Andrus, David Clark, Chris Sainsbury, Cami Sainsbury; and the City Recorder, Janice Davis; as well as the Deputy Recorder, Mary Preece.

Mayor Shelley: Presented the Agenda Items to those present considering the fact that many of them did not have a printed Agenda.

Mayor Shelley: Most of the information will be directed to the Council; however any input from the public is welcome. He asked if everyone on the Council had opportunity and time to look over the budget?

*Comments:*

Weston Youd: Did we move the money that we are going to need for the Escalante project to the next year's budget?

Mayor Shelley: He will let the City Recorder address the budget questions. He was certain the Escalante project would not be completed by the end of the fiscal year. Escalante will not be completed until mid-July.

Jan Davis: It is not known how much of the project will be completed by the end of June. The expenses for the Escalante project will be assessed and moved out of the current year budget and into the following year, 2012-2013 budget.

-The public works Dept. also has a number of projects to resolve and finish.

-Public Works Building: Money designated for the expenses associated with the completion of the public works building has been moved to the 2012-2013 budget.

-The Property Tax for this fiscal year has come in better than anticipated partly due to larger green belt taxes at approximately \$10,000.

The purpose of the hearing on the budget is to bring the final figures as close to the actual figures; with a bit of cushion to finish out what might yet come in. Even though we are at the end of the fiscal year this is not the final financial report; this is still just a guide. The final financial report is the annual audit that takes place in September.

-Going over the revenues it shows building permits coming in about \$20,000 higher than anticipated.

-The final payment of Class "C" revenues has not come yet.

-The increase in the Administrative Fees for Water and Sewer is to cover the claim for past overtime.

-Page four shows the transfer of the impacts fees from the Special Revenue Fund. The Fire Department finances will remain in the Special Revenue Fund through the end of this year; but has been moved to the General Fund for 2012-2013.

-The main changes are taking place in the new budget. The two main projects, the public works building and the Escalante project, are the main focus at this point.

-One matter that the Council touched on, with no conclusion, was that Robin Clawson is working 40 hours a week through September. Are we going to need him any longer?

-The Public Works Director position will also impact the new budget. Does the Mayor know where the interview process is for the new Public Works employee?

Mayor Shelley: He spoke with SOS last week, and was excited to hear they are about to start second interviews. He is waiting to hear back from them. Hopefully by next council meeting the Council can address the final issues with the Public Works Director position.

Jan Davis: "Special Projects" (Parks) \$1,800 was budgeted for the purchase of bark for the playground; the cost has come in at \$4,200 because of the added depth required.

-Playground slide: Those responsible for the damage have been exceptional in resolving the issue. --

--City Celebration: Are we going to be able to stay within the budget? With revenue and donations coming in, do we need to raise the figure in the budget? If so, that needs to be done now. If the figure is unknown at this point, the Council could approve this contingent upon that number being researched.

- Town Hall/Fire Station: The budget has gone from \$5,000 to \$44,000. This is getting ready for next year since the Fire Dept Special Revenue Fund will no longer be in the budget. This transfer gets all their fun balance into this Capital Projects Fund so the money can be utilized as a beginning point for remodeling the Fire Station.

- Parks: Fencing expenses can come out of impact fees; with a \$5,000 leeway. Parks is a true special revenue fund because it has its own source of income from impact fees.

- When adopting the final budget, the Council should remember to allow the Finance Director to balance the Fund Balance in the General Fund 15%.

- LEI is through billing this fiscal year, so the rest of the budget for the Impact Fee Study and Storm Drain Fee Study has been moved out of this budget, and will be added to the new year when the budget is amended. LEI has been informed that the City needs the Storm Drain Study as soon as possible after the beginning of the fiscal year.

- Water fund shows that we will be saving money next year; though not enough to make the return on investments sufficient to lower water rates. This is because of upcoming expenses to replace an aging system. The Depreciation Schedule is about 25 years and we are at 35 years presently. Now the money being saved from operations can be used for replacing this system.

- The figures showing now on the General Fund budget will be adjusted as we move \$20,000 out of revenue and expenditures for the curb and gutter assessment...this is moved to 2012-2013.

- The "bottom line" of the General Fund Budget shows about \$10,000 to the good

Public comment: In that parks budget we have set aside, do we have anything that pertains to the park in the Elk Ridge Meadows Development?

Jan Davis: There are park impact fees that can be used on new installations; but to refurbish the park, there is money set aside in the form of "Fees-in-lieu of park impact fee" that have been paid to the City...these can be used for this purpose. The original estimate to bring the park landscaping back was \$114,000. This has been collected with building permits and will be used to get the park in good condition; then it will be maintained by the City. Salisbury has already started with these improvements.

Derrick Brailsford: Talking about the water fund, he wanted to know where the subsidy comes in line with our water fund, and what the City Councils direction is going to be in pursuing this money available with CUP Water.

Mayor Shelley: Paul Squires has helped out with this. There are a couple of options the City is looking at. The Mayor has been in touch with Payson City. Certain local possibilities are being considered. There is nothing specific at this point; except some ideas that would be less money for the city than to tie in with CUP. CUP water is out about three to four years; and that is bringing the water from the mouth of Spanish Fork Canyon to approximately 11200 South. Then the City would have to install the infrastructure necessary to get that secondary water system. If we can do what we want with Payson City, and possibly Woodland Hills, there could be options that would be less money with little or no pumping. There is yet a lot of unanswered information.

Derrick Brailsford: Does the city perceive it as a loss of revenue with all the expenses entailed in the preparation and maintenance. Is the City ready to move forward in three or four years or are there still questions as to how to re-coupe those losses?

Paul Squires: Basically the CUP water is a given. It is coming, and the town has option to it. There will be \$5,000,000 available to help with the infrastructure.

6:30 PM –

# CITY COUNCIL WORK SESSION AGENDA:

ROLL

Mayor: Hal Shelley; City Council: Erin Clawson, Weston Youd, Nelson Abbott, Brian Burke & Paul Squires; Public: Stephan Towse, Seth Waite, Ashley Brailsford, Derrick Brailsford, Laura

Stepp,

Kenneth Stepp, Dallan Olson, Angelia Olson, Malene Simonsen, Matthew Simonsen, Nicole Wager, Robert Wager, Ashley Taylor, Jennifer Buttofield, Tary Griffiths, Ellen Anderson, Gregg Anderson, Michael Moore, Liz Archibald, Becky Shelley, Derek Peterson, Skylar Peterson, Ray Brown, Nick Taylor, Gerry Whiting, Mandy Dudley, Trevoa Andrus, Chanda Andrus, David Clark, Chris Sainsbury, Cami Sainsbury; the City Recorder, Janice Davis; as well as the Deputy Recorder, Mary Preece.

0:26:31

CITY COUNCIL  
DEPARTMENTS-  
REPORTS

## **1. Roads Department - Weston Youd**

The primary project at this time is the Escalante Road Project. It has been expressed by the home owners to have the truck watering down the road to keep dust down. Council Member Youd will contact Hiatts to see if they will continue this service on the road.

Public comment: The road entering Elk Ridge Meadows Subdivision is in need of repair. When will it happen?

It was explained that the money from the original developer is to be released July 2, 2012, and that the repairs will be taken care of by the end of this summer. There was about \$100,000 in the account at that point.

Public Comment: The trucks hauling dirt are racing up and down Elk Ridge Drive, causing a concern for safety. This citizen was assured that the drivers would be cautioned about their speed. Citizens can call to report problems as they are observed.



**2. Public Safety -Erin Clawson:**

A. The City Celebration is under control with the help of the City Council after the chair person resigned. The need for volunteers at the carnival was met as Brian Burke recruited help. There was a concern about the insurance covering inflatables and dunk tanks; this has been worked out and the City will be covered. The raffle tickets were taken care of. Concerns were expressed about food vendors being asked not to come on Saturday, this had been resolved and they had been advised to be here from 11 a.m. to 1 p.m. The more food and refreshments on Saturday the better it will be.

Weston Youd: All is in place for the vendors and the stage will be taken care of also.

Erin Clawson: The rental of the stage would be an item that would raise the budget at the most \$375.

B. There has been a lot of work being done in the parks to bring it up to insurance requirements, including a new sidewalk, new retaining wall, sod, flatten out play grounds.

C. Public Safety: an evacuation plan needs to be addressed for Elk Ridge, should the need arise. The Fire Chief was asked to discuss this. (Gayle Webber has agreed to oversee CERT in assisting with evacuations at this time. In case of an evacuation the Fire Chief would head that up. If he was on a fire and unavailable, Gayle Webber would be the one to contact.

Seth Waite-Fire Chief: First step is to see where the fire is coming from. The only safe distance from the fire and smoke is out of the City in our case because of the many different avenues the fire could attack from. Fortunately we have many roads to use for escape routes. If an evacuation were necessary, the fire department and sheriff will go from door to door to let you know what is going on, and to please evacuate. We would probably set up an emergency evacuation reception center at the high school, and possibly in Payson. Those in need of assistance would be first to receive help in leaving the City. It is important to move as quickly as possible, but not to panic. We could move out the better part of the City within six hours. There will be no fireworks. The Chief reassured everyone that the existing Birdseye fire would take a great deal of wind and other circumstances to reach this side of the mountain.

**3. Sewer and recycling – Nelson Abbott**

Every one has received a blue recycling can, if people want to opt out, call the city and they will pick up the can. Citizens can opt in or opt out. The participation rate is better when it is handled this way. Information was provided on each can; if not, they will be at the city celebration with a booth and information will be available there.

**4. Water - Paul Squires**

There was a meeting with a lawyer representing Clear Water and SUVMWA. They are collecting data on wells, and water rights, being sure they are being done correctly.

**5. Planning Commission - Brian Burke**

Use of Impact Fees: There was a discussion in last Council meeting concerning the impact fees and how they are to be used. Recorder Jan Davis reported the impact fee money can be used for trails, new items, rock walls etc. It can't use for repairs, operations or maintenance, or purchasing new parks.

**A. HR Codes**

Concerning health insurance for part time employees, PEHP is lenient; however the majority of the Cities they represent do not offer benefits to anyone working less than 30 hours. It is his recommendation that we do not offer any kind of benefits other than retirement for anyone working less than 30 hours.

**6. Administrative – Mayor Hal Shelley****A. Rental Property**

The Mayor has been in touch with the Andersons and they are aware they need to be out of the home by July 1<sup>st</sup> and the need to make this month's payment.

B. Weed control is being addressed. There is a need for a brush beater, or proper equipment to accomplish the task of mowing the lots unattended. If anyone knows of anyone that would be interested, please notify the City. The lots will be mowed, and the bill sent to the owner.

**C. Public Works**

The public works building is still being worked on. As more information is given, hopefully by the end of July we can start putting some sort of façade on that building that will be consistent with what we will be doing with the City Hall, as well as a future civic center for the City.

**D. Council Retreat**

There is still no decision on the location. The dates for the retreat are the 10<sup>th</sup> and 11<sup>th</sup> of August. If there are any suggestions for a place to hold this, please notify the Mayor.

Public Comment: Could you give us a broad picture what is going to happen to the existing City office building?

Mayor Hal Shelley: The building will be extended out to the east to make 6 bays for the fire trucks. The need for the fire trucks to be able exit the building with ease and speed is of the utmost concern. The City offices will still be here in this building for now.

1:05:31

ELK RIDGE MEADOWS  
PUD, PHASE 1 – BUILD-  
ING LOTS/DISCUSSION

Issue: Rural Housing is proposing to purchase the remaining lots in Phase 1 of the Elk Ridge Meadows Development. The existing residents are very concerned that the original CC&R's will not be adhered to by Rural Housing. They are concerned about the loss of property values.

Mayor Hal Shelley: The technicality of this is that the City cannot take a specific stance legally because of how things were put together over the years. The City does not enforce CC&R's. The only reason we receive them is so that the building inspector can properly make sure they meet our building codes. It is an issue between the developer and the citizens that move into those neighborhoods.

"I care about you as citizens, I care about where you live, I care what this city looks like. The city, to my knowledge, does not have a position that we can take to change what exists. Many conversations have taken place with Tom Henriod (the developer) and Brad Bishop from Rural Housing (director) trying to get more information which I have tried to pass it on to you as I have received it. David Church, the City Attorney, has advised me to stay neutral. We will now open this discussion up to questions from you. Let's limit it to two or three spokes persons, as much as possible."

Malerie Simonsen: Referring to ordinance 12-01, which addresses the minimum building envelope size for single lot. The City of Elk Ridge desires to amend the development code to allow reduction in the minimum building envelope size to single family lots that shall be determined as the front, side, and rear yards. According to the Utah State Code, the municipality shall give notice; which the City did. But also it is said that it shall be mailed ten days before the public to each property owner whose land is directly effected by the land use ordinance change and any adjacent owner affected by the order; which none of us received. And since none of us got that mailed notification, legally it has to go back to the Planning Commission and City Council.

The second concern is that the City desires to amend the development code to insure that future applications are able to reach higher density effectives through smaller single family lots. Are you planning on changing the lot sizes since you cannot accomplish higher density by just changing the envelope?

Mayor Shelley: "I do not know of any effort being made by the city to do that. This may pertain to undeveloped areas but we are not dividing existing lots."

Malerie Simonsen: We should have been notified of the change; so legally it will have to go back to the Planning Committee and the City Council.

Mayor Shelley: "We will look at that specifically. We will want to look at that City code and sit down with the Planning Committee to make sure that what you perceive as applying to the City is, in fact, correct."

Legal documents have to be examined closely to be understood correctly.

Public Comment: If the code had not been amended would Rural Housing have even pursued this? (Building homes in Elk Meadows Phase I)

Nelson Abbott: I do not know that, but it seems to be more inviting for them for the affordability of the lot. But if that code change does effect what you can and can't do in that subdivision then it does need to be fixed.

Malerie Simonsen: We would like to get a copy of the original development agreement so we can examine it. Many homeowners bought in with expectations that have been altered by HUD coming in. If we would have been notified that the CC&Rs were being dissolved, the CC&R's might still be in place. We do not want them to have the opportunity to come in. It is not that HUD is coming in, I have nothing against HUD homes, it is the underhanded, backdoor deals when we find out they are building.

Jan Davis: The city has already given a copy to someone in the subdivision.

Weston Youd: The developers say the CC&Rs are in place. For the citizens in that area to really have some teeth and to work with this you do not want to look at the City code, because the City code and the CC&R's are different. Those buildings have to abide by the CC&Rs. The City's capability is blunt. Here is our city code, here are the zoning requirements, and we can apply them. For you as residence of Elk Ridge Meadows I, you cannot control who is coming in, you can control what kind of homes that are built by using the CC&Rs.

Any request by the citizens representing Elk Meadow I for a copy of the amended CC&Rs from the City, which the City does not keep a copy; they could get it from the County Recorder. (Recently, the mayor did receive a copy of the CC&Rs from Brad Bishop of Rural Housing.)

David Clark: I was there when they took the vote (on the amendment). It didn't sound right to me. Nothing was represented to me that Rural Housing would be coming in. It was presented as house cleaning, making it look good. I felt it was discussed in a meeting earlier, and Rural Housing had something to do with this.

Mayor Shelley: "I need to take a very, very adamant and strong stand in that regard. Unless someone else from Rural Housing told the Planning Committee that was coming in, this (referring to himself) is the only person that has been contacted by Rural Housing, and I certainly did not say lets slip something under the table."

(Response to a comment from the public of it might have been a developer) "I am not saying that a developer did not, I am just saying that when I was approached by Rural Housing, I was advised because our previous circumstance with Rocky Mountain Subdivision, to take a neutral stand on this, and that is what I have tried very much to do."

(David Clark challenged all of the Council and the Mayor to 'care'.) The City council and Mayor need to stand up for what we believe in. He challenged them to stand up for what they know is right.

Public Comment: Speaking with a representative from Rural Housing and Tom Henriod; both eluded to him that the Mayor had taken them around and shown them the lots they could build on.

On a stance of being neutral, the Mayor should have given them local developers' names to contact instead of taking them around. "The values of our homes are in serious jeopardy. "With your executive power, you should care more about the citizens. This is simply a concession to the recession and Rural Housing has money to spend." He felt the City Council should protect them from the results of the CC&Rs being changed. He is very concerned that the value of the homes will be affected. Both of the entities involved mentioned the mayor signing off on the project "with excitement".

Mayor Shelley: With the concern he had for what had happened with Rocky Mountain, he requested to see the type of homes that would be built. He went with Brad Bishop to Payson City, Spanish Fork, and Salem. Then he was asked if there were places here in town. He responded in the affirmative, that there are some subdivisions, including Phase one, and other available sites around the City. He cannot tell them they cannot come in here. He has checked with these other Cities about their reception of Rural Housing, which was positive.

Public Comment: Strong comments were made as to their disapproval of allowing Rural Housing Projects into the City of Elk Ridge, that people who could barely afford a payment on this type of house could afford to live in Elk Ridge. In a previous City Council Meeting, strong opinions were expressed how those in attendance were against this type of housing coming into the City.

Comments were expressed by several in attendance that they were not against Rural Housing, only that there are places more suited for that type of housing other than Elk Ridge. There is a concern that this type of infiltration would bring down the quality of living in Elk Ridge City; even the safety of their children playing safely in the neighborhood. A concern expressed was that the type of people that couldn't afford to build a larger house won't be able to pay the bills, such as water to keep up their yards. Over time this would have a strong negative impact in Elk Ridge than in an area more appropriate. There are surrounding towns that have more space that aren't going to create a "ghetto". Another concern of the citizens was that the developers have so much control that they develop their own entity. The citizens would like to have more support and help from the City to get what they want in their City. Again the desire of the citizens was to have advanced notification and more knowledge of what is going on, if ordinances are being changed or passed that would affect them. It was requested of City Council not to be afraid to do their job, do what is right.

Mayor Hal Shelley: "I very strongly take exception to this becoming a 'ghetto'. I have done some looking, and asked questions. I have not taken this blindly, nor will I. I have passed on information to you as I have gotten it. I do not remember telling them I was 'excited' about it. I thought it was a benefit to people. I showed them the areas that were open."

Jan Davis: If there is a legal question as to the process of the Planning Commission calling to notify the public of the actions taken; as well as the question if the CC&Rs were changed. She wondered if there is some way the City could put things on hold while the legal questions are being worked out.

Mayor Hal Shelley: "I have been asked if I would meet with Rural Housing tomorrow at 3:00 p.m., I will ask them to put this on hold. I don't know if I will be successful, but I will suggest that we have some legal complications that we would like to address."

Laura Stepp: "We want you to understand we are not against these programs, these programs have a place. Our problem is you're taking seven homes, and you are now going to put 41 homes that are lower income in and instead of us being able to help build up their equity; it is pulling us down."

Public Comment: Having had experience with buying a home before in another area...discovering there were these low income homes in the neighborhood, the value of our home dropped. We sold and bought another home and had a similar experience. It does affect the value of homes and other situations that become costly."

Public Comment: "So you are asking what you can do for us, obviously we have legal issues with you guys that you are liable for. For you should know the code. You need to contact Rural Housing and tell them we have legal issues, our side has an attorney and you need to put a stop to this."

Mayor Hal Shelley: "I have not done this intentionally; for what it is worth. I have tried real hard to do this the way that I was instructed to do. I will call Brad Bishop tonight, before that meeting tomorrow, and tell him we have some serious legal questions that need some resolve and can you please do what you can to put this on hold until those can be addressed? I will share all of this with you. Tom Henriod wanted to know what was going on in this meeting tonight and I told him I would respond back to him after this meeting tonight. I can't guarantee you that it can be stopped; I will do what I can do to tell them to please put this on hold."

Public Comment: Can you inform us through the newsletter that a certain property is being bought, giving the name and what they intend to do with the property?

Mayor Hal Shelley: "I will check with the city attorney if that is an appropriate thing to do."

Weston Youd: At the time we set the PUD overlay...that was developed when building was great. Council Member Youd felt the code reflected the type of development that we thought was going to be there. The market dropped and deteriorated such that it is no longer happening that way. The Council needs to evaluate what our building requirements are; the minimum requirement for moderate income homes has been met. Perhaps it is time to address the building code so the ebbs and flows of the market do not expose us to this kind of problem in the future.

Nelson Abbott: "We amended the code, we did not amend the overlay and if we did, we opened up everyone in Elk Ridge to this thing." (Note: It was the overlay code that was amended.)



Weston Youd: When a developer brings plans to the Planning Commission to do a PUD overlay on a piece of land and is willing to give these amenities' to the entire City in exchange for higher density; it starts with the Planning Commission to determine what the benefit is to the City...taking into consideration the requirement for parks and moderate income are already met.  
Maybe the Council needs to readdress the code to see if we are exposed negatively with our current rules. Regarding CC&R's: "When someone purchases a piece of property from an individual that is a private transaction and is exactly that – private. Your CC&Rs are your best tool to get the kind of neighborhood you want."

Erin Clawson: "A lot of this is the first I have heard of this...tonight. If the state laws and different things were not followed, we are more than happy to support you. We cannot go against what is legally right or wrong as a municipality. We can find out what is involved and are happy to do that; but we also need to hear from you. We can just do the best we can after the information we have received tonight."

Mayor Shelley: He will make all the necessary phone calls, asking them as the Mayor of Elk Ridge, will you please put this on hold until this can legally be resolved.

#### DISCUSSION:

A discussion of the information that had been presented by the public proceeded among the City Council members, Mayor Hal Shelley, and Recorder Jan Davis. The concerns of the citizens of not being notified of changes will be researched to determine whether proper notification was made or if it even effects these homes Rural Housing are planning to build. The possibility of the CC&Rs not being changed will also be looked into. It was concluded that more information was needed in order to make any decision concerning the existing code meeting the needs and best interests of the citizens of the community. Weston Youd was willing to work on getting the facts needed and report in a future council meeting.

### ELK RIDGE CITY COUNCIL MEETING June 26, 2012

2:15:41

2:59:44

#### TIME & PLACE OF MEETING

This Regularly Scheduled Meeting of the Elk Ridge City Council, was scheduled for Tuesday, June 26, 2012, 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 these Meetings were provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on June 22, 2012.

#### ROLL

Mayor: Hal Shelley; City Council: Erin Clawson, Weston Youd, Nelson Abbott, Brian Burke & Paul Squires; City Recorder, Janice Davis; as well as the Deputy Recorder, Mary Preece.

#### AGENDA TIME FRAME

**WESTON YOUNG MOVED, SECONDED BY ERIN CLAWSON, TO APPROVE THE AGENDA TIME FRAME, ADJUSTING THE START TIME TO 9:20 PM.**  
**VOTE: YES (5) NO (0)**

#### PUBLIC FORM

No business

#### ADOPTION: 2012/2013 FISCAL YEAR BUDGET

**WESTON YOUNG MOVED, SECONDED BY NELSON ABBOTT TO ADOPT THE FINAL AMENDED BUDGET FOR THE OPERATION OF ELK RIDGE CITY; WITH THE FOLLOWING CONTINGENCIES:**

1. POSSIBLE INCREASE TO THE BUDGET FOR THE CITY CELEBRATION.
2. ALLOW THE FINANCE DIRECTOR TO BALANCE THE GENERAL FUND TO 15% FUND BALANCE.

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

#### CITY COUNCIL ASSIGNMENTS

City Celebration:

Weston Youd: I would like to suggest that we pay for the rental of the stage and leave the responsibilities of insurance and set up and removal of the stage to them.  
All of the council agreed with this action.

Nelson Abbott: Arrangements for ice to keep the drinks cold for the Celebration will be taken care of purchasing ice from Payson Market or Stokes and ice from the freezer in the Fire Station

by  
bay.

Paul Squires: He wanted to know the process of distributing or getting a donation for the raffle tickets. It was announced in the newsletter they would be handed out at the parade free.  
A discussion followed and it was decided to distribute the tickets at the parade for a minimal price. Council Member Youd would contact him later with the price.

#### CITY COUNCIL MINUTES.

There were no minutes presented.



EXPENDITURES

Tony Fuller, of Aqua Engineering, presented a proposal concerning the City's water rights. The need continues for management of these water rights; to insure that the City does not lose them or that they are handled inappropriately. Aqua Engineering said the fee for Mr. Fuller to address these issues for the City would cost \$5,600.

**WESTON YOUNG MOVED, SECONDED BY NELSON ABBOTT, TO APPROVE UP TO \$5,600 FOR THE ANALYSIS OF THE CITY'S WATER RIGHTS BY TONY FULLER, THROUGH AQUA ENGINEERING AND OTHER PARTIES, AS NEEDED**

VOTE: YES (5)

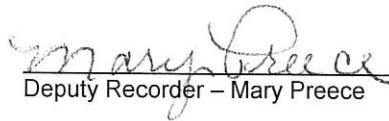
NO (0)

Weston Young: He will call LEI and have them get started right away with the intent to evaluate our current building code; making sure it is in line with our General Plan. He will work with Paul Squires to set up a meeting with LEI; for the City Council to discuss this with them.

Council Member Erin Clawson expressed to the Mayor her concern about not knowing about the details of the meeting with the public concerning Rural Housing building homes. She felt it was hard to find out about it in front of the citizens. She felt the Council would have been able to give the Mayor more support during the discussion had they known the details. The Mayor apologized; taking responsibility for not getting the information out sooner.

ADJOURNMENT

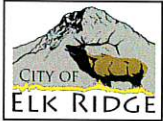
Meeting adjourned at 9:40 p.m.

  
Deputy Recorder – Mary Preece

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**ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651**

t.801/423-2300 - f.801/423-1443 - email [staff@elkridgecity.org](mailto:staff@elkridgecity.org) - web [www.elkridgecity.org](http://www.elkridgecity.org)

**NOTICE & AGENDA**

Notice is hereby given that the City Councils of Elk Ridge and Woodland Hills will hold a Special Emergency **Joint City Council Meeting on Monday, July 2, 2012, at 6:00 PM.**

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

**6:00 PM - SPECIAL JOINT CITY COUNCIL MEETING AGENDA ITEMS:**

Public Safety  
Fire Danger  
Weed Control

Dated this 2<sup>nd</sup> day of July, 2012.

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

Handicap Access, Upon Request. (48 Hours Notice)

The time that appears on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting.  
Dated this 2nd day of July, 2012.

  
\_\_\_\_\_  
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 of this Emergency Meeting was provided to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and to each member of the Governing Body on July 2, 2012.

  
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City Recorder

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ELK RIDGE  
CITY COUNCIL MEETING  
July 2, 2012

TIME & PLACE  
OF MEETING

This Special Emergency Joint Meeting of the Elk Ridge City Council and the Woodland Hills City Council was held on Monday, July 2, 2012, at 6:00 PM.  
The meeting was held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah.

Notice of the time, place and Agenda of this Meeting was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on July 2, 2012.

6:00 PM –

**SPECIAL EMERGENCY CITY COUNCIL MEETING AGENDA:**

ROLL

*Mayor:* Hal Shelley; *City Council:* Weston Youd, Brian Burke, Paul Squires & Nelson Abbott (Absent: Erin Clawson); *Fire Chief:* Seth Waite; *Fire Dept:* Heather Abbott, Colton Wixom, Kade Johnson; *Planning Commission:* Kevin Hansbrow; *Sheriff:* Deputy Butters; *Public:* Gary & Lynn Frankovich, Meagan Smith, Liz Smith, Jim Hiatt, Spencer Strand, Don Duncan, Russell Sly, Jay O. Peterson, Doug Lindsay, Donald Hopkins, Scot Sessions, Jamie Elder, Jennie Elder, Ken & Carol Harris, Haakon Fisher, Malea Simmons, Debbie May, Amy Boswell, Ron & Sharon Dahlstrom, Gerie Jones, Nathaniel & Carol Morrell, Victoria & Mariah Morrell, Claudette Echols, Royce Swensen, Wayne & Eva Haskell, Allison Richardson, Cameron Ashby, Michael Richardson, Cullen Brimhall & Jan Brimhall;  
and the *City Recorder:* Janice H. Davis

Explanation: The "joint" nature of this meeting was cancelled, as per the advice of the Utah County Sheriff's Dept. Several fires had occurred in the City at this time; arson was suspected and the police did not want any pre-mature action on the part of the citizens of both communities to get in the way of the investigation.

Stake Presidents and the Mayors and City Councils of both Elk Ridge and Woodland Hills had been contacted; as well as a Stake President in Salem City. All Stake Presidents and the Woodland Hills Council and Mayor decided it was best not to come at this point. It was too late to cancel the Meeting; so the time was used to update the citizens and Council that attended and to look ahead to a possible "neighborhood watch" type of citizen involvement.

PUBLIC SAFETY

*Mayor Hal Shelley: (Brief Review of the fire concerns in the City)*

In a very dry season, there was a fire the previous week and more in Loafer Canyon since that time. Many concerns have been expressed. The Mayor spoke for the entire Community in thanking the Fire Dept. for the excellent way in which they have contained these fires and protected Elk Ridge, Woodland Hills and the surrounding area; many long hours have been spent by many in this effort.

*History:*

- The previous Monday there was a fire behind a house (Swensen's) by the dugway (E. Park Drive leading to Loafer Canyon Rd.) There was no property damage, though the fire did come up to the fence. This could have placed many other homes in jeopardy along that east side.

- The last Thursday night (all the fires occurred within a similar period of time...in the middle of the night)...there was another fire in Loafer Canyon; across from the stop sign at the "T" intersection and on the east side. The wind was strong and there was extreme danger to both our City and Woodland Hills...had control been lost. There was great assistance from various sources.

A couple of months ago, by the recommendation of the Public Works Director, a PRV valve was installed to assist the residents with water pressure. This same action also allowed enough pressure to function on a more efficient level to fight these fires. Close to a million gallons were used on this fire.

One home was evacuated.

Noel and Cory Hiatt also assisted with a truck they had designed.

- The night before that (similar period of time...early morning, about 1:00 or 2:00 am): 4 fires were reported at the south end of Loafer Canyon Rd. It appears that these were intentionally set. That is all that was reported at the meeting; so the investigations could continue in an appropriate manner.

All sites have been carefully inspected. Fortunately, all 4 areas were contained quickly and very effectively.

There were responses from the departments from Salem, Payson, Woodland Hills and Spanish Fork; as well as our own Dept.

The reason for the emergency meeting was for the purpose of informing the City Council and the citizens of events as they have occurred and what the plan is.

The Mayor has been in contact with Deputy Butters throughout these fires and he was present to add to any information that could be useful.

Initially, his intent was to set up a "neighborhood watch" system. He contacted both fire departments, and other leaders from the Communities. Even though this all falls under "City obligations and duties", there is in place a very efficient communications system with the local LDS Stakes and Wards (which would include ALL citizens within those boundaries). They are trying to put this "watch" in place through volunteers to take turns patrolling the Community.

There was a meeting that afternoon with the investigation team from the County Sheriff's Dept. They contacted the Mayor later that afternoon and, though they liked the idea of the "watch", they wanted to

avoid citizens running around possibly jeopardizing individual lives as well as their investigation. Though the official "watch" would begin after a few days, there would be increased patrol and citizens should be vigilant...all around the City. There are many very dry areas. Citizens will be notified of the watch and a list of volunteers created. The citizens could call the City Office at the end of the week to get information.

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There is a system in place through Dispatch ("City Watch"). It is intended to be a "reverse 911". This system would apply to all who have land lines and live within a geographical area near any fire. A reverse 911 call would go out warning of a fire in that area; be prepared to evacuate (pre-recorded message). The call comes early enough prior to evacuation so there is time to leave safely. The problem with this system: they can only do 26 calls at a time. Another system: this includes everyone in the system at one time. Problem: it is also land line oriented unless there is direct input. He had not had time to go online. Information may have to be managed by an administrator. When he has the information, he will let citizens know through the newsletter. The web site can also be updated with the information.

He wished he could say it was all over; but there was no way to know that. Fire season has just begun and there are dry months ahead. Be good neighbors.

The "watch" would be instigated the following week-end; to organize various rotating groups of citizens to patrol the City. It is not their purpose to stop someone, just to report it...it is not safe. Dispatch numbers will be provided. Woodland Hills and Salem are also interested in helping. There will be another meeting with the County lieutenants and detectives working on this investigation the following afternoon. They requested the meeting to be with both Mayors (Elk Ridge & Woodland Hills).

Deputy Butters: If there is a life endangered, call 911...if no life in endangered, use the dispatch number. (There are only six 911 lines; whereas there are 12 dispatch lines.)

Numbers:

- Dispatch: 801-794-3970

- if a fire is sited: Call 911

- Tips on past events (previous fires): 801-851-4013 (Leave message)

If there are suspicious occurrences: Call Dispatch (unless life is endangered)

Investigation: On-going and intense. The Sheriff's Dept. is doing all they know how. Deputy Butters was not going to comment on the active investigation; especially in a public meeting.

Debbie May: 1. She wanted to know if night time curfews would be changed.

(Mayor: Curfews have not been addressed at all. There is a lot of vandalism that has taken place. He encouraged parents to be vigilant. Know where your children are.)

2. Water usage: Will usage be cut down due to dry weather?

(The County recommends curtailed usage and the City used a lot of water on the fires; however greener lawns do not burn as fast. So, be careful of usage...that includes broken sprinklers at the City offices.)

Question: Are sirens used: if so, when?

(Heather Abbott – Fire Fighter: Typically sirens are not turned on unless traffic is in the way; they do not want to wake up the City...then people get in the way of the job they need to do. She has noticed that traffic does not pull over when lights and sirens are on.)

Mayor: He realizes everyone's concern; but the best thing people can do to help is to stay out of the way of the fire fighters and emergency vehicles. The fire fighters cannot be restricted.

Nathaniel Morrell: He has concern about the tall, dry weeds in the open fields and vacant lots.

WEED CONTROL

Mayor Shelley: The Council has been trying to address the issues that are concerned with code enforcement; it has been difficult without a Code Enforcement Officer or Committee. As the Mayor, he has had many and varied issues to deal with. Code enforcement is an on-going issue that has been a problem for years. Certain complaints have been addressed and handled; weed control is a serious issue. The Council is working on organizing a code enforcement program...with an officer. For now, it would be helpful if residents would go to a neighbor that may be in violation of the code and ask them to cut their weeds down...even offer assistance to get the job done. Another option would be to turn in a name and address to the City and they can be contacted. We would like property owners to cut down their own weeds and solve the problem; there have been numerous comments and warnings in the Newsletter for people to do so.

It is preferable to have voluntary compliance than having to cut the weeds and send a bill to the owner (then a lien would be placed on the property). That is not the preferable approach.

If the owner is not known, let the City know the address. Letters can be sent out.

Neighbors could be guilty of trespassing if they cut weeds without permission. Come to the City first if contact with the owner cannot be made.

If the City cannot bring about compliance; then the Mayor counseled to go ahead and eliminate the hazard.

City Recorder: It would be nice to have a list of contractors that have the equipment to cut down weeds on lots or in fields. People could then call them and get the work done.

Mayor: He asked for help in creating this list of contractors. Care must be taken to protect people's rights;

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but it is everyone else's property that needs to be protected as well.

Kevin Hansbrow: He had a question on the distance from the property line to clear.

Chief Waite: He recommended 30 ft or at least as far from the property line as possible. Work with each other as neighbors. He also advised to keep the ground wet and trees trimmed up from the bottom. Any dead oak should be thinned out...weed-eat around the oak.

Claudette Echols: As a property owner, she used to get letters directing that they cut down the weeds; why no letters lately? That needs to be enforced. Many owners do not clean their lots up.

Mayor Shelley: Enforcement is an issue the Council is well aware of and they are trying to address all of it; there have just been multiple issues to deal with. At this point, the weed problem must be addressed as soon as possible. The form letters should be sent out as quickly as locations can be identified. He again encouraged everyone to assist one another.

It is unfortunate that the Council's attention gets pulled away from these important matters with other pressing problems that also must be handled.

Question: There have been times when the City has cut down the weeds on the edges of the road as well as various lots in the City. One lot was identified (north of the LDS Chapel on Oak Lane & Elk Ridge Dr) that has weeds on it that create a hazard. (It was reported that it is owned by Moore Sheet Metal.) The Mayor asked that the address be provided and he would "get on it" as quickly as he could. That is the kind of information they need.

Scot Sessions: He expressed interest in assisting with the "neighborhood watch" when it is started.

Mayor: The Stake President will go through the Bishops of the Wards and lists will be made; citizens can also call the City Offices. Citizens who are not LDS should also be contacted. This will all be under the direction of the County Sheriff's Dept.

Discussion of fireworks and the persistence of many to light them off, regardless of the warnings.

The Mayor said he is insisting that if they get caught, they would be cited and held accountable to the full extent of the law. (The fine is set by the Justice Court.)

Weston Youd: He asked if the City could impose fines as well. (Question for the City Attorney.)

Deputy Butters: He assured those present that they would have extra deputies on patrol on the 4th of July; and any time any one sees fireworks being set off, he asked that the offense be called in...they will be cited.

There have been numerous warnings and even a separate flier declaring "NO" fireworks (including "snakes" or sparklers)...so everyone knows.

Mayor: The Fire Dept. will also be patrolling; and he (Mayor) will be out. It is time to get serious! The City has been fortunate so far; many of the areas in the State have not been so fortunate...they need to be in our thoughts and prayers.

Question: Fire Pits...will they be allowed?

Chief Waite asked to be contacted for fire pits.

(Most everyone present agreed that it would be "NO" to anything that could create sparks. It is too dry.)

Deputy Butters: He could tell the public that they have several leads regarding the investigation; but they need assistance with any leads anyone may have. Call these leads in and they will be followed up on.

Carol Harris: She wanted to thank the fire fighters for their service and anyone else that helps.

Paul Squires: He asked about "citizen's arrest". (Deputy Butters answered, "No"...Be a good witness.)

Discussion about tossing cigarette butts or ATV's in dry fields...

Deputy Butters:

- Cigarette butts: Call it in...there is a statute entitled "throwing lighted material from a vehicle"

- ATV's: He gave a warning about ATV's and the regulations associated with driving them legally:

Rules:

- 4-wheelers: Have to comply with State law to ride on the Elk Ridge City streets. Age categories:

- 0 – 8 yrs old: Not allowed to ride on any public land at all...only private property (with permission of property owners)
- 8 – 16: you may operate 4-wheelers; but you have to complete the OHV Safety Class (On-line through Division of Natural Resources) and you must be supervised by an adult...within 300 ft. if between 8 – 16 and you are riding down the street in Elk Ridge, your parent better be behind you, in front of you or standing on the curb watching you ride.
- Until 18: Need a helmet
- Once you get your driver's license at 16, you are fine for riding on the street; as long as you have a helmet and obey the speed limit.

- Golf Carts: If licensed, it is like any other vehicle on the road. If not licensed, the same rules apply as to 4-wheelers.

Deputy Butters has stopped many youth riding and has gone to talk to their parents about the rules.

Weston Youd: Recommended a "forest service spark-arrestor" on any off-road vehicles. It does not eliminate sparks completely, but does help protect against sparks.

Nelson Abbott: He pointed out that all of the land at the south end of the City is private property; "unless you have written permission from the property owner, you have no business being there". This happens frequently.

Deputy Butters: We cannot stop folks from riding; but common sense would say not to under these dry conditions.

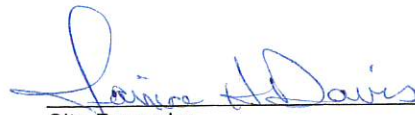
Question: Gunfire...(Call it in to Dispatch.)

List of volunteers:

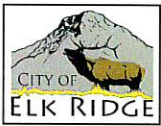
- Ron Dahlstrom
- Scot Sessions
- Debbie Cloward

ADJOURNMENT

The Mayor adjourned the City Council Meeting at 6:51 PM.

  
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City Recorder





**ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651**

t.801/423-2300 - f.801/423-1443 - email [staff@elkridgecity.org](mailto:staff@elkridgecity.org) - web [www.elkridgecity.org](http://www.elkridgecity.org)

### **AMENDED NOTICE & AGENDA**

Notice is hereby given that the City Council of Elk Ridge will hold a regular **City Council Meeting on Tuesday, July 10, 2012, at 7:00 PM;** which will 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 AGENDA ITEMS:**

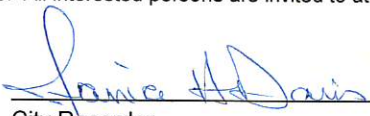
1. David Crippen – Playground Slide
2. Eagle Scout Project – Jeff Crippen
3. Public Works Director Position / Discussion – Mayor Shelley
4. City Council Departments – Reports
  - Administrative – Mayor Shelley
    - A. Rental Property
      1. Swing Set
    - B. City Council Retreat
    - C. Neighborhood Watch Program
  - Public Safety & Parks – Erin Clawson
    - A. City Celebration Report
      1. Pam Lundberg – 5K & 1 Mile Runs
      2. Brain Burke & Nelson Abbott - Carnival
  - Sewer – Nelson Abbott
  - Water – Paul Squires
  - Planning Commission – Brian Burke
    - A. HR Code Discussion
  - Roads Dept. – Weston Youd
    - A. Escalante Dr
    - B. Repairs of Entry / Elk Ridge Meadows, Phase 2
    - C. Chip Seal
  - Economic Development – Weston Youd

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

- Opening Remarks and Pledge of Allegiance - Invitation  
Approval/Agenda Time Frame
- |      |   |
|------|---|
| 7:05 | Public Forum                                      |
| 7:15 | 5. Fire Retardant Products – Reagan Whitmore      |
| 7:30 | 6. Public Works – Mayor Shelley                   |
| 7:40 | 7. City Council Assignments – Any Required Action |
| 7:55 | 8. City Council Minutes                           |
| 8:00 | 8. Expenditures:                                  |
|      | General:  |
|      | A. Payroll for June, 2012                         |
|      | Adjournment                                       |

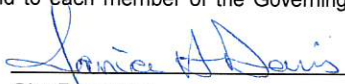
Handicap Access upon Request. (48 Hours Notice)

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 day of July, 2012.

  
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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 provided to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and to each member of the Governing Body on July 6, 2012; & an Amended Agenda on 7-9-2012.

  
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City Recorder

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ELK RIDGE  
CITY COUNCIL MEETING  
July 10, 2012

TIME & PLACE  
OF MEETING

This Regularly Scheduled Meeting of the Elk Ridge City Council, was scheduled for Tuesday, July 10, 2012, 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 as well as an Amended Agenda of these Meetings were provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on July 6, 2012; & an Amended Agenda on 7-9-2012.

6:00 PM –

CITY COUNCIL WORK SESSION AGENDA:

ROLL

*Mayor:* Hal Shelley; *City Council:* Weston Youd, Nelson Abbott, Erin Clawson & Brian Burke (Absent: Paul Squires); *Building Official:* Corbett Stephens; *Sheriff:* Deputy Brent Butters; *Fire Chief:* Seth Waite; *Asst. fire Chief:* David Jean; *Planning Commission:* David Clark; *Public:* Pam Lundberg, Linda Lundberg, Brad Bishop, Regan Willmore, Sandra Burke, Jon Snelgrove, Duane Macdonald; and the *City Recorder:* Janice H. Davis.

PLAYGROUND  
SLIDE

*Brief History:* A young man, David Crippen, came forth to admit that he had broken one of the playground slides while skate-boarding down the slide. He felt bad about the accident and helped to tape it up to prevent anyone from harm. Though he and his family have accepted responsibility for the accident, they would appreciate being able to make payments to pay it off.

*David Crippen:* He was present to apologize to the City and the Council for breaking the slide. He was there to work out the situation financially.

*Neither the Mayor nor Council Member Clawson had been able to follow up on the details of replacing the slide...Council Member Clawson had been in California.*

*\*Erin Clawson:* She said she would follow up on the replacement and she would contact Mr. Crippen and they would talk about it at that time.

*Mayor:* The playground equipment is expensive...perhaps "over-priced" and there is nothing they can do about that. He asked the Council if it would be acceptable for David to be able to make payments...the cost could be around \$2,000; though the hope is that it will be less.

*The Council was agreeable to that arrangement.*

*Council Member Clawson questioned why the slide did not hold up better.*

The Mayor suggested asking the manufacturer about the sturdiness of the slide and if it should have held up better, since David only weighs about 100 lbs.

Council Member Clawson agreed and would like to pursue that information first. She felt like playground equipment should hold up better under stress. It is unfortunate; we have all done things we wish we hadn't.

*Mrs. Crippen:* Though they realize it was a mistake and a bad decision, others have been pretty rough on the equipment as well. Making payments would be helpful.

*Mayor Shelley:* He expressed his and the Council's appreciation for showing the level of integrity that was shown by coming in to take responsibility for what happened; "That is just not something that happens nearly as much as it needs to happen". It takes courage to do what David did.

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EAGLE SCOUT  
PROJECT

*Jeff Crippen:* (Scout Crippen was unable to attend the Meeting to address the Council. His information was provided by Mayor Shelley. The proposed project would be a new sign on the City Building. There are several different options and concepts:

- The middle part would be metal (like the other Elk Ridge signs)
- The other part would be out of wood (cedar?); as the border
- There was also a log-frame design
- There was a 3' design as well as a 4' design

Request for City participation in the project with \$100 (3'); and more (\$200?) for the 4' design. He would also have fund raisers to raise money.

David Crippen asked about the Bulletin Board on the north side of the City Hall as an Eagle project. The Mayor advised that he get the details of the proposal together and contact him about it.

Mrs. Crippen suggested both boys work together and do the projects at the same time.

*Nelson Abbott:* He suggested considering lighting behind the sign to show up at night.

*The Mayor said he had included options for lighting; either behind the sign or to be lit by flood lights on sensors.*

*Weston Youd:* A concern with the Council is that the Council gives approval of a project; then it gets dropped or the City does not hear from the scout for an extended period of time...other scouts come in with proposals for the same projects. When these scouts are ready to go, then the Council should approve the project.

*Nelson Abbott:* He suggested approval contingent upon the Scout Board's approval and the details being turned in.

After review of the proposal, the Council agreed to the 4' design with the City participating with \$200.

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PUBLIC WORKS  
DIRECTOR  
POSITION

Mayor Shelley: The Mayor had asked for a response from the Council regarding a proposed job description and amount to offer for the position of Public Works Director; he received a response from Council Member Burke that we move ahead with an offer of \$72,000. The Mayor provided a copy of his (the Mayor's) proposal. The current proposal included a couple of changes; but it was nearly the same as the one that had been previously emailed out to the Council.

Changes:

- #4 – Performance Evaluations: This referred to *annual* evaluations; whereas, the evaluation conducted by the Mayor on the Managers would be semi-annual.

The Mayor made the point that these terms are up for discussion and change.

Weston Youd: He would like to see that the evaluations would be conducted at a minimum of annually; then they could be conducted more often than that.

Nelson Abbott: He suggested that semi-annual evaluations would allow any required corrective action to be taken sooner, rather than waiting.

Brian Burke: Performance evaluations should be tied to the salary/wages.

City Recorder: If the evaluations are conducted semi-annually (spring and fall), then there is one around the time of the Tentative Budget for the up-coming fiscal year when COLA and any raises would apply...as well as in the fall; when any bonuses would be considered.

Weston Youd: The requirement for periodic performance evaluations would not necessarily need to be in the job description; but the HR Code could refer to performance reviews being conducted in associated with pay increases.

Erin Clawson: (*Concern with #13*) Reading..."May enforce disciplinary action towards subordinate employee with consent of the Mayor". Does that infer that anytime action needs to take place; that the Mayor is going to step in...no matter who the Mayor might be? Would the Director require more authority to act independently?

Mayor: This could be clarified and expanded on...depending on the type of disciplinary action being enforced. If it is something that would result in being fired; then he feels the Mayor should be involved; if it is simply a corrective measure that would follow an established process, then perhaps that could go without the Mayor's involvement.

(*He asked for comments*)

Weston Youd: He did not feel the Mayor needs to be involved with the day-to-day operations of the Dept.

(*Mayor: It would depend on the nature of the disciplinary action...if leading to someone being fired, the person who hires and fires is the Mayor.*)

Council Member Youd cautioned against making the job description "code" or the other way around. The HR Code should describe the process for disciplinary action, up to and including termination. The job description should reflect the code. Suggestion: "Discipline subordinate employees as needed".

(*Council Member Clawson agreed.*)

Brian Burke: Suggestion: Remove "salary" and benefits" out of the description and put that in an "offer letter" rather than the job description. If an individual agrees to the job, then he/she would sign the offer letter. (*Council Member Youd suggested putting in a range.*)

Has the salary range been determined? (*Not at that point*)

Weston Youd: Typically, one would not provide a number (referring to salary); "this is the first step to negotiation" and "he who gives the first number...loses".

Nelson Abbott: #19 would actually be part of an offer letter. (*Council Member Youd included #18 as part of an offer letter, as well...*)

It was decided to:

- Strike #17
- #18: Part of offer letter and add: "Up to and not to exceed 6 months" (regarding severance package)
- #19: Also part of offer letter
- #14: Council Member Youd felt this (Building Inspections) was beyond the scope of this position  
(*This could be left in or pulled out; depending on the offer.*)

Weston Youd: The functions of the Director "could include, but not limited to, "He cautioned against The job description "boxing" the Council in...

Brian Burke: This would be the basis for setting performance objectives each year...from a "general standpoint"...there may be things more specifically stated; but generally we would want the description to cover those items that the Council feels need to be part of the performance review. Example: The bonus plan; which should be figured off of a percentage rather than a fixed dollar figure. The objective each year should tie into the job description.

Weston Youd: #10: He would like to see budgeting expectations extended beyond annual budgeting; but should include separate budgets on projects and reports on the success of the project and if it stayed within the budgeted amount. Included: Budgets, schedules, etc. would fit within an annual budget; but the Director would also need to budget specific projects within the annual budget and track those and be able to report on the accuracy of the financial projections. The specific Council Member would identify a need and a possible project...the Director would then come up with cost estimates and specific costs...leading to a budget for the project...then he/she would be responsible to stay within that budget and report accordingly. If there are short-falls or overages...then he should be able to evaluate those and come up with a solution and any added cost...that would have to be presented to the Council with adequate justification for any increase. The daily tasks to complete a project would not really be a concern of the Council Member over that dept.; just that the project is tracked and completed within budget.



Mayor Shelley: This type of management makes it easier for Public Works to be able to move forward with certain projects that have been identified in the budget; as long as the project stays within the budgeted amount.

Weston Youd: by understanding thoroughly the project and the allotted budget and time frame; the Director should then be able to gauge whether an additional project would be feasible financially or time-wise and relay that information to either the Council Member over that dept. or to the City Council, as a whole. A recommendation could come from the Director as to a solution to the issue...perhaps with a consideration of contracting the project out...or simply postponing the project. This process would be preferable to agreeing to do multiple projects with incomplete information, overshooting budgets and with no specific time frames. Prioritizing is a must for good management.

#15 could be restated that, "Reporting of project status is a duty that the Public Works Director will have...reporting to the Dept. Head the project would be servicing". This would be besides handling an annual budget.

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Offer – Discussion:

Brian Burke: The offer that he had suggested included 10% consideration for performance bonus; he would like to change that to 5% to 10%.

Questions: If certain certifications are achieved; will raises accompany those certifications? Would the details on this be in the offer letter or even the code? This has been discussed; but no decision made.

Erin Clawson: She felt they should be compensated for.

Weston Youd: He would prefer leaving that to discretion; because the value must be identified. The value could change...example: If there are no employees certified, or only one...the value of obtaining the certification is great; however, if several employees have certifications, the value would decrease...this should not be tied to code. Identify the need; then place a value on it. The HR Code might say that "bonuses can be provided to employees upon accomplishment of certifications"...as an incentive to get certified.

Brian Burke: He feels this should not go into the base salary. Set the job description for a city the size of Elk Ridge; then a bonus could be added with certain certifications. This should be separate from the base salary.

Weston Youd: The code should be flexible enough to be able to assess the needs of the City at any given time; then place a value on that need being met.

Nelson Abbott: He asked if these certifications should be part of the requirement to be employed in the first place.

Erin Clawson: She compared it to the requirement to have a CDL license to be employed.

Weston Youd: He agreed that there should be minimum requirements; but the City should also have the flexibility to assess the value of certain certifications.

Nelson Abbott: If there are certifications that the City absolutely needs; then he feels they should be tied to the job.

City Recorder: In the past, when Ray Brown was asked to review the HR Code and make suggestions to update it...he recommended (and it was received well at the time) to have levels of expectations for employees to be able to see what would be required to advance and progress in their jobs. What would it take to create more opportunity? The City needs to get away from the attitude of, "you have been around a while and are working hard...perhaps we'll give you a little more"...that has been the way it has been.

Weston Youd: He agreed and also said the HR Code should allow the City to be able to evaluate its needs and pay for that whatever meeting those needs may be worth to the City. Bonuses could be considered for lesser certifications and raises for more permanent certifications or accomplishments that have on-going benefits to the City.

He is against a job description that dictates what the employee will or will not get.

0:40:52

Brian Burke: Some companies have what is referred to as "skills-based pay"...for people to be able to progress with an increase in the skill level. The more things an employee can do, the greater the worth to the City. As skill levels increase, the city is saved money and the worth is greater and the pay should be higher.

Weston Youd: Will water certification be required for the job of Director?

Mayor Shelley: He/she needs to either be certified or needs to make sure that requirement is met through another employee...perhaps both. He prefers that the job description includes water certification. (Council Member Abbott suggested that if the person is not certified when the job starts; then within a certain period of time...perhaps at the end of the probationary period.)

The Mayor added that he would expect that of a Director; not necessarily and employee.

Weston Youd: Minimum Requirements for the position of Director:

- CDL License
- Water Certified
- The City needs a Wastewater Certified individual; on day one? (Preferred; could be attained later)

Erin Clawson: With any certification comes the responsibility of that area.

0:47:31

#4: "Provides leadership to departmental staff to develop, train and maintain a highly competent and well-trained staff. Recommends employee selection." She asked if this meant that the Director will be able to suggest who is hired. (Yes.) "If they don't feel that their staff is highly competent and well-trained...or can maintain that...?"

Weston Youd: He felt that means the exact opposite...the Director is responsible to have a highly trained staff; so if it is not, he/she would be responsible for it. It would be his/her job to make them competent and well-trained.

0:48:19

Mayor Shelley: If an employee lacked the ability to be well- trained, then the performance appraisal of that individual would reflect that and that employee may be relieved of that duty.

Brian Burke: He recommended that the City has at least two people water certified...this has been a goal for this position. (Council Member Abbott added that he felt every Public Works employee should be certified; then they could rotate being on-call and have the ability to make a bit more money.)

Weston Youd: So then the Director would ensure that proper certification coverage is in place for the City. Part of #4 would include making sure that someone is on-call that is water certified...he/she would ask if the Dept. is able to satisfy that need. If not, then he/she should be prepared to remedy the situation and get it to that point. The Council would provide that framework...perhaps more money is needed to hire an additional employee...to give incentives, etc. The Director assesses the situation and competence of the Dept. and then presents the findings to the Council.

(The Mayor added that it would be a good idea to create a job description for the City Recorder/Office Manager Position, as well.)

Erin Clawson: She feels this Council needs to create an HR Code that another Council would either change or live up to. Many problems arise when the Council fails to back the person in charge regarding the day-to-day affairs of the City. She does not feel the Council always does its job.

Weston Youd: He would say that the Councils sometimes do the "wrong job"; the Council should provide the framework so that Managers have the ability to execute the needs of the City.

City Recorder: Along with training, there must come an understanding of one's job. Example: Objective: to get the minutes done in a timely manner...obvious need: to have an employee in the correct position that can type 60 wpm...less obvious would be the issue of being acquainted with and an understanding of current issues within the City. Some times needs are eventually met with on-going training. She sees that a persistent problem has been with the HR Code being out-dated and not meeting the needs of administration.

Weston Youd: Rather than trying to arrive at code; the Council should be able to step back and measure the needs of the Dept. or the City against the Code. Needs must be met with the Code applied effectively.

Erin Clawson: "For some reason it works with the Office; for some reason it doesn't with Public Works."

Weston Youd: The Office is in 4 walls and can be contained; while public works is more visible. He stressed again that the Council needs to create the frameworks and let the Managers do their jobs...and "we don't get into it"...just to state the expectations of the Dept. If the frameworks is unrealistic, then things may need to be adjusted.

Brian Burke: He sought to return to the offer to be made. There was a proposal on the table and he wanted to address it. He was concerned that there were no other proposals from the other Council Members.

(Council Member Clawson commented that she agreed with the proposal; which is why she did not counter with another one. Council Member Youd responded that he had come in to talk to the Mayor, personally.)

Council Member Burke asked if the numbers were firm to be able to move forward.

(Council Member Youd did not agree with a dollar figure; he preferred a range.)

Erin Clawson: It had already been decided that first choice would go to Mr. Stephens. (That was agreed to.) The offer would change if it did not go to Mr. Stephens.

(Council Member Burke asked if the Council could focus on the offer to Mr. Stephens.)

Mayor Shelley: Since this was listed as an action item in the Regular Session, he recommended that further discussion be continued at that point.

0:56:50

CITY COUNCIL  
DEPARTMENTS –  
REPORTS

#### Administrative – Mayor Shelley:

1. Rental Property: The Mayor asked that the Council take the opportunity to go through the house and look it over. A new lock was being placed on the door. The Mayor can meet anyone of the Council on site. It is a large home; with several options available:

- Leave it as is for the present
- Use as a temporary site for City Offices
- Sell it at auction or move it
- Tear it down

He would like the Council's input on the options available; then perhaps get an insurance agent to place a value on the property or a contractor to estimate the cost of tearing it down or upgrading it for office space.

Swing set: A citizen would like to have the swing set on the property; he wanted to know if the Council would consider giving the swing set away or selling it (it does not meet the standard to be used by the City as park equipment.) If sold, the citizen would have to be responsible for moving it.

(Mr. Stephens warned against getting into selling or giving away equipment; it could turn into a "free-for-all".)

The Mayor's preference was that the property be sold with the intent that the new owners would move everything and let them deal with all of it.

2. Council Retreat: He encouraged the Council to keep this in mind and be prepared to be productive with ideas and information about planning ahead for the City. They are still looking for a location.

3. City Watch (due to fires): This was implemented the previous night (7/9). Citizens in the Elk Ridge 2<sup>nd</sup> Ward boundaries are starting the rotations. Times: 9 – 12, 12 – 3 & 3 – 6 am...The shifts are filled with 2 individuals going out. The City may need extra coverage between 3 – 6 am. Loafer Recreation Association would like the patrols to go up to their property as well. The next 6 weeks will be covered and then possibly go to a "neighborhood watch" situation.

\*The Mayor is going to hire someone to cut down the weeds on and around the City property.

1:02:32

The question of bar-b-ques and fire pits has come up; are they allowed? The Asst. Chief David Jean said that the Chief has not said anything about not allowing those things. He personally feels it would not be wise to forbid people from having a "little hot dog roast"; but the dangers should be understood clearly.

\*The Mayor asked that the Asst. Chief discuss this with the Chief and get back to him.

Mayor Shelley: Perhaps signage could be attached to the gate to the Recreation Assoc. area; then they are also aware of the City's laws.

Nelson Abbott: If fires in pits are to be allowed, he preferred they be limited to actual pits designed for that purpose; unlike fires left in the open and unattended.

Asst. Chief: Some kind of standard will have to be formulated to go by for pits.

\*The Mayor asked that this also be discussed with the Chief and brought back with recommendations.

Deputy Butters: Copies of forest restrictions have been forwarded to Chief Waite. On forest land: Fires are allowed when used with liquid fuel (like propane stoves)...or in some designated areas, in actual fire pits.

#### *Public Safety / Parks – Erin Clawson:*

1. City Celebration Report: She had been out of town for about a week and had just gotten part of the financial breakdown on the City Celebration. From a preliminary view, it appeared that the expenses were not over budget. *(Council Member Youd still had raffle ticket sales in a cash box. That needed to be delivered to the Treasurer.)*

She contacted Mrs. Nilsson (Accts. Payable Clerk) to get a complete expenditure breakdown; which she will bring to the next Council Meeting. Council Member Clawson asked for input on the Celebration, itself.

2. Parks: The City's Insurance Inspector came out to assess the park and the equipment; he gave some more suggestions as to ways to lessen the City's liability. Currently, Escalante Drive is more of a priority; but those things will be addressed.

Mayor Shelley: He added that after Council Member Clawson had left the park, the Inspector stayed to talk to the Mayor and pointed out even more improvements to the park. The agent said he would email that list to Council Member Clawson.

One of the things he recommended was to create a "Safety Committee" to assist keeping up to date with required improvements.

Erin Clawson: She was aware of that and suggested that the Public Works employees could do that as part of their job. Perhaps every Friday, the playground area could be inspected on a regular basis.

She complemented the Emergency Services for the care they have taken of the Community. She encouraged citizens to use common sense and help preserve our City.

Pam Lundberg: *(Reporting on the "Fun Run")* The "Run" was a lot of fun; about 80 people ran the race.

"Runner Card" did the timing; this was a first for the City. People signed up on "Runner Card" brought in about \$285 (their fee is \$300 to come out and do the timing); so the City about broke even.

- Towels were given this year instead of t-shirts; this made things a lot easier...and the runners liked the towels.

- The runners liked the water gun part of the race.

- Next year: she is thinking of calling both races "Squirt Gun Runs" (5K or 1 mile)

- Runner Card will do the timing again; with that, the City has the option of starting both races at the same time. All can run through and finish sooner; so as not to interfere with the flag ceremony.

- She is considering heading up the races again next year. Her number one stress is getting sponsors...she does not do that. She tried to get Shopko to sponsor the runs; but they have to be contacted 2 months in advance. Stokes also helped out with watermelon & Gatorade.

- Suggestion: to not do the same posters for the races...there were too many.

Suggestion: Get a sign company to sponsor.

She does not want to do that part. *(Council Member Clawson said she could do that part.)*

Erin Clawson: She was not sure if Mrs. Lundberg had her cell number; she does not have a land line. She had not received any messages and wanted to make sure Mrs. Lundberg had the correct numbers and email address.

Mayor Shelley: He commented that Council Member Clawson had done an excellent job on the Celebration; taking over as she did. Next year, the planning should begin in August, 2012...rather than March, 2013. Starting early will help everyone to plan well in advance.

He thanked Mrs. Lundberg for her service.

\*Nelson Abbott: He mentioned a way to be able to scan a link to Runner's Card and sign up over the phone. They could be placed right on the application.

Council Members Burke & Abbott: *(Reporting on the Carnival):*

Nelson Abbott: He agreed that starting early would improve the entire Celebration. The Council can learn from experience: there were certain events that did not yield much in the way of return (band & renting a stage).

*There were comments regarding many people really liking the band.*

*Car Show*: The individual heading this event up would like to make it bigger; but there may not be enough room to hold it at the same time as the Carnival. Perhaps the Car Show could be held the previous night...after the Parade.

*(Council Member Clawson had heard that the vendors were not too popular. Council Member Youd and the Mayor thought they were quite good.)*

Mayor Shelley: In the interest of time; he suggested having the various leaders summarize and report to the Council (As Mrs. Lundberg did)...bringing recommendations.

*(Council Member Clawson wondered if she was assigned this task next year. The Mayor said they could talk of that later...perhaps at the Retreat.)*



1:20:25

Sewer – Nelson Abbott (Nothing to report)

Water – Paul Squires (not present)

Planning Commission: Brian Burke: He is concerned at the lack of activity with the Planning Commission. They are somewhat in a "reactive mode", waiting for topics or assignments to come to them. Perhaps this could be discussed in more detail at the Council Retreat. He would like to see them be more proactive...with zoning, developing the City lot in Loafer Canyon, etc. He does not feel the Members are being utilized effectively. There have been cancellations while there are important matters to address. Maybe they need further guidance from the Council.

Erin Clawson: A joint meeting has been discussed; perhaps that should be set up.

Weston Youd: He asked if the Planner had worked with the Commission on building size and the review of the building code. (Those topics have not been addressed. Council Member Youd had spoken to Nate [the Planner at LEI] regarding the matters discussed by the Council and he was to bring these things up to the Planning Commission.) The impression was that this would move forward rather quickly. (Council Member Youd asked for Kelly Liddiard's Phone number so this can move forward as soon as possible. He said he would take responsibility for this.)

1:24:12

Roads Dept. – Weston Youd: Council Member Youd worked with Mr. Stephens to outline the next steps for the replacement of Escalante Drive; he does not have a current update from Mr. Stephens; but he believes everything is on schedule. The citizens on that road need to be contacted to let them know that on the following Thursday the process will include pouring cement and that they should not drive on it; Friday they will start on driveways. They can park in the City parking lot as an alternative or on the road for now; but not in their driveways...don't cross the strings. He asked for assistance in contacting residents. It is recommended that the cement is not driven on or parked on for 28 days.

Corbett Stephens explained that if anyone wants any more concrete torn out; they need to decide tonight. After all the rocks are put back into place, the rest will be hauled off; unless someone else wants any of it.

Mail delivery: The mail lady has agreed to walk to the mailboxes.

(No further discussion)

1:29:43

### ELK RIDGE CITY COUNCIL MEETING July 10, 2012

#### TIME & PLACE OF MEETING

This Regularly Scheduled Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, July 10, 2012, 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 as well as an Amended Agenda of these Meetings were provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on July 6, 2012; & an Amended Agenda on 7-9-2012.

#### ELK RIDGE CITY COUNCIL MEETING – REGULAR SESSION AGENDA ITEMS

#### ROLL

Mayor: Hal Shelley; City Council: Weston Youd, Nelson Abbott, Erin Clawson & Brian Burke (Absent: Paul Squires); Building Official: Corbett Stephens; Sheriff: Deputy Brent Butters; Fire Chief: Seth Waite; Asst. fire Chief: David Jean; Planning Commission: David Clark; Public: Pam Lundberg, Linda Lundberg, Brad Bishop, Regan Willmore, Sandra Burke, Jon Snelgrove, Duane Macdonald; and the City Recorder: Janice H. Davis.

#### OPENING REMARKS PLEDGE OF ALLEGIANCE

An invocation was offered by Brian Burke; and Weston Youd led those present in the Pledge of Allegiance, for those willing to participate.

#### AGENDA TIME FRAME

**WESTON YOUND MOVED, SECONDED BY NELSON ABBOTT, TO APPROVE THE AGENDA TIME FRAME, ADJUSTING THE START TIME TO 7:35 PM**  
**VOTE: YES (4) NO (0) ABSENT (1) PAUL SQUIRES**

#### PUBLIC FORUM

1. Rural Housing – Brad Bishop: Mr. Bishop, representing Rural Housing Corp, was present to address the Council regarding the proposed development of homes in Elk Ridge (specifically in the Elk Ridge Meadows PUD, Phase 1, and in Crestview Estates, Plat A).

Brad Bishop: He was there to try to address some of the comments and concerns of some of the citizens. Rural Housing has been building "self-help" homes for the last 12 years. They have built about 300 homes in 9 communities across Utah County and in Wasatch County. They have had a lot of success. He has met every family that has chosen to build with them. The program groups 8 to 10 families together and they assist in building one another's homes (average about 1,200 hrs per family in the 6 months).

- They do the framing and roofing, paint

- They install cabinets, plumbing fixtures and a great deal of the work on the homes

- They landscape

The process takes about 6 months to complete



Concerns of some of citizens:

(He has met all of the families in the program. They:

- Are hard-working
- Take care of their homes
- Have jobs
- They have experienced about 95% retention (still living in their homes); with a low turn-over.
- In 12 years there have been only 2 foreclosures out of the 300 homes

Values:

As one drives around a community, there is great variety in the homes. In their homes, there is a lot of equity built into them. When the market was "hot", a couple of the families that did sell made out very well. As the market has struggled, the values have been maintained...with the majority of the home owners in good standing financially. There is a perception that their homes will affect the value of other surrounding homes. It has been their experience that value is added; particularly in place of a vacant lot. The structures exceed what the normal building code is; they are about 45% more efficient than standard homes in energy. The higher efficiency helps with utility bills.

Construction Budget for Elk Ridge:

The budget includes:

- Sprinkling system
- Landscaping design has taken a great deal from the water Conservancy District (reduces water usage by 20% or more)

1:37:27

Home Size:

- 3 bedrooms, 2 bathrooms
  - Average of 2,700 to 2,800 sq. ft. (Includes: Unfinished basement, cold storage area, all stucco/stone)
- Minimum livable area: One plan that is under 1,300 sq ft. and 25 plans that are about 1,275 sq ft.

The home fits well with the surrounding community.

They have built over 200 homes in Payson; which brings in revenue from building fees. In Eagle Mountain there are about 30 homes; and in Saratoga Springs they are starting a 3<sup>rd</sup> group. The sizes of the groups are anywhere from 6 homes to 10 homes.

*Comment: A comparison was made with Elk Ridge's group in Phase 1 of 42 homes.*

*Mr. Bishop's point was that 6-10 homes are built at a time.*

Weston Youd: He asked about percentages in the various communities. Example: 47 lots are owned by Rural Housing in Santaquin, with a population of about 1,500 homes...so this is a bit more than 3%.

Council Member Youd asked if the sale of the homes in Elk Ridge Meadows had been completed.

*(Mr. Bishop said he was not going to be answering any questions on that at that time.)*

Council Member Youd continued that they had the potential of owning 51 lots in Elk Ridge, which has a total of about 589 homes; this represents a bit less than 10%.

- Question: When Rural Housing goes into an area, he wanted to know if the CC&R's are abided by. (Yes.)

Brian Burke: He asked about the typical profile of the people that purchase the homes.

Mr. Bishop:

- Average family size: 4% = one member; 20%=2 member; 33%=3 members; 21%=4 members; 20%=5 members...Average household size = 3.25

- Age: About 25 – 35 yrs old

*(Council Member Burke commented that these are "starter homes"...first homes.)*

Requirements:

- Can't own a home already
- Can't have previously owned a home

Weston Youd: Are there ceilings to the cost of a home? Are there restrictions limiting amenities?

Mr. Bishop:

He felt that was a bit of a "loaded question". Up to this year there have been no restrictions on value; however HUD has a loan limit that has been implemented...same with FHA...as to how much they can lend. The Dept. of Agriculture adopts those limits...for Utah & Wasatch Counties, there is a \$200,000 limit on the loan; the value typically does exceed \$200,000 (no appraisal limit).

The process usually takes about 6 months (depends on the group).

1:47:38

Erin Clawson: She wanted to know if it is a rumor or is it true...that Rural Housing does not want to build in a "hostile environment"?

Mr. Bishop: One never wants to build in a "hostile environment". Regarding opposition: The current opposition in Elk Ridge is probably bigger than what he has seen. *(Council Member Clawson added that it is a lot bigger.)* He has had calls regarding not building in Elk Ridge; but he understood that there is an "affordable housing" issue and they want to build in areas where there is access to schools and shopping, etc. He did wish to dispel the rumors and assure all that these owners do have cars. He gave an example of a family have two cars and have maintained their loan for the last 10 years...their children are in piano lessons.

Erin Clawson: She has friends that own one of these homes too. She is not against the program; but she attended a very hostile meeting not long ago (last Council Meeting)... she heard the problem that exists is with the number of homes. Instead of a community being able to lift those few homes; that Mr. Bishop's organization proposes building a community that is more in number than what is already there currently. The owners are worried that this will bring down the value of their homes. When the citizens are concerned, she has to listen to them. "Why would you choose to build so many when it is better for you if they are built in smaller increments...where other neighborhoods lift them up?" It is a high percent per capita; which exceeds the requirement of the City's general Plan.

1:50:29

Mr. Bishop: He responded that when he drives up to the development referred to (Elk Ridge Meadows); he sees affordable homes, starting in the \$170's. The reason Rural Housing desires to build in the area is that it is an affordable area to build in and for the families to be successful.

Erin Clawson: She brought up Rural Housing's experience when they tried to build in the Rocky Mountain Subdivision and all the trouble that resulted...that was a very "hostile" situation, yet they are still willing to build even more homes right next to that development. "Why do you see it as a benefit for you to compete with Salisbury, who really can't compete with this, and for those existing citizens...they feel like their values are being brought down because of that...instead of doing fewer home, which seems more of a benefit for everyone...including those people who would build those homes and be a part of this Community."

(Mr. Bishop said he was still looking for the question.)

"Why are you choosing to put so many concentrated in one area?"

Mr. Bishop: When the program was first started they chose "scattered site" developments and they built 10 to 12 homes. They found that when they did build in subdivisions, that the program was just as successful, if not more so.

(Further discussion of percentages within communities)

Council Member Youd commented that Payson is at about less than 1% of the total homes in the City. Mr. Bishop reiterated the quality of the families that live in these homes.

Weston Youd: The concern has not been with the individuals buying the homes; it is with the concentration of this type of home (moderate to low income). Isn't the government program geared toward those types of homes? (Mr. Bishop: Correct) The City's General Plan states that the City has a limit or a target number of lower to moderate income homes already established. The City has met that requirement; the number even exceeds the requirement in the Moderate Income Element of the General Plan. The Council is guided by the General Plan; and that General Plan says that the number of low to moderate income homes should be within the defined range.

(Mr. Bishop asked for clarification if the General Plan sets a limit.)

Council Member Youd went on to say that the General Plan sets a balance. (Mr. Bishop said he disagreed.)

(Council Member Clawson responded that Mr. Bishop does not live in this City.)

The balance is a specific percentage; and that percentage has been met. What is being proposed is in conflict with the General Plan. The Council has to ask themselves what can be done, if anything. There are eight homes in Phase 1 that have a specific style dictated by the CC&R's in existence. When they built their homes, it was with a certain expectation, based on those CC&R's. If the plans stay within those CC&R's then that is fine; but if not...then the Council, representing the City, has to be guided by the General Plan. That is the framework within which the Council should operate...representing the concerns of the existing citizens.

Brad Bishop: Rural Housing intends to do the following:

- Meet the Covenants
- Meet the materials
- and build a beautiful subdivision and adhere to all of the rules

Weston Youd: That is what needs to be communicated to the citizens.

David Clark: He asked what Mr. Bishop's feeling are about HOA's. Are they in favor or not? Would they conform to an HOA if in existence?

Mr. Bishop: They try to avoid them due to the extra cost to families; he thinks the trend is away from HOA's due to the economy. The costs are a burden.

Jon Snelgrove (Payson City's Building Inspector) He question the Council's reticence with Rural Housing. He has been with Payson for 11 years and Rural Housing has built many homes there. They blend in with the surrounding homes; if one did not know which houses were built by them, one could not tell the difference. He has inspected all of them. The Houses do not stand out. All of their subdivisions have turned out great.

Erin Clawson: "That is what the citizens want to hear." She pointed out that they are simply reacting to the concerns expressed at the last Council Meeting. As elected officials, they cannot ignore all those people.

Corbett Stephens: He has inspected some of these houses for Mr. Snelgrove and the appraisal should be the same if not more than many of the homes in the same area. The homes meet higher efficiency standards. Example: Salisbury is building with 2x4 construction; Rural Housing is all 2x6 construction...they are a better home.

Erin Clawson: This is the information the residents that are concerned need to have; they have had little communication.

Weston Youd: Suggestion: For Mr. Bishop to meet with the citizens and inform them of what the Council has been told. Assure them that the plans are in harmony with the CC&R's.

Mr. Bishop: He claimed that the protective covenants were "dissolved" and that the majority of the homes were built after they were dissolved. They are meeting the current covenants for that development. He does plan on a meeting with those citizens in the next couple of weeks; he has all their contact information. He will give them an opportunity to attend an open house and ask questions.

David Clark: He thought that the information offered that night was "great"; he felt encouraged. Why keep the residents ill-informed? He has spoken to Salisbury Homes regarding the price of the homes. He said that there was to be a meeting planned for the following evening to amend the CC&R's; Mr. Clark invited Mr. Bishop to come to address the citizens at the meeting. Possibly the resistance would not be so high.

Weston Youd: If citizens are informed and satisfied, they as a Council do not have to be involved.

Erin Clawson: She asked if they were planning even more homes.

Mr. Bishop: They do not have a specific limit.

Jon Snelgrove: It is not Rural Housing that will come in to apply for a building permit; it will be individuals coming in to build their own homes.

Mrs. Burke: Rural Housing is buying the lots; so they are responsible for what is built.

*(Discussion about applying for a building permit and the necessity of issuing that permit, if codes and regulations are all met.)*

Nelson Abbott: He is in favor of the program; his house "pales in comparison" to these homes. If regulations are met, what choice does the City have? If he had had this chance, he would have applied "in a heart beat". These houses are bigger and nicer than the House he has now. The only thing he can do is to plan to build an addition someday. Care must be taken; the people do not need to feel they are not welcome. He has helped work on many of these homes for friends. These homes are better constructed than most. The people still have to qualify for the home, including taxes and utilities.

David Clark: He thinks that there is a point that has not been understood; that for most of the residents in that area, their homes are not their first homes. They sacrificed to get up here to have a nicer home; he needs to retain the value of his home. He cannot afford to lose its value.

Hearing Mr. Bishop out made him feel better; but this information has not been available.

Erin Clawson: Whenever there is a lack of information, the worst comes out due to fear.

Mr. Clark invited Mr. Bishop to go with him to visit with a few residents in the area right then. Perhaps the situation could be diffused. *(Mr. Bishop agreed.)*

Mayor Shelley: He thanked Mr. Bishop for coming to present his information to the Council.

2:12:40

2. Duane McDonald- Drainage ditch: Mr. McDonald lives on the corner of Columbus Ln. and Oak Ridge Drive. There exists what appears to have been a drainage ditch in front of his house that really does not go anywhere and is filled in with gravel. He would like to remove the gravel and fill in the ditch; replace the gravel or eventually have that area paved for additional parking. It was decided that the Mayor and Corbett Stephens would go by and inspect the site and propose options to Mr. McDonald.

2:15:42

#### FIRE RETARDENT PRODUCTS

Mr. Regan Willmore was present, representing R & T Fire Prevention, to acquaint the Council with their product and to conduct a demonstration. The Company ("No Char Inc") has technology that helps with fire situations...to prevent them and to retard them; as well as actually fighting fires. The product ("NFP" – No Char Fire Preventer) is a non-toxic, non-hazardous, water-based product that is effective at basically treating natural materials and making them so they do not become a fuel source for fire. Any material that is treated with NFP doubles the "ignition point". One of the benefits is that it does not give off the noxious gases that cause "flash-over" that cause homes to explode. Homes that are treated with the product give more time for the Fire Dept. to respond. It has been discovered over time that once fire fighters come to a scene where a house is involved in a fire, it take less time to put the fire out if treated with this product; because they are not trying to put out the structure of the home; just some of the material burning within the house. Mr. Willmore had a handout of information.

The Council followed Mr. Willmore outside to witness the demonstration. He made the point that most smoke detectors, sprinkler systems and alarms start to function after a fire starts. Most fires occur while people are sleeping and many do not even wake up due to gases being released. This product works before a fire starts.

The Council was impressed with the demonstration and with the product.

2:20:00

#### PUBLIC WORKS

Mayor Shelley: The Mayor called for any further discussion prior to action on the Public Works Job Description and Offer. The job description needs to be redefined, as discussed in the Work Session. The Job Offer needs to be consistent with code.

*There were no comments at this time.*

The Mayor continued: The only proposed amount was \$72,000/year for Corbett Stephens' offer.

The only thing he could think of that would affect this amount would be the water & sewer certifications. Mr. Stephens has the two certifications already.

#### OFFER:

- Public Works Director
- \$72,000 / year
- Any bonus would be based on performance up to a maximum of 10% (if he/she exceeds requirements, he/she could go as high as 10% annually). The performance levels would have to be defined. Performance bonuses would also be based on value and impact to the City. The performance evaluation would be at the end of the calendar year or on a semi-annual bases for part of the allotted bonus
- Management becomes the key issue (with Mr. Stephens or anyone else)
  - Effective management of projects, as discussed in detail previously
  - Management of the Department and the use of the other employees
  - Management of budgets and funds
  - Long range plans of how projects will be accomplished
  - The position is classified as salaried / exempt
- Part of the Offer letter included a 6 moth severance package
- The acceptance of the offer would constitute the dissolution of the current contract with Mr. Stephens



2:28:50

Comments /Questions:

City Recorder-Office Manager: Do these same terms go with all management or is this specifically for Public Works? If this is a touchy subject, she apologized, but she felt clarity was needed.

*(The Mayor responded that it was a good question and was appropriate to ask.)*

Weston Youd: The reference could be to "Dept. Heads"; and this would need to be in the HR Code.

Discussion: After discussion, it was decided that this aspect of management should be further considered.

Brian Burke: He wanted to know if the Recorder was under a current "bonus plan".

*(Ms. Davis responded that she was not under any plan...simply classified as "salaried/exempt")*

Council Member Burke said he had two concerns:

1. Ms. Davis is a female "and should not be treated disparagingly"; which is illegal
2. The two jobs cannot be compared; the Public Works Director position "has impact on the bottom line for the City". He felt that though the Director position has a direct impact, Ms. Davis has an indirect impact because of performance of her duties.

Erin Clawson: She added that she felt that Ms. Davis' position has a direct impact because of the finances that are tracked and presented in the form of the budget.

Weston Youd: Suggestion: "Dept. Heads: (regardless if it is Public Works Dept. or City Staff Dept.)

Ms. Davis: She felt that Council Member Burke was saying that it is more difficult to define Office staff accomplishments as compared to Public Works.

2:30:21

Weston Youd: Could the positions be separated? Each position would have a rate and a list of duties associated with the position. This exposes a lack in the HR Code: how do we handle bonuses? There would be a bonus structure for Managers based on certain expectations; recognizing the differences in the two positions.

\*To answer the original question: Yes, he felt the code should be revisited and amended in this area.

Brian Burke: *(Regarding the Bonus Plan)* No two jobs are the same nor do they have the same impact; not to say they are not all important. "Particular types of jobs pay less"...it depends on the job. Administrative jobs frequently do not pay as well as job having to do with "operations".

*(Ms. Davis pointed out that the pay already reflects that.)*

He felt a bonus plan could apply; but with different criteria than that of the Director's position.

Weston Youd: The code will not say, "these tasks will be accomplished"...those are based on agreed-upon performance points. Those performance points would be between the Mayor and the Dept. Managers...and with non-directors; it could be between the Managers and the employees.

Bonus points should also be available to non-management employees, if the tasks are met. If 50% were accomplished, then 50% of the possible bonus would be met.

Brian Burke: The Council "needs to watch out for 'comparable worth' and 'discrimination'. If someone were to file a charge due to "unequal pay", it would have to be determined that one job is "bigger" than the other to justify the difference in pay. The same applied with bonuses.

The "EEOC" looks at it in terms of comparable jobs; example: is the position of a woman accountant the same as an engineer working out in a plant? An engineer makes more than an accountant because of market conditions; but the difference would have to be justified.

The bonus percentage could be the same for both (0 – 10%)...if all accomplishments were met, perhaps the percentage would be 5%; however, if the goals were exceeded, then the percentage could go up to 7% or 8%, with a maximum of 10%.

Mayor Shelley: This needs to be addressed accurately in the future.

Weston Youd: He advised separating the bonus off from the offer; the bonus structure should be clearly defined in the HR Code.

*(Brian Burke: He disagreed. He felt the bonus structure should be in the offer letter.)*

Council Member Youd went on to say that the offer letter could refer to bonuses, as related to the HR Code.

Brian Burke: He would rather see more go into the bonus than the base salary...perhaps 10% is too high for a City the size of Elk Ridge.

Question: *Would the bonuses impact the overall salary amount and be considered a permanent increase or raise? (Typically, a bonus is considered a one-time payment and not a raise. It is income and taxable.)*

Erin Clawson: One should have the opportunity to earn it every year.

Mayor: Usually a performance level has to be a joint, agreed upon standard between the employee and the Administrator.

*(Short Break while the Mayor had to take care of one of the neighborhood patrol volunteers.)*

Discussion of bonus structures and whether to place that in the offer letter.

*(Continuation of Meeting)*

The Council was not expecting Mr. Stephens to respond at all that evening. The discussion was simply to arrive at the terms of the offer letter. Then letter can be written up formally and the Job Description could be re-worked so that it is all in place.



ERIN CLAWSON MOVED, SECONDED BY WESTON YOUND, TO AUTHORIZE MAYOR SHELLEY TO MAKE A JOB OFFER FOR PUBLIC WORKS DIRECTOR AT \$72,000/YEAR. THE COUNCIL WILL AMEND THE HR CODE BY INCLUDING A PERFORMANCE BASED BONUS PLAN FOR MANAGEMENT; NOT TO EXCEED 10% ANNUALLY...BASED ON THE JOB DESCRIPTIONS, WITH THE CHANGES DISCUSSED EARLIER IN THE MEETING OFFER TO CORBETT STEPHENS (1<sup>ST</sup>):

- Public Works Director
- \$72,000 / year
- Any bonus would be based on performance up to a maximum of 10% (if he/she exceeds requirements, he/she could go as high as 10% annually). The performance levels would have to be defined. Performance bonuses would also be based on value and impact to the City. The performance evaluation would be at the end of the calendar year or on a semi-annual bases for part of the allotted bonus
- Management becomes the key issue (with Mr. Stephens or anyone else)
  - Effective management of projects, as discussed in detail previously
  - Management of the Department and the use of the other employees
  - Management of budgets and funds
  - Long range plans of how projects will be accomplished
  - The position is classified as salaried / exempt
- Part of the Offer letter included a 6 month severance package
- The acceptance of the offer would constitute the dissolution of the current contract with Mr. Stephens
- Certifications :
  - CDL License
  - Water Operator
  - Sewer Operator (Preferred)

VOTE (POLLED): ERIN CLAWSON-AYE, WESTON YOUND-AYE, BRIAN BURKE-AYE (3)  
NELSON ABBOTT-NAY (1) ABSENT (1) PAUL SQUIRES

Passed 3-1

*Council Member Abbott explained his vote: He was not comfortable with the bonus structure portion of the offer. He said his mental state was such that this is where he is at. (The Council clarified that he did not have to justify his vote.)*

2:46:46

*Brief discussion addressing the chance that Mr. Stephens does not accept the offer.*

WESTON YOUND MOVED, SECONDED BY BRIAN BURKE, THAT IN THE EVENT THAT THE CITY'S OFFER IS NOT ACCEPTED BY CORBETT STEPHENS; TO AUTHORIZE MAYOR SHELLEY TO CONSIDER THE POSITION OPEN TO ADVERTISE FOR; WITH A SALARY RANGE OF BETWEEN \$50,000 TO \$70,000; WITH THE SAME JOB DESCRIPTION, WITH CONDITION #14 (REFERRING TO BUILDING INSPECTIONS) BEING REMOVED

VOTE (POLLED): ERIN CLAWSON-AYE, WESTON YOUND-AYE, BRIAN BURKE-AYE (3)  
NELSON ABBOTT-NAY (1) ABSENT (1) PAUL SQUIRES

2:49:18

*Comments:*

Corbett Stephens: He voiced a concern in the part of being able to discipline subordinate employees. He does not agree that it should be "with the consent of the Mayor". He said he does not mind answering to people; but he felt it should be the whole Council.

"If I want to fire somebody...if somebody needs to be fired...not because I want to; but if somebody needs to be fired because I have gone through the steps and have done everything that I can to try to correct the situation; I would rather it was under the consent of the Council as a whole...not just the Mayor."

Weston Yound: "I know where you are coming from; and I will tell you my concern with it. We then breach that line where we are functioning as a legislative body and the Mayor is the Administrator of the City...that breaches that. That would mean that the Mayor would then have to dissolve or divest himself of that administrative role."

Erin Clawson: "The way the job description is set up; the Mayor would be accountable for not listening to recommendations."

Mayor Shelley: As long as the disciplinary steps that need to take place are followed...(interrupted)

Brian Burke: The kind of situation that needs to be avoided is what happens when a Mayor comes in and makes a decision to fire someone without the advice and consent of the Council.

*(Referring to the previous Public Works Director, Kent Haskell)*

Weston Yound: He clarified that that action was with the Council, since it was technically a resignation. *(Council Member Burke added that it was a "forced resignation")*

*(Council Member Yound continued)*: Yes, it was; but those that were on the Council were told that it was not working out and it was not a "good fit" and that he was willing to resign. But it was on the Council to then hold the Mayor responsible with the replacement plan. The plan was to "load Corbett up...and we saw what happened". Corbett was over-worked and the Council did not do their job in over-seeing the situation. The Council acts as the "Board of Directors", and the Mayor as the "CEO", manages things. The Council should have been more active and be able to see that an employee was over-loaded and the situation required some changes. The Council did not do that. The structure in place would require accountability for the Mayor.

Erin Clawson: She felt there is protection that was not there before.

Mayor: If there is an employee that is going outside of what needs to happen to give him that...

(Council Member Abbott interrupted and asked if that was the Mayor's concern...) The Mayor answered, "Yes".

Weston Youd: So the Council, as he said previously, provides that framework. The Mayor has "slots" to fill this "team"; and the team executes the needs of the City. If the work cannot get done within the framework that has been arranged (the team)...there would be a need for more "slots" or more money...or fewer or different slots. The Council could respond that the City has no more money; perhaps it would need to be figured out how to function with one less person. (Council Member Clawson inserted that this is done all the time.)

How the pieces fit in and work...he does not feel the Council should be involved in that aspect. When things are not getting done or are over budget; then the Council should ask why.

Erin Clawson: The Mayor should follow this agreement as much as the Director; then if there is a problem, the Council can ask the reason.

Weston Youd: The Mayor is the "conduit" between the Board of Directors (Council) and the Manager. If that were to change; that would require a change in the form of government the City has...which would be a "City Manager" form of government.

The City Manager would work with the Council and say, "I need to fire this person, do I have the Council's blessing?"

(City Recorder: But the Council is still working with an individual.)

(Council Member Youd) The City Manager reports to the Council...like the CEO reporting to the Board of Directors. The Council gets involved when things are not working or are not getting done; how the Mayor or City Manager gets it done should not be the concern of the Council.

Brian Burke: If the contract "goes away"; the Council does not have a direct obligation to pay overtime. However, if the Mayor feels it is appropriate to do so, overtime would be approved.

Without the current contract that Mr. Stephens has in place, it is up to the Mayor's discretion to approve or not.

Corbett Stephens: That is also a concern to him. Working with the expectation listed in the job description, there could be many hours over 40 hours...how much time is left to "manage"?

Weston Youd: That is when the Director would come in and point out that the set framework is not working; and have solutions. If you cannot accomplish the goals, the Council has to ask why...perhaps projects are eliminated. (Council Member Burke added that at times, the City may have to "outsource" a project.)

Mayor Shelley: The critical key is going to be management of the resources.

City Recorder: This offer is for the Director position only; Mr. Stephens is also the Building Inspector; is this separate?

Mayor: It is included in the job description that the Director will "oversee" building inspections and plan checks...he will either fill that function or contract it out and oversee it.

If Mr. Stephens does not accept this position; it will be offered to someone else; less #14.

(Recorder: Can one person handle all of that?)

Weston Youd: If he can't, then he would recommend contracting something out. He felt that the City would not incur extra cost contracting the work out because permits are paid and the expense would come out of that revenue. He does not think "building permits" are "money makers".

Corbett Stephens: He disagreed. If that revenue (over \$100,000) is taken out of the budget, the City would be negatively impacted. Building permits generate revenue for the City.

Weston Youd: The choice is whether the City needs Mr. Stephens more as a Building Inspector or a Public Works Director. When he can, he can do inspections; but if the choice has to be made, then the position of Director takes precedence.

Nelson Abbott: Is he worth more to the City (dollar value) as an Inspector or a Director?

Corbett Stephens: He gave an example of a plan check he did that day: that was worth \$1,100 to the City...it took him 3 hours (average of \$367/hour).

Nelson Abbott: Elk Ridge is a small town and the Director will be "down in the trenches" doing many things that a Director in a larger City would not have to do. There are limited resources.

The ability to generate revenue was one of the reasons Mr. Stephens was hired at the wage that he was. Elk Ridge was paying out more at that time than the wage the City ended up offering to Mr. Stephens.

Mayor: He wanted to clarify an aspect of the conversation: Out of the plan check fee...what does it cover? (Only the plan check...the building permit fee covers inspections + time spent by staff.) On that same plan that Mr. Stephens checked that day, the building permit fee = \$1,900. Then there are impact fees on top of that adding to the revenue in those areas.

Weston Youd: The choice must be made where the greater need of the City is: Building Inspector or Public Works Director. (Mr. Stephens asked "where is the money?") Council Member Youd maintained that he wanted to keep the money separate...where is the need? He said he does not "want to chase money any more". The inspections might get done; but will any of the other services and projects?

Corbett Stephens: If you can farm either one out; which one makes the most money? Why not farm out the projects and keep the building inspections in-house?

Weston Youd: That is what the Director should do...recommend when to farm out certain jobs...either in building inspections or projects. He said he "does not care who does it; if you farm it out, I am going to give you 'X' number of dollars and you tell me, 'With X # of dollars, I will get this done in X # of days'. Whether you farm it out, do it in house or you do it yourself...as long as it is on time and on budget, I'm fine with it. That is part of being the Director." But he will be accountable for his choice if it does not work.

Erin Clawson: Having that "team" that the Mayor described will be the key.

Corbett Stephens: He feels that is what the City has done since Kent Haskell left.

Weston Youd: But with the title comes the authority and the support from the Council. He wants someone to be able to go to and hold responsible for either the successes or the failures of the Dept. If the framework and resources allotted by the Council is not working, then the Council has a choice to make.

City Recorder: Managers and employees need to understand that the Council may be the Board of Directors; but the Mayor is the City Administrator and is our "boss"; who we report to. He needs to be kept in the loop.

Erin Clawson: The Council expects the Mayor to work with the managers, and the managers to do their jobs to free the Mayor up to do the things he needs to do.

*More discussion regarding the line of authority.*

City Recorder: There is still the effect of past administrations...as the current Council and Mayor will affect the future. Whether there is a Mayor or City Manager, there is still an individual that will be good or bad...affective of ineffective...positive or negative. The Managers have to feel comfortable to be able to work with the Administrator.

Weston Youd: He made the point that the Council should hold the Mayor responsible for how he/she manages the managers.

City Recorder: Besides all of this...there is Office policy. How do you want your departments run? From a positive perspective where employees are trained and groomed...without fear of being fired when they make mistakes? Or would policy dictate that the manager list all the mistakes and keep those in the employee files? A case could be built against anyone...including anyone that works at the City. This has nothing to do with Rex...this has to do with seeing in the past how fear can destroy a department or an entire office. When there are problems with employees, the problem is generated from two directions: from the employee and from management. "If there is a conflict between me and one of the staff; part of that problem is mine...because I failed that employee in some way...perhaps the employee did not understand an expectation well enough...one of many causes that managers should have to take responsibility for."

When duties have become easy due to repetition over the years; we can assume that it is easy to pick up...or we forget. It would be the manager's obligation to create the desired team...not looking for reasons to fire people. That is the fear that past administrations used very ineffectively. "I do not want to be that kind of manager and I do not think we ought to have that kind of a manager".

Weston Youd: "Agreed. He feels this type of structure protects against this situation. He explained: The work has to get done...the managers have a team to work with; the Council could go to the manager and ask if it is better to fire people or to build the team? The managers would have to weigh this and decide what would be better."

Recorder: It falls on the Mayor or the Council to also hire and train managers and to create office policies that are supported by the HR Code...so that then the managers can do the same with the employees in their care. Those policies can change; but if the Code is in place; that will limit how much that can change. "I have a huge amount of respect for Corbett...we have worked together for years...we have been friends. I understand the value he has with this City. I also understand that he needs to be willing to learn from the Mayor...how to manage without letting everything 'blow up'. It is two-sided. There is a lot to managing." Will there be trust between the Mayor and Mr. Stephens (both ways)? There must be trust between the managers and the "boss".

Weston Youd: The Mayor would have to be the "valve"...if a Manager wanted to fire everyone in their dept. how would the work get done?

Erin Clawson: She felt that Ms. Davis was referring to the steps talked about earlier. Are there policies and steps to follow? *(They have been considered but not followed.)*

Weston Youd: That is where the Mayor steps in; if not, the Council should come down on him.

Erin Clawson: The Council would ask if steps were followed and he would have to report if they were or not.

From the expectation of a manager, she would expect the steps to be followed.

Mayor Shelley: He said there had been a couple of issues brought to him directly. Many things on the list had already been addressed. He has suggested many times to get some training on how to manage...or to assist directly. The response was that Mr. Stephens would not manage people that will not be managed; this needs to be addressed...it should be part of a performance based job offer.

Brian Burke: He agreed that the Council needs to be prepared if Mr. Stephens turns down the offer. He thought there was a chance he may do that based on his current contract.

- He wants a similar contract

- He wants to be classified as non-exempt

It seemed to Council Member Burke that Mr. Stephens prefers the position of Building Inspector. He is good at it.

Mayor: The options are out there, he said he would put the offer together and see what happens. He said he would try very hard to be up front and make sure that there is complete understanding of each of the terms.

He needs to understand that part of his job is to train and manage and make sure his employees get certified. *(Ms. Davis expressed her concern that the expectation was too broad for one person to accomplish with building inspections and being the Director.)* The Mayor admitted that the expectation is "huge".

Erin Clawson: The Director has to train and teach; but at some point the employee is also responsible to study and work to accomplish the goal. The Council provides the resources to take the test or train.



Weston Youd: The Council could identify the need and set a time limit and provide the resources; then the Mayor would work out the details with the Managers.

3:22:17 Weston Youd: The Council needs to implement this process and line of authority to make things happen.

Erin Clawson: "And I still think this is the Council and Mayor that can do that."

## NON-AGENDA ITEM

Mayor Shelley: (Roads) He meant to mention this earlier; but the City will not be doing any chip & seal as planned and budgeted for. He just found out that night. Explanation: There was a meeting in May that Mr. Stephens went to and they were to start orders. There was an order date by June 21<sup>st</sup>...from what the Mayor understood, Mr. Stephens told them that the City would not be doing chip & seal this year. If that was discussed, no one notified the Mayor that this would not take place. There has been a problem with communication. He realized that Mr. Stephens was offended that the Mayor took over as a temporary director; but the Mayor felt he did not have a choice. The Mayor added, "The reality is that he is not talking to me and he does talk to you (meaning Council Member Clawson) lots." He felt that information should be coming back to him as the Mayor...he feels he gets it second hand through Council Member Clawson or through some other source. (Council Member Clawson interjected: "I need it not to be me." She indicated that it is too much for her.) The idea is that he reports to the Mayor and the Mayor reports to the Council? That is not happening.

Weston Youd: He can either work with the Mayor or the Mayor can indicate that he work directly with a Dept. Head (Council Member over a certain Dept.).

(More discussion about the process that should be followed.)

It was Council Member Youd's recollection that 180,000 sq. ft of chip and seal was ordered.

Mayor: He is expecting a call from Kent Fowden to see if it is too late to get on the schedule. A slurry seal would have to be contracted out.

3:28:41

## COUNCIL MINUTES

Postponed.

## EXPENDITURES:

General: None

A. Payroll for June, 2012:

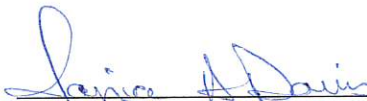
No comments.

**ERIN CLAWSON MOVED, SECONDED BY WESTON YOUNG, TO POSTPONE THE PAYROLL REGISTER APPROVAL UNTIL THE AUGUST MEETING**

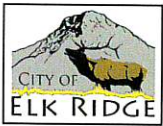
**VOTE: YES (4) NO (0) ABSENT (1) PAUL SQUIRES**

## ADJOURNMENT

The Mayor adjourned the City Council Meeting at 9:30 PM.

  
City Recorder





**ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651**

t.801/423-2300 - f.801/423-1443 - email [staff@elkridgecity.org](mailto:staff@elkridgecity.org) - web [www.elkridgecity.org](http://www.elkridgecity.org)

**AMENDED NOTICE & AGENDA**

Notice is hereby given that the City Council of Elk Ridge will hold a regular **City Council Meeting on Tuesday, August 14, 2012, at 7:00 PM;** which will 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 AGENDA ITEMS:**

1. LEI Engineering – Storm Drain Study
2. Public Works Director Position / Update – Mayor Shelley
3. City Council Departments – Reports
  - Administrative – Mayor Shelley
    - A. City Center Property
      1. Existing House
    - B. City Council Retreat
    - C. City Watch - Neighborhood Watch Programs / Update
  - Public Safety & Parks – Erin Clawson
  - Sewer – Nelson Abbott
  - Water – Paul Squires
  - Planning Commission – Brian Burke
    - A. HR Code - Discussion
  - Roads Dept. – Weston Youd
    - A. Escalante Dr / Update
    - B. Repairs of Entry / Elk Ridge Meadows, Phase 2
  - Economic Development – Weston Youd

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

- Opening Remarks and Pledge of Allegiance - Invitation  
Approval/Agenda Time Frame
- 7:05 Public Forum
- 7:15 4. Approval – Storm Drain Study
- 7:25 5. City Council Assignments – Any Required Action
  - A. HR Code – Brian Burke
- 7:45 6. Scheduling Joint Meeting with Planning Commission
- 7:50 7. City Council Minutes
- 8:00 8. Expenditures:  
General:  
A. Check Register & Payroll for June, 2012
- 8:05 9. 2011/2012 Fiscal Year Audit Proposal – Jones Simkins  
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 13 day of August, 2012.

  
\_\_\_\_\_  
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 provided to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and to each member of the Governing Body on August 10, 2012; and an Amended Agenda on 8-13-12.

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



ELK RIDGE  
CITY COUNCIL MEETING  
August 14, 2012

TIME & PLACE  
OF MEETING

This regularly scheduled Meeting of the Elk Ridge City Council, was scheduled for Tuesday, August 14, 2012, 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 these Meetings was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on August 10, 2012; and an Amended Agenda on August 13, 2012.

6:00 PM –

CITY COUNCIL WORK SESSION AGENDA:

ROLL

*Mayor:* Hal Shelley; *City Council:* Erin Clawson, Weston Youd, Nelson Abbott, Brian Burke Paul Squires; *Deputy Sheriff:* Brent Butters; *Public Works:* Travis Le Baron; *Public:* Ed Christensen, Clint Ashmead, Jim Towse, Jamie Towse, Bob Van Parys, Ray Brown, Sandra Burke, Robin Clawson, Randy Cloward, Unknown (signature unclear), and the deputy Recorder, Mary Preece.

0:00:49

LEI ENGINEERING

STORM DRAIN STUDY

Mayor Hal Shelley: The representative from LEI scheduled to conduct the discussion was not present due to health issues; therefore, the Storm Drain Study was not presented at this meeting. The Mayor talked to a representative of LEI, and he explained that one of the problems is that the City has three areas of the community that need to be addressed:  
1. The old area namely Canyon View that we respond to as events happen. A solution has not been found as drainage flows from one property to the next.  
2. The newer area where some sumps have been put in, but some are undersized with a need to enlarge them.  
3. The newest section where there is a need to address the storm drain issues with each development as it comes in. There are some recommendations for the long term solutions that city can do with each of these areas.  
Nelson Abbott: The undeveloped area in the south end of town...at the point where the developed area meets the unimproved area, the water coming off the mountain is causing a problem and needs to be addressed properly.

0:06:10

PUBLIC WORKS

DIRECTOR / UPDATE

Mayor Hal Shelley: The Mayor interviewed 12 different individuals ranging from as far north into Hyrum along the Wasatch Front to Elk Ridge. Among those interviewed, a couple of the applicants withdrew their applications. One applicant was well qualified but could not come for the amount offered and one individual that the Mayor was very pleased about...the Mayor made an offer to him for \$66,000/year (this was the amount the Council allowed). This individual has good skills and has been in the Asst. Public Works Director for the past several years. His name is Cody Black. If he accepts he will begin the last Monday of this month, August 27<sup>th</sup>. An official job description was to be sent to him. There will be a three month probation period, after which he will qualify for benefits.

CITY COUNCIL

DEPARTMENT REPORTS

City Center Property – Mayor Hal Shelley

-Robert Nelson is continuing to do the excavation. All the soil and rock is technically his to sell off if needed. When the City takes some of it he keeps track of that to keep a running total of all the amounts extracted, sold etc. There is a need to complete the site plan to decide what we want to do in that area.

-Existing House: It has been inspected by each of the members of the Council and the Mayor. The house needs to be utilized or somehow removed to prevent it from becoming dilapidated. The cost to move it would be thirty to forty thousand dollars. It could be sold or auctioned off and removed from the property.

Nelson Abbott presented the idea of possibly selling the house along with some property leaving the remainder of the property for the use of the City; this would generate some revenue at the same time.

Paul Squires commented that his inspection of the home revealed problems in the structure that would make it questionable in considering moving the home off the foundation.

Brian Burke suggested utilizing the home as the City Offices until the new civic center would be built; freeing up the existing office building for the Fire Department renovation.

Mayor Hal Shelley had a concern for the amount of money it would take to remodel and update the home to the point of using it for the city office. He felt it would be better placed in an account for the future Civic Center.

Jamie Towse expressed her thoughts to get an official inspection of the house to see the possibilities of using the home as a City Office allowing the fire department to proceed with the plans to renovate the existing city building. She was concerned that the plans to better facilitate the fire department was not moving along quickly enough as planned.

Mayor Hal Shelley: He explained the steps that needed to be taken for the public works building to be completed to a point that the equipment and trucks of the fire department could be relocated while the construction of the existing city building took place. The plans for the remodel are being finalized in the near future to allow the work to go forward.

-City Council Retreat: It was agreed on the date of September 14<sup>th</sup> and 15<sup>th</sup>. The location has not been determined as of now, any help with finding a location that would be close, quiet, and private would be appreciated.

-City Watch-Neighborhood Watch Programs: At the end of a six week period there have been a number of logs turned in reporting open garage doors, churches left unlocked, cars parked in places where they should not be parked. There has been a very positive response to the watch. A meeting was held with the City Deputy for a neighborhood watch organization. Russ Lundberg has come forth to head it up. A request for the watch to continue in the night hours was expressed by citizens to the Mayor.

#### **Public Safety & Parks – Erin Clawson**

Two replacements for the broken slide in the parks have been found. One slide for an exact replacement was at a cost of \$1,900. Considering the age of the slide that was destroyed, could be considered and the family responsible could be given a discounted price. The other considerably lower at \$1,300 but there is a concern if it would fit properly when installed.

Erin Clawson was concerned if the older, less expensive slide were installed; would that affect the warrantee on the slide itself and safety? It would be a wiser decision to use the exact replacement.

#### **Sewer-Nelson Abbott**

SESD held their report meeting last week. A merger between Payson City and SESD is still moving along at a snail's pace waiting on the officials in Washington. Other projects are moving along

Payson City and SESD such as the work with the VA Hospital to be in Payson. There are sub-station for SESD on the north end of Main Street in Payson. This will help keep the check.

Mayor Hal Shelley: On the sewer: He advised to be sure to figure out what the City needs to have to start doing the proper camera work. Payson indicated they would allow the City to use their equipment; which would avoid a purchase.

#### **Water – Paul Squires**

The July meeting was canceled for SUVMWA; however the minutes for June indicated they had approved our request for additional water rights. The next meeting is scheduled for the 16<sup>th</sup> of August. He will talk with the engineer in charge of the CUP Project to find out where they are with

Mayor Hal Shelley: There is a request from Lee Haskell to negotiate with the City to get 2.7 acre feet of water through SUVMWA. He asked Paul Squires to address this at that next SUVMWA meeting.

#### **Planning Commission – Brian Burke**

The Planning Commission meeting was cancelled the previous week. That is three months in a row. Prior to that, there was one meeting with just enough present to make any approvals. He expressed concerned about the direction of the Planning Commission. He advised taking a more aggressive action with projects, as opposed to them waiting for things to come to them. The Council needs to be more involved to spur on important issues.

Weston Youd: He pointed out that LEI appears to be lagging in interest and involvement in the needs of the City. He would like to see more involvement from them to help the Commission move forward.

Mayor Hal Shelley: Sunrise has been contacted and they will come in on the 28<sup>th</sup> to introduce themselves. They have worked with the City before and would like to be considered for the position. Aqua has also shown interest and will be sending us a brochure.

**HR Code:** Council Member Burke felt that when this manual was purchased it was a boiler plate manual; with much that is applicable to Elk Ridge and much that is not. Both he and Ray Brown have gone through portions of the manual and have made some proposed changes that would be addressed that night. There are eight or nine policies that do not apply to the City that need to be removed. Since there are no templates to rewrite this code, we are not able to use this by retyping the code. We need to get it done. He feels 80 percent applies to the City; the rest needs to be taken out.

(Note: There is a template and the City Recorder is in the process of re-typing it as changes are made.)

Nelson Abbott: Suggestion: to scan it as a word perfect document and make the necessary changes deleting what no longer applies and typing in the corrected code.

#### **Roads Dept – Weston Youd**

"I have only heard compliments concerning the Escalante Road Project." He thinks there were a lot of lessons learned; such as putting some project control in place, base line time and base line budgets.



Mayor Hal Shelley: "Comcast needs to get in and finish their project and clean up." He will approach each resident to be sure they are satisfied, and then get the proper billing to each resident. He has ordered that Stop signs be installed.

Paul Squires: He was concerned with the area where Escalante joins the City parking lot and wondered if it would be filled with gravel or compacted dirt.

Mayor Hal Shelley: There needs to be something done there to prevent people from driving through the parking lot on to the curb. The vinyl fence is a problem when the snow is pushed up against it in the winter because it breaks down. He is thinking of a pipe fence, or a decorative planter and large rocks.

#### – Repairs of Entry / Elk Ridge Meadows, Phase 2

"We have a couple of bids; one from Geneva and one from Eckles Paving" ...he was hoping to have it done by the first of August but there have been some complications with attorneys; and the home owners in that area wanted to create some new architectural covenants. There could be legal issues regarding whether Salisbury should have bought the open space as well as the lots he purchased. A lot of work has been done in the attempt to restructure the covenants...between the owners, Chris Salisbury, Rural Housing and Brad Bishop. Until details are in place, the Mayor does not want to commit the City's funds toward the project, particularly if there are going to be any legal complications as to the ownership.

The Mayor will contact the parties involved and consult with the City Attorney and bring the information to the next meeting.

Mayor Hal Shelley closed the work session at 6:58 p.m.

### Elk Ridge City Council Meeting August 14, 2012

#### TIME & PLACE OF MEETING

This Regularly Scheduled Meeting of the Elk Ridge City Council, was scheduled for Tuesday, August 14, 2012, 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 these Meetings were provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on August 10, 2012; and an Amended Agenda on August 13, 2012.

7:00 p.m.

#### REGULAR CITY COUNCIL MEETING AGENDA ITEMS:

#### ROLL

*Mayor:* Hal Shelley; *City Council:* Erin Clawson, Weston Youd, Nelson Abbott, Brian Burke Paul Squires; *Deputy Sheriff:* Brent Butters; *Public Works:* Travis Le Baron; *Public:* Ed Christensen, Clint Ashmead, Jim Towse, Jamie Towse, Bob Van Parys, Ray Brown, Sandra Burke, Robin Clawson, Randy Cloward, Unknown (signature unclear), and the deputy Recorder, Mary Preece.

0:50:10

#### OPENING REMARKS & PLEDGE OF ALLEGIANCE

An invocation was offered by Ed Christensen; Deputy Brent Butters led those present in the Pledge of Allegiance, for those who wished to participate.

#### PUBLIC FORUM that

The Mayor invited anyone present to bring before the Council any items they would like to discuss was not already on the Agenda.

Robert Van Parys was present to address the Council and Mayor with his feelings and perceptions concerning the past Public Works Director, Corbett Stephens...reading the following letter; which he wanted to go "on the record".

*(Quoted directly from Mr. Van Parys' Letter)*

"Dear Mayor Shelley and Council Members,  
When Corbett left of July 27<sup>th</sup>, this City was left without an experienced building inspector on staff, a certified water systems operator, someone knowledgeable in the support functions of this City, and an individual that has dedicated his time and effort to make this city a great place to live. Mayor Shelley, you and the men on the City Council have left this city without the proper support needed on a day-to-day basis or when an emergency arises. Corbett played an enormous part in the support structure of this city and you have no one with Corbett's certifications or experience to run the public works responsibilities of this city.

So now that you have lost the only city employee that had the greater knowledge of the support functions of this city, I would like to know how you are going to handle building inspections, road repairs, our water requirements, sewer cleanouts, support of the fire department when we are in need of water at a fire, clearing the roads of snow during the winter, and to perform duties above and

beyond the required job description. You are presently advertising for a new Public Works Supervisor but you had the best this city had and you let him get away.

These are my understandings of why Corbett chose not to stay with Elk Ridge. Isn't it truth Mayor Shelley that you did not support Corbett Stephens, who was Rex Davis' supervisor, for the matter where Rex's job performance was being questioned by his experienced supervisor? Isn't it true Mayor Shelley that you took over a Public Works Director and you have no knowledge or experience in handling any public works responsibilities? You are not working in the field with the guys nor are you able to supervise them on a constant basis? You took away the supervisory responsibilities from the one person that best knew their work habits and abilities as well as inabilities to perform their duties. Isn't it a fact Mayor Shelley that Rex was hired to be the backup water operator and assist with general projects and maintenance at approximately \$16.00 an hour for work he cannot perform in the position for which he was hired? Why Mayor Shelley and you Councilmen allowed Corbett Stephens to leave his employment without having an experience, certified individual to take Corbett's place? Was it Mayor Shelley that people like Corbett Stephens are just a dime a dozen? Your negligence lost this City an experience building inspector, certified water operator, and a person dedicated to the betterment of this city. I lay the full blame at your feet Mayor Shelley for this travesty because you did not support the one person that kept this City's public works in order. Mayor Shelley, you and the Councilmen of this City have made a very bad decision in allowing Corbett Stephens to leave and I will make sure that the citizens of this City never forget this mistake.

So now what is it going to cost the tax payers of this City for all the services Corbett once provided us? Who is going to be responsible for supporting the citizens of this city in times of emergency? It certainly isn't you Mayor Shelley or you Councilmen. None of you, except Councilwoman Clawson, have the slightest idea, understanding, or knowledge of the functions that support this city. Which one of you Councilmen knows how to fix a well pump or who to contact if one of our well pumps goes out, how to repair the cracks in our roadways, clean and purge our sewer systems in accordance with state regulations, and drive a snow plow when it snows? From what I understand Councilwoman Clawson is the only one of you who has cared enough to even ride with the snow plow drivers to see what they go through to keep our roads clear. Which one of you can say that you just saved the City \$250,000 for the screening process now going on to prepare the city property for soccer fields? All of the above functions are now awaiting new Public Works Director and what is it going to cost us tax payers for a new employee? And I wonder if this new person is going to receive the backing of you Mayor Shelley and you Councilmen when it is time to reprimand or fire an employee. Or are we going to see and another experienced and certified Public Works Director leave his job due to frustration and no support. You Mayor Shelley and you Councilmen, have not done this city any favors by allowing Corbett Stephens to leave.

Being elected officials is not an easy job. Your decisions are always under the microscope and not everyone is happy with your decisions. But making dumb decisions, like allowing Corbett Stephens to leave and without certified and experienced maintenance employees to take his place is totally inexcusable and brings your capabilities to lead this city into question.

This city needs strong and smart leadership that will get things done in a smart way. Mayor Shelley your leadership leaves much to be desired and you Councilmen, your ability to support the citizens of this City is very much in doubt. Your inept leadership has caused us to lose a very valuable city employee that is not one of a dime a dozen. The citizens of Elk Ridge are depending on you to run this city effectively and from my perspective that is not being done."

*Comments:*

0:58:15  
there

Jamie Towse: She expressed her agreement with the letter read by Mr. Van Parys in the fact that there was no immediate replacement for Corbett Stephens, and his knowledge of the job. She also was concerned about the reason for leaving the City, and wanted explanations for the actions.

- She felt that the recycle cans are coercion.

- She expressed confusion as to the reason for the Council to take a "Retreat". What do they expect to get done?

She wanted an over view of the public works; particularly the priorities with guidance and time tables on the items discussed in council meetings. She felt the minutes were highly inefficient; not being available in a timely manner. She asked about the critical issue in a past meeting concerning Rural Housing, wanted to know just what is happening with that since nothing has transpired with the planning committee. She was concerned with SOS being involved with the hiring of City employees, not the City.

She did express an appreciation for the City Celebration and the work of the City for the benefit of the citizens.

Ed Christensen: He spoke in defense of Rex Davis explaining that Rex was hired with the understanding that he would be trained by Corbett Stephens. When he (Mr. Christensen) was Mayor, he met many times with Corbett Stephens asking him to train Rex on the water system. He was disappointed that Mr. Stephens had left the city because he is so talented...but he did not feel he is a manager and he failed to train Rex Davis.

Travis LeBaron: He shared his knowledge of the policies in other cities...new employees are taken around and taught on the job while on the clock. "Some of the things you learn have to be done on the job, with someone willing to show you how." He related he experience working with Corbett Stephens:

Mr. LeBaron did not feel he is the type to share that type of information. He felt he would not receive the necessary training needed from Mr. Stephens.

Clint Ashmead: Although a new resident of about a year in the City, he shared some of the concerns of the citizens. He was not impressed with Corbett Stephens and his inspections. He did want to defend the Council with the action they took with Mr. Stephens. He felt the size of the City made it difficult for the Council, and felt they were doing a good job.

- His opinion of recycling: It is important, and he would like to see it a success.

Brian Burke: He stated that the Council was in favor of keeping Corbett Stephens on, but there were certain conditions. "This issue did not come down to money." The Council offered him close to \$80,000, including the opportunity for a bonus. That was more than a candidate for the job was presently making in Brigham City of \$77,000. It came down to two things the Council was not able to give him:

- One was a contract that stated if he is laid off, he would get one years salary...he wanted another contract to go above and beyond that.
- Second: he wanted over time, and as the Council saw it, the position was to be salaried and not eligible for overtime.

He was paid \$51,000 back overtime. He was paid over \$100,000 in wages, not including benefits, over the past year. "He was paid generously, and offered a generous salary to stay. He decided to leave the City."

Weston Youd: He apologized to Mr. Van Parys for appearing to not pay attention to him reading his letter. He was listening, just searching for information of how the decision was made.

1:13:16

Robert Van Parys: He addressed Brian Burke: He expressed that Corbett and earned the money he received that was due during the term of a previous Mayor, the City did not give him the money. He felt Corbett was being thrown under the bus "because of an employee that was minimal". He felt that the employee was being protected...because of the actions not taken when Corbett approached the Mayor with a discipline problem. He was just stating what he has heard.

Mayor Hal Shelley: "We worked hard to keep Corbett here at the City. No one is disputing the fact that he is very talented, skilled, and a great worker. We knew if we lost him it would be difficult to replace him. I have tried to go about this whole affair in a very positive way, with the Council and more so with Corbett. I worked and worked to get him what he asked for. I am not a replacement for Corbett, but as an administrator I did see other sides with these issues; and I tried to work with Rex and Corbett to make changes. I did what I felt was the right thing to do in taking away at that time the public works director from him based on some of the issues, some offers I had made, some instructions I had given that was not being followed. I did not want to wait for a replacement; I approached it with the Council approval as soon as Corbett said he was going to take employment elsewhere. I appreciate you coming forward, and I do not have any problem in addressing the issues. I have gone to Rex and instructed him relative to what Corbett asked him to do, and as near as I can see he has tried to respond positively. He understood I would fire anyone on the spot if needed." He continued that he still has another 14 months to serve in his position; and in a year he will decide if it is worth going for 4 more. "I am here to serve."

"Jamie (Towse), your concerns will be addressed. The minutes are explainable but not excusable."

Erin Clawson: Corbett had given her a letter to read. He expressed that the reason for leaving was not the contract, but the lack of discipline of Rex Davis. He felt the Mayor had expressed that Corbett's comments were boarder line harassment, but failed to tell what Rex had said to him to merit the comments he made to Rex. The comments were inappropriate to read out loud. Rex stated he would take the issue to the Mayor. He continued on to tell of how inefficiently he felt Rex and done his job. He felt the orders he gave Rex were from the Council and the Mayor and he had failed to even try to do them, and even lied about his failure to complete the tasks to the Mayor. He felt Mayor Shelley ignored the issues to keep from trying to do what seemed to be the best for the City. He also included a list of things the City should be doing yearly.

Council Member Clawson did not feel anyone in the City public works positions had the knowledge of the things Corbett had listed. She wanted to go on record to say Corbett is a good man, he may not have been perfect in all that he was asked to do, but for him to give this information to the City speaks to the good man that he is, and "I think that it was foolish to let him go".

Robert Van Parys: He told of an incident where Corbett was on the job fixing a tool for the Fire Department before Mr. Van Parys could reach the station to do the task. There are some questions in his mind that if he wasn't supervising, it was because he didn't have the support. Corbett was a good man, and his inspections were superb, "he knew what he was doing".

Paul Squires: He was a great supporter of Corbett, but was disappointed greatly when he left. He discussed the contract and agreement Mr. Stephens was going to get, and Mr. Stephens' response was that he "just refused to supervise anyone that needed supervision".

Council Member Squires: "He was supposed to supervise, and he didn't train. He loved to work alone. I think the Mayor has made a good and wise choice in the replacement for Corbett. It is time to move on. There was never a question about the over time. As a City Council we wanted to be sure it was complete, and all we saw was hand written notes. It was a shame he had that much over time under Mayor Lutes; but he needed to have a record and bring it forward. It was his responsibility to say something about his overtime and he did not."



APPROVAL-STORM  
DRAIN STUDY

Mayor Hal Shelley: "This is water under the bridge, and we need to move forward."

The Council could not approve the storm drain study because it was not presented. It will be moved to the next meeting.

1:29:59

CITY COUNCIL  
ASSIGNMENTS

Erin Clawson: She was busy with many things in the past month and Mayor Shelley offered to take over the project of the slide replacement. The Crippens found a slide to replace it for \$1,300 but it does not go with the system set up. With the concern of safety, it would be better to replace it with the one for \$1,900; which would be difficult for the family financially.

Mayor Hal Shelley: Technically it is their responsibility; which they are more than willing to take...but the Mayor felt, considering the age of the broken slide, a depreciation schedule could be run giving them a break on the cost. There was a \$400 shipping charge from California. It could be picked up in Wellsville if they have one, and save shipping cost.

Erin Clawson: We will look into the depreciation schedule and move this to the next meeting.

*Elk Ridge Meadows, Phase 2 Repairs:*

**WESTON YOUNG MOVED, SECONDED BY ERIN CLAWSON, THAT WITH THE ADVICE OF THE CITY'S LEGAL COUNSEL, IF HE (ATTORNEY) FEELS IT IS APPROPRIATE, AND THE CITY IS NOT EXPOSED TO ANY UNDUE RISK; THAT THE COUNCIL MOVES FORWARD WITH THE LOWEST BID FOR THE ELK RIDGE MEADOWS ENTRY VOTE (POLLED): ERIN CLAWSON-AYE, PAUL SQUIRES-AYE, WESTON YOUNG-AYE, NELSON ABBOTT-AYE & BRIAN BURKE-AYE (5) NAY (0)**

Passed 5-0

## - HR Code – Brian Burke

This part of the HR Code has been considered for months, and "I would like to put an end to it". The one ordinance that we have talked about is overtime, days off. There was a question as to whether part time people get benefits. The health benefit plan for part time help no longer applies to any of the current employees of Elk Ridge City. "Therefore it is my suggestion that we do not offer any kind of benefits to part time employees." The proposed policy does state they can get paid for holidays, but it is optional and left up to the Mayor. I would like to leave that in.

**WESTON YOUNG MOVED, SECONDED BY ABBOTT NELSON, THAT THE CITY COUNCIL LIMIT THE AVAILABILITY OF BENEFITS; INCLUDING HEALTH CARE AND 401K PLANS, TO EMPLOYEES WORKING MORE THAN 30 HOURS A WEEK VOTE: YES (5) NO (0)**

1:39:16

SCHEDULING JOINT  
MEETING WITH  
PLANNING  
COMMISSION

A joint meeting with the Planning Commission was set for the next City Council Meeting, August 28, 2012 at 6:00 p.m. Kelley Liddiard would be notified of the topics we want to discuss so they have time to prepare.

Woodland Hills' Mayor contacted Mayor Shelley to ask for a joint meeting with them to discuss boundary transfers. When meeting together, he requested that Don Meham come with specifics so all would know exactly what he is proposing. The possibility of scheduling this during the next council meeting was discussed.

## CITY COUNCIL MINUTES

It was mutually discussed among the Council Members the need for the minutes to be available for review sooner. There is not enough time to review them, and recalling if they are correct after such a long period of time was near impossible. It was suggested by Nelson Abbott to acquire a program for the computer that allows the recording to be printed word for word for review. Then minutes could be typed when possible.

It was suggested by the Council and Mayor to include in the minutes an update on the progress of items discussed in the previous Council meeting.

There was a correction to the June 12, 2012 minutes on page 2, line 27, to the word "her" that should read "she".

**NELSON ABBOTT MOVED, SECONDED BY WESTON YOUNG, TO APPROVE THE MINUTES FROM 5-22-2012, 6-12-2012 (WITH CORRECTION), 6-26-2012, 7-2-2012 AND 7-10-2012 VOTE: YES (4) NO (1) ERIN CLAWSON**

## NON-AGENDA ITEM

An email to Allied Waste concerning the removal of recycle cans from residents needs to be sent by Council Member Abbott: They need to be more efficient and if the problem continues, the City will start picking them up.



EXPENDITURES

It was brought to the attention of the Council that there should be a clarification of the expenditure to Earl Bets in the amount of \$425.60: Utility Cash Clearing was an accumulated overpay by his bank for his utility bill...the entry is the refund given back to him.

On the second page, the "general fund sanitation", the entries were impact fees that were in the incorrect account; this has been addressed and relocated to the Sewer Fund.

**WESTON YOUD MOVED, SECONDED BY PAUL SQUIRES, TO APPROVE THE EXPENDITURES FOR JUNE, 2012, AS PRESENTED**

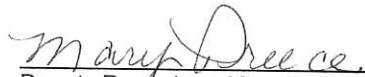
**VOTE (POLLED): PAUL SQUIRES-AYE, WESTON YOUD-AYE, NELSON ABBOTT-AYE & BRIAN BURKE-AYE (4) NAY (1) ERIN CLAWSON**

Erin Clawson: She wanted to make a point of the information given to the Council from Corbett Stephens concerning the reading of the water meters: Reading the meters every 5 weeks in the winter months and 4 weeks in the summer was important to balance out the extra cost of water during the summer months.

1:57:49

ADJOURNMENT

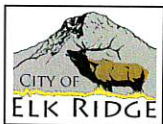
Meeting adjourned at 8:05 p.m.

  
Deputy Recorder – Mary Preece

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**ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651**

t.801/423-2300 - f.801/423-1443 - email [staff@elkridgecity.org](mailto:staff@elkridgecity.org) - web [www.elkridgecity.org](http://www.elkridgecity.org)

**AMENDED NOTICE & AGENDA**

Notice is hereby given that the City Council of Elk Ridge will hold a regular **City Council Meeting on Tuesday, August 28, 2012, at 7:00 PM;** which will 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 AGENDA ITEMS:**

- Public Works Director – Introduction to City Council
- 2. LEI Engineering – Storm Drain Study
- 3. City Council Departments – Reports
  - Planning Commission – Brian Burke
    - A. HR Code - Discussion
  - Administrative – Mayor Shelley
    - A. City Center Property –
      - 1. Grading Agreement
    - B. Public Works Update
      - a. Truck Repair
      - b. Used Oil Heater
    - C. Loafer Well Generator
    - D. City Council Retreat
  - Public Safety & Parks – Erin Clawson
    - A. Slide Replacement Update – Mayor
  - Sewer – Nelson Abbott
  - Water – Paul Squires
    - A. Water Rights - SUVMWA
  - Roads Dept. – Weston Youd
    - A. Repairs of Entry / Elk Ridge Meadows, Phase 2
  - Economic Development – Weston Youd

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

- Opening Remarks and Pledge of Allegiance - Invitation
- Approval/Agenda Time Frame
- 7:05 Public Forum
- 7:15 4. Approval – Storm Drain Study
- 7:25 5. City Council Assignments – Any Required Action
  - A. HR Code – Brian Burke
  - B. SUVMWA Water Rights
- 7:35 6. Building Inspections Contracts
- 7:45 7. Employee Compensation Ordinance
- 7:50 8. Pressurized Irrigation System – Mayor Shelley
- 8:00 9. City Council Minutes
- 8:05 10. Expenditures:
  - General:
    - A. Repair costs on Trucks - Mayor
    - B. Check Register & Payroll for July, 2012
- 8:15 11. Adjustment to the Application of Subdivision Standards / Discussion – Alan Hermansen
- 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 27 day of August, 2012.

  
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 provided to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and to each member of the Governing Body on August 24, 2012; & an Amended Agenda on 8-27-12.

  
City Recorder





**ELK RIDGE  
CITY COUNCIL MEETING  
August 28, 2012**

**TIME & PLACE  
OF MEETING**

This regularly scheduled Meeting of the Elk Ridge City Council, was scheduled for Tuesday, August 28, 2012, 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 these Meetings was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on August 24, 2012; and an Amended Agenda on August 27, 2012.

**6:00 PM –**

**CITY COUNCIL WORK SESSION AGENDA:**

**ROLL**

*Mayor:* Hal Shelley; *City Council:* Nelson Abbott, Brian Burke & Paul Squires (Erin Clawson & Weston Youd absent form Work Session); *Deputy Sheriff:* Brent Butters; *Public Works Director:* Cody Black; *Public Works:* Wayne Frandsen; *Office Staff:* Janine Nilsson, Mary Preece, Marissa Bassir & Annebel Meredith; *City Engineer (LEI):* Gregg Magleby; *Public:* Clint Ashmead, Jamie Towse, Sandra Burke, Jared Rasmussen, Bridg Webb, Gavin Pozernick, Jeralynn Lane, Lucretia Thayne, Dakota Scott, Scott Winn, Alan & Joy Hermansen; and the City Recorder, Jan Davis.

**PUBLIC WORKS  
DIRECTOR –  
INTRODUCTION**

Mayor Shelley introduced the new Public Works Director to the City Council and to those citizens in attendance. He asked Mr. Black to tell a little about himself:  
Cody Black: Mr. Black previously worked as the Asst. Public Works Director in Hyrum, Utah. He has been employed in "city" work for about 10 years.  
He is originally from the Delta, Utah area. He is married, with 2 young children. He and his family are excited to move back closer to family.  
Mayor Shelley: He continued that Mr. Black started work for Elk Ridge on 8/27 and has been very involved in moving projects and certain repairs forward. There are some good plans being made that should serve the City well.

**0:02:48  
LEI ENGINEERING  
STORM DRAIN  
STUDY**

Greg Magleby: (Representing LEI) Mr. Magleby had handouts for the Council; as well as copies of the Storm Drain Study and accompanying map.  
Handout Presentation:

**1. Necessity of Study:**

**A. Storm water impacts to private property**

Any storm drain coming off of the road is the City's responsibility; there is a need to mitigate potential liability and damage.

**B. Premature deterioration of roadways**

**C. Environmental Protection Agency (EPA) mandates**

Fortunately, the mandates do not affect Elk Ridge yet, due to the size of the City; they should be planned for, however.

**D. Planning for future development**

New development and the resulting storm drainage should not impact any existing facilities...new development should pay their own way.

**2. Current Storm Drainage Management Methods**

**A. No drainage facilities (not high-lighted in blue or yellow)**

There may be occasional culverts, shoulders, etc.

**B. Curb & Gutter / sump (Yellow)**

**C. Retention basins (Blue)**

Mr. Magleby illustrated on the map the areas high-lighted with corresponding colors to the "management methods".

**3. Storm Drain Management Plan:**

**Existing Development:**

**A. Elk Ridge's unique circumstances**

**Examples:**

- Payson: has many drainage channels that eventually flow to Utah Lake; typically the goal is to try to convey the water through channels or pipes to Dry Creek...and eventually, to Utah Lake.

Most other cities have outfall lines and outfall sources to go to...there is no "outfall" from Elk Ridge. The Highline Canal (north border) does not allow storm drainage to be conveyed into their system. The storm water must be managed within the City. This requires water to be handled differently and the burden is placed on the City.

**B. Areas with no drainage facilities:**

The plan would be to leave these areas as they are...the issues are addressed on a case-by-case basis. (Two areas have flooded at the south end of the City and have been caused by amendments to the shoulder by citizens.)

Rather than going to a "storm drain system" for most of the older part of town (not cost effective)...they allow these to be managed as they arise.

00:10:52

"If we go chasing storm drainage and try to collect it; we end up with a bigger problem once we have it collected. If we let it disburse as it has, and address these issues on a case-by-case basis; then we feel we're in a better situation."

C. Curb & gutter / sumps: (Referring to the map)

The yellow area represents developed areas within the last 20 – 25 years. Most of these areas have sumps. (Two types were discussed: Old type connects directly to curb & gutter and newer ones involve catch-basins, which direct storm water to the sump...giving an opportunity to clean the water 1<sup>st</sup>.)

Recommendation: Analyze the sumps to see how efficiently they are operating. (There were detailed drawings demonstrating possible upgrades to sumps.)

\*Problem: They noticed certain sumps in town with a lot of debris on them...they discovered that these sumps were completely full.

(Discussion of the problem with residents that stack up debris and landscaping materials in the streets; when it rains, the debris washes down and fills up the sumps.)

Recommendation: To fill up these sumps with water and then "surge" them...cleaning the rock area out; then decide how to remedy the situation.

- Upgrade with catch basin (inlet box): cost is about \$2,500 - \$3,000 each
- Upgrade using existing sump as a "pre-treatment inlet" to a new sump: \$5,000

00:16:26

D. Retention Basins:

Retention basins are the best way to deal with storm water on a long-term basis.

The City has two areas serviced by basins: north sections of town and Hillside Drive area.

Future Development:

LEI took a different view 10 years ago when they did another study; the recommendation at the time was a centralized storm drain system. The ideas did not pass and things have changed along the way so that the current recommendation differs to be more in line to what the City can afford; with future storm drain systems being handled by developers on site. Smaller cities are less willing to extend debt to accommodate future development.

The current code for storm drain is covered with about one page of regulations; they recommend about five pages to really get into consistency in design and implementation of the drainage system.

Recommendation:

- Upgrades to the code should be in place to guide developers.
- Provide specific details for design standards
  - A. Design storms for catch basins, pipes & manholes
  - B. Design storms & restrictions on detention / retention ponds
  - C. Oil / sediment separators
  - D. Pipe & runoff calculations

Developers could incorporate some type of recreational facility into retention basins; they would have to come to the City to see if the City would take responsibility of maintenance at some point; or insure that long-term maintenance responsibility is in place.

4. Maintenance Plan for Existing System:

Explanation of "Best Management Practices"

5. Maintenance Zones:

00:27:52

6. Maintenance Schedule:

- A. This is a 4-phase schedule from April – September of each year.
- B. "Maintenance is the key": There are high costs associated with the lack of maintenance.
- C. Currently: One of the biggest issues around the City is with construction sediment problems. Rights-of-way are not "dumping grounds"...this idea needs to be enforced with citizens...the problem goes from the homeowner to the Public Works Director (City).

7. Funding Options:

A. (SSA) Special Assessment Area:

- Generally these are larger projects that require bonding; with assessments to repay the bond.
- These are done frequently in larger cities...they are expensive to set up and to administrate.
- They require a majority of the votes from the benefitting parties (residents)

B. Impact Fees:

- Impact fees have been a source of contention between developers and cities.
- If the storm drain is handled the way LEI proposes (developer driven); then impact fees would not be applicable.
- Impact fees are a great way to "repay yourself" (City); but the City has to have the original investment.

C. User Fees:

- These do apply in Elk Ridge
- Current: \$3 user fee; which generates about \$21,000/yr

If this method (utilizing user fees to cover costs) is how the Council would like to proceed, Mr. Magleby said he would finish a budget based on the Council's input to bring the system up to standards; and to project a user fee that will cover the costs of maintenance as well as capital projects over 5 or 6 years.

The user fee could go from \$3 to \$5 or \$6. The current status of the Storm Drain Fund is not good (a budgeted deficit of about \$10,000); the fee must be able to cover depreciation, maintenance and the costs associated with improvements to the system.

Questions & Comments:

Mayor Shelley: Once the City gets everything operational and manageable, will the depreciation stay the same, or will it continue to increase? Will it ever decrease?

Mr. Magleby: He felt it would likely stay the same after a time. Depreciation is a five-year cycle on most improvements.

Nelson Abbott: He expressed his view that he does not feel it is "fair to pay for sumps going into another part of town, when it is their water". He felt that SSA's forced people to pay for that which would benefit them, specifically. He observed that once the system is in place, then user fees go for depreciation and maintenance.

Mr. Magleby: He added that retention basins, once installed, still require maintenance...likely not as much as a sump replacement. User fees are typically looked upon as a "city-wide" improvement issue. When there is an attempt to break up user fees into "districts"; then it can become "very messy".

Nelson Abbott: He could see if there were a city-wide user fee..."where everybody is paying and we improve the appearance of the City; therefore increasing everybody's property values...then I have an easier time with that than I do helping someone in a part of town that the only time I go there is when I go out on the City patrol or something".

Mr. Magleby: He agreed that there is an inherent disparity in these types of fees.

(Mayor: "But, they have to be addressed...and that is the issue." Council Member Abbott agreed that the issues must be addressed; the question is how to best address them.)

Paul Squires: He observed that the drains and sumps installed by the developer of his subdivision were all included in the price of the lots.

Mr. Magleby: He was seeking feed-back from the Council if they agreed with this method of utilizing user fees as the major method of funding...if so, did the Council wish him to proceed with:

- Requiring that developers handle their own storm drain system so it does not become a burden to the City to install and administrate

- This method will change how the City charges fees

Comments:

Nelson Abbott: Moving forward with new development; this method makes sense.

\*The Planning Commission needs direction from the Council in writing code to support this.

Mr. Magleby: The goal is to get the developers to cooperate with each other. They would be motivated to install a retention basin that they could then "entice" the City to take over. That situation is a "win – win" situation with developers. For smaller subdivisions, sumps are an allowable alternative...but with a design that has "protections" built in...with a longer life to it.

(Brief discussion of sump designs)

Mayor Shelley: He felt this is the way the City must proceed. The biggest issue is funding and what would be best for the City.

Mr. Magleby: He said he could come back to the Council with a five-year projection to get the system up to the standard that is "maintainable"...long-term. Based on that projection; a budget could be recommended for a user fee.

Mayor Shelley: He mentioned the need for residents to fully understand what is happening and why. Communication needs to be open and effective.

Mr. Magleby: He compared these storm drain issues with the approach to "roads": There comes a point with a road that money is either continually put into it to overlay it or maintain it in some way; or let it go another year and the City is forced to replace it...which is much more costly.

The goal is to get the storm drain system in a place of regular maintenance and out of the need for replacement of facilities...unfortunately, the City is currently in a "replacement mode" with part of the system.

No further comments at this time.

00:43:06

00:44:19

NON-AGENDA ITEM

Brian Burke: The subject of City Planner (directed to Greg Magleby from LEI) Council Member Burke has been concerned about the number of "turnovers" with the position of City Planner that has taken place. He wanted to know the status of the current Planner, Nate Walter.

Greg Magleby: He admitted that there has been a turnover between Planners; but with Nate Walter as the current Planner, he (Greg Magleby) is "2<sup>nd</sup> chair" with Mr. Walter. He has been in that position with the 2 other individuals and that has retained the consistency throughout the various planning issues. He anticipates that Mr. Walter will stay on as a long-term employee of LEI Engineering.

Mayor Shelley: He observed that the interaction between the City and Mr. Walter needs to be more proactive; particularly with the storm drain issues that must be addressed.

\*The Mayor asked where LEI is with regard to the Impact Fee Study and was informed that Mr. Magleby has been the one working on this project from the beginning and is at the point of having a draft in his office. He commented that "impact fees have become an engineer's nightmare"; and he anticipated that a draft to be release to the Council would be available in 2 to 3 weeks. He would like to visit with the Council on each of the elements of the Study. The subject of impact fees is ever-changing.

00:47:58

## CITY COUNCIL REPORTS:

HR CODE –  
DISCUSSIONBrian Burke: (Re-visit the HR Code Discussion of the previous Council Meeting)

Council Member Burke explained that at the last Council Meeting, an approving vote was taken on the motion, which stated that there would be no benefits for part-time employees who worked under 30 hours per week...with the exception that the Mayor could approve paid holidays for the number of hours that would normally have been worked on that day. There was a recommendation after discussing the Council action with the staff; that the word & phrase "may be paid" change to "shall be paid"...in the code.

It was explained that due to various work schedules, not all the employees would be paid for all of the holidays; if the employees are agreeable to the stipulation that they would only be paid if they were regularly scheduled to work that day...then he did not have a problem with it.

He further explained that there was one other "complication: When the Council voted on the motion, the motion apparently included 401K plans...that would imply that employees working less than 30 hours per week would not be eligible for retirement; under State and Federal law...this is not the case. The previous motion needed clarification; that retirement starts at 20 hours per week...under State and Federal law.

He expressed concern about employees working part-time at limited hours per week; but he stated that the Council needs to be consistent with Federal and State law...and that the retirement portion of the motion should be re-addressed in the Regular Session of the Council Meeting.

He felt the intent was to remove the health insurance benefit; but not the retirement benefit.

Recommendation for clarification:

- That part-time employees "shall" (rather than "may") receive regular holiday pay if they are scheduled to work that particular day.
- Clarify that the retirement benefit should not be eliminated from the current benefits provided to part-time employees
- 30 hours should change to 32 hours (for future employees)  
(The Mayor commented that the decision should not reflect negatively on any current part-time employee; rather on any part-time employee hired in the future.)

PLANNING COMMISSION Brian Burke:

He recommended that the City Council meet with the Planning Commission at one of their meetings; perhaps at the first part of the meeting. He felt more could be covered that way. He would like to meet at the next Planning Commission Meeting (9/13).

*\*Marissa Bassir is to contact Kelly Liddiard (Planning Commission Chair) and set up a joint meeting and to work with Council Members Burke & Weston Youd regarding the agenda and the start time.*

1:00:08

## ADMINISTRATIVE

Mayor Shelley:1. City Center Property – Grading Agreement:

The City received an invoice from Robert Nelson Construction, LLC...for product (gravel, road base and top soil) that has been used within the City for the sump and along the roadway (Escalante Dr.); the amount is \$8,115. The Mayor was surprised to receive this bill; particularly since in one of the Council Meetings a statement was made that there would be open use of this material and that the City would actually save about \$2,000.

*Quoting Corbett Stephens: "Our City would save money on the installation of the sump on Escalante Drive by using our own rock rather than having to purchase it...perhaps \$2,000."*

The Mayor has met with Robert Nelson to go over the bill and the Agreement; and the terms of the contract allow for him to charge for product mined from this process. If we had not purchased the rock from Mr. Nelson, it would have been purchased elsewhere.

*(Question: How many yards were purchased for the \$8,000; and were bids gathered from other sources?) Other bids were not obtained; the thought was that the City would be saving money through Mr. Nelson.)*

Weston Youd: He pointed out that regardless of the understanding, the Council approved the Agreement and are responsible for the content.

Mayor Shelley: While speaking to Mr. Nelson, he said that he (the Mayor) was sure there was a misunderstanding of the terms.

Mr. Nelson explained his process of tracking sale of product: When anyone comes in, he identifies how much...to whom...type of product...and the cost associated.

Options:

- Pay the invoice now
- Wait...because there is an accumulating credit that will eventually come to the City of about \$5,700. There are many factors to consider:
  - fi Eventually that grading would have cost the City a great deal of money
  - fi How much topsoil will there be left? Mr. Nelson is making some of the topsoil available; however he is selling some of it off due to the investment he has in this project.
  - fi In the long run, the City will have an excavated, landscaped area.
  - fi Mr. Nelson feels the City will have enough fill to get in all done



- fi Care should be taken to not purchase any more rock from Mr. Nelson; and "it could all be a wash"
- fi The City would not pay for the excavation and will retain some of the topsoil (Mr. Nelson's assessment of the topsoil is that "it is not that great")

Weston Youd: He explained that the plan, as proposed by Mr. Stephens, was to have some of the area in a parking lot...so part of the topsoil could be sold off.

Mayor: That is still the intent; the problem is that 'everything is nebulous...one reason is that he was shut down for a month because someone turned him in because of the way he was processing it...' Mine safety came in and demanded certain requirements and Mr. Nelson had to shut down and he had to go get certified...go through training, etc. He also reported that the last couple of months had been slow...July and August are typically slow. Mr. Nelson said he was confident; when all is said and done...that it will come out pretty even.

The Agreement says that either party can terminate at any time...with 30 days notice. But, if it is called off...the grading would still have to be done and paid for by another party.

*Suggestion: Wait and see where it all comes out in the end; rather than paying the invoice now; but to keep track of where things are.*

The Mayor continued: If more rock is needed for sumps, bids will have to be obtained and it would be determined who is less expensive.

*Question:*

*Council Member Abbott reviewed the Agreement and as he understands the terms...there will be a "final day of reckoning at the end of the process and that is where all this will be balanced...not at this point where we got the invoice".*

*Question: He is running a commercial venture in Elk Ridge; is he (Mr. Nelson) collecting sales tax and does he have a business license? (The Mayor agreed that this is a valid question.)*

*\*The Mayor said he would look into this.*

*The Council was in general agreement to not pay the invoice now; but to wait and see what the final balance will be.*

1:12:29

## 2. Public Works Update:

### A. Truck Repairs:

The trucks have not had regular maintenance on them and the result is some costly repairs:

- Pick-ups: 4 new tires were required for each
- The alignment on the two pick-ups was gone
- The "U-joints were not properly repaired on one of the pick-ups and that had to be fixed
- Repairs: About \$2,600 + \$400 (U-joints)
- The Dodge Dakota is not worth pouring more money into repairs and has been declared surplus property; and will therefore be sold off as such. (The fly wheel has broken teeth on it.) The asking price is about \$1,500; that is about \$1,000 below "Blue Book"...less the repairs.
- Replacement pick-up for Cody Black: \$10,000 was budgeted for the purchase of a truck...this will replace the Dodge.
- The Mayor has located a couple of pick-ups from the Forest Service; each about \$7,500...the mileage is high; but likely with good maintenance.

### B. Hand-held Meter Reader:

\$15,000 was budgeted; Cody Black ordered one that day for \$8,000 + \$800 for additional equipment that will make the meter reading more efficient.

### C. Snowplows:

- Older snowplow: Has had a broken axle...now there are two.

Brief History: The Mayor was informed a couple of times by a couple of the drivers (last winter) that the 4-wheel drive was not working. When the Mayor inquired about it; he was informed by Mr. Stephens that it worked fine or that the drivers should not use the 4-wheel drive at all.

Recently, the Mayor directed that the truck get checked out: it was taken to 3 different places for estimates. The vehicle was taken back to the place where it was purchased (Lake City Trucks) and they reported that there are two broken axles and all the gears in the front differential are stripped out. The repair cost = \$12,335. Had the truck been maintained properly and addressed one to one & ½ years ago, the repair would have likely been about \$2,500. However, that was not done and snow season is coming on. The truck is torn down currently and to put it back together would take 10 -12 hours of labor costs + the City has already incurred the cost of the "strip-down"...that and transporting in elsewhere would be expensive.

- Snowplow attachment for one of the City pick-up trucks:

The Council has been discussing the need for an additional snowplow. Rather than taking on that expense; there is an option of outfitting one of the pick-ups with a plow blade...this would get into the cul-de-sacs more efficiently than the larger plows and would be feasible right now. The price: about \$4,300. The funding would come from the Capital Projects Fund/Equipment. Eventually, a 3<sup>rd</sup> bobtail would be advisable; but for now, this would be a good alternative. (Council Member Abbott cautioned that the blade would be hard on the pick-up.)

1:18:46

The Mayor added that all of the trucks need to be better maintained and driven more carefully. In the time that Mr. Black has been with the City, he has already had a maintenance plan established to make sure that the City fleet is cared for on a regular bases; including general servicing of the vehicles. One of the Public Works employees is over this assignment (Travis LeBaron). Cody Black has done a great deal of plowing in his previous positioning Hyrum, Utah; and is familiar with utilizing smaller trucks with plows.

D. Sewer Manholes and Water Valve Covers (Collars):

History: The Mayor explained that Doe Hill Subdivision desired to be released from their durability retainer and asked to be allowed to "buy-out" of their obligation to collar the manholes and valve covers (numbering about 20 manholes and 20 valve covers). Corbett Stephens approached the Council about allowing them to do as they requested and to use part of that "buy-out" money to purchase the equipment necessary to install the collars "in-house" (cost of equipment was projected at about \$16,000). The Council voted to allow them and Oak Hill Estates, D to buy-out of their remaining obligations toward the City. The developers paid the City and the equipment was purchased.

Mayor Shelley asked Mr. Stephens how to get the process moving forward. The Mayor was informed that the City does not have any way to mount the equipment onto any of the vehicles. The intent was:

- Use one of the bobtails...get hydraulic extension hoses to attach the equipment to the bobtail. The machine would be placed down on the ground with the bucket on the backhoe holding it in place so it would not shift...and then cut the hole. The hole would be saw-cut and manually jack-hammer all the asphalt and road base out.

Weston Youd: He pointed out that these details were not explained to the Council when the recommended "buy-out" and subsequent purchase of equipment was approved.

*(Mr. Black interjected that this method would not be cost-effective and would take a lot of time for each hole.)* Council Member Youd also expressed concern regarding the probable risk involved with the suggested method.

*(Mr. Black agreed; a worker would be standing right next to a spinning blade...with a wheel that has to be manually "cranked down" and hand fed.)*

Options to be considered:

- Outfit one of the bobtail trucks as described; the equipment would have to be broken down every time it was moved to the next hole. (This takes a great deal of time.) It was also mentioned that the larger truck would be difficult to center.
- Purchase a "Bobcat" tractor to attach the equipment to. Currently they sell for about \$25K to \$35K; but the City would have the Bobcat of other uses in the City.

*The Mayor felt that purchasing a "Mini-Ex" would be more useful for the City because it is far more versatile; but it could not be used with the collaring equipment*

- Another option...Contract the work out: The Mayor contacted a contractor that does this type of work and was told that he would use the City's equipment, his own bobcat with the appropriate attachments; cost was approximately \$300 per manhole and \$250 per water valve. This would be costly if all of the manholes and valves were done throughout the City; but if the work were limited to the ones the City is obligated to do (Doe hill and Oak Hill Estates, D), it might be feasible.

The Mayor feels the City may be better served to see if this contractor would trade some of the work for the collaring equipment. There would still be outlay of cash on their part for labor and materials; so they may not be interested. Thereafter, the City could budget to have a certain number of collars done throughout the City every year... until complete.

Weston Youd: He cautioned the Council to be careful in the future about ideas that appear to save the City money.

Nelson Abbott: He agreed with the option to contract it out...depending on the actual cost to the City.

Weston Youd: He added that the City would also not be faced with the general liability of the equipment depreciating and the City is not really in the business of manhole collars.

E. Used Oil Heater:

The Mayor has been in contact with Stones Auto Repair (Salem); who uses an oil heater in their shop...the owner says it works well for him since he is forced to get rid of his oil anyway. He added that he has to clean the furnace every day. It is older and may not be as efficient as the one the City purchased; but not only does he have to clean it, but every two years he has to put about \$700 into the unit to replace parts internally due to the heat. Currently, the City has collected about 400 or 500 gallons...this heater burns one gallon per hour.

Mayor's Recommendation: He suggested selling the unit to Woodland Hills (they have expressed an interest). Sell it for the cost that was paid.

The City can obtain 300 gallons per month from the Nebo School District...and \$.16/gal from the government. But if the City chooses to continue with this unit; then the employees have to go down to get the oil, as well as provide all of the paperwork associated.

The Mayor suggested converting the system to natural gas...a line runs right by the Public Works Building so is readily accessible. The Mayor feels time could be better used in the Public Works Dept. The City would discontinue as a used-oil collector.

Weston Youd: He felt it would be hard to compete with the cost of natural gas; which is going down.

F. Loafer Canyon Well Generator:

The generator was purchased about 10 years ago and it is currently not connected to the Loafer Well. The cables are sitting out, coiled up. The City cannot legally connect it up. It requires a licensed electrician and he has to get a building permit to do so. Then a special "disconnect" must be installed.

The proposal to connect the generator: \$5,300 (from Barnes Electric...highly recommended by SEDS). This would also include a tank heater.

The Mayor stressed the importance of keeping the Loafer Well functioning, even if the electricity goes out; otherwise the Cloward Well would have to be turned on...which is very expensive to run due to pumping costs.

*\*(Council Member Youd suggested recycling the diesel fuel; that is up there at the Well site.)*

1:38:02

3. City Council Retreat:

The Mayor encouraged the Council Members to review their particular areas of responsibility and to come prepared to make suggestions and to create long-term plans. The Retreat is set for 9/14 & 9/15 (1/2 day)...location: may just be at the Mayor's house (not his preference; but he has not had any other location made available. Mr. Black will be there for a presentation.

*\*The Mayor asked Council Member Youd to ask Dennis Dunn to come and make a presentation to the Council on Economic Development.*

He also asked that the Council review the Master Plan to make sure the Council is consistent with it...or does the Master Plan need to be re-addressed?

*\*The Mayor will provide an itemized agenda of topics he feels should be addressed.*

He does not want to waste time and the 5-year plan is needed.

1:40:17

PUBLIC SAFETY

*(Council Member Clawson had not arrived due to an emergency associated with her work)*

The Mayor reported that the replacement slide for the playground area had been ordered.

SEWER

Nothing new on Sewer

RECYCLING

Nelson Abbott: Allied Waste was contacted regarding the length of time it is taking to gather up the cans from those residents that have "opted out" of the program. Service seems to be improved.

The Mayor added that if people still experience problems; they can call in and the City workers can pick up the cans and deliver them to the new Public Works Building; to be gathered by Allied.

WATER

Paul Squires: Water Rights:

SUVMWA approved the sale of 2.7 acre feet of water right to the City; the City will then allocate those acre-feet to Lee Haskell's Assisted Living Development, and Mr. Haskell will pay the City for that allocation.

*\*SUVMWA said they would contact the City will all of the details.*

Council Member Squires also reported that there was also a presentation on the "recharging of the aquifers"; which, though important, may not impact Elk Ridge too much. It was suggested that the Mayor and Council Member Squires meet with Salem City's Mayor to discuss CUP water.

*\*Council Member Squires is to set up that meeting and let Mayor Shelley know when and where.*

1:42:36

ROADS

Weston Youd: Elk Ridge Meadows Entry:

The repairs are completed; however, the work may need to be expanded to Rocky Mountain Way.

*\*The Mayor asked that Council Member Youd work closely with the Public Works Director; as well as West Salem Hills Drive (gates, grading, etc).*

City Signs:

Council Member Youd spoke to Shawn Eliot (previously worked on the signs in the City). There is a problem with some of the signs are fading and turning black. There is a 7 year warrantee on those signs and the City is 4 years into that time period; replacements will likely be prorated to accommodate the 7 years. A replacement plan should be in place for the 7 years so the signs remain in good condition. The cost would be about \$81/sign to replace (with \$10 to \$15 off for the warrantee).

*(Brain Burke: The subject has come up that the City has too many stop signs; has there been any thought to changing some of the signs to "yield" signs?)*

Council Member Youd suggested that to do that, perhaps UDOT would do a traffic study to back that up.

*(It was mentioned that there was a traffic study done before the signs were installed; that should be reviewed.)*

Nelson Abbott: Perhaps enforcement is the issue. He feels that there are many stop signs that should be yield signs. A resident (Ken Baguley) on W. Salem Hills Drive, has extensive experience with traffic standards. He has offered in the past to make recommendations, based on accepted standards.

1:46:14

Shawn Eliot is willing to help with the City and he also has expertise in this area.

Suggestion: Red blinking lights on stop signs on certain intersections.

*\*Council Member Youd would like to have traffic issues (signs, striping, etc) discussed at the Council Retreat. A five-year or a 7-year plan should be in place. Council Member Clawson could be involved with Public Safety.*

*Public Comment:*

*Scott Winn:* He agreed with eliminating most of the stop signs and replacing them with yield signs. He feels that most of the stop signs are in the wrong place; and stop signs create undue wear and tear on cars.

The Mayor closed the Work Session.

1:50:29

**ELK RIDGE  
CITY COUNCIL MEETING  
August 28, 2012**

**TIME & PLACE  
OF MEETING**

This regularly scheduled Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, August 28, 2012, 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 these Meetings was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on August 24, 2012; and an Amended Agenda on August 27, 2012.

7:00 p.m.

**REGULAR CITY COUNCIL MEETING AGENDA ITEMS:**

**ROLL**

*Mayor:* Hal Shelley; *City Council:* Nelson Abbott, Brian Burke, Paul Squires, Erin Clawson & Weston Youd; *Deputy Sheriff:* Brent Butters; *Public Works Director:* Cody Black; *Public Works:* Wayne Frandsen; *Office Staff:* Janine Nilsson, Mary Preece, Marissa Bassir & Annebel Meredith; *City Engineer (LEI):* Gregg Magleby; *Public:* Clint Ashmead, Jamie Towse, Sandra Burke, Jared Rasmussen, Bridg Webb, Gavin Pozernick, Jeralynn Lane, Lucretia Thayne, Dakota Scott, Scott Winn, Alan & Joy Hermansen; and the City Recorder, Jan Davis.

**OPENING REMARKS &  
PLEDGE OF  
ALLEGIANCE**

An invocation was offered by Nelson Abbott and Brian Burke led those present in the Pledge of Allegiance, for those who wished to participate.

**AGENDA TIME  
FRAME**

**WESTON YOUD MOVED, SECONDED BY NELSON ABBOTT, TO APPROVE THE AGENDA TIME FRAME, ADJUSTING THE START TIME TO 8:00 PM; MOVING AGENDA ITEM #11 TO THE BEGINNING OF THE REGULAR SESSION PRIOR TO THE PUBLIC FORUM**  
**VOTE: YES (4) NO (0) ABSENT FROM VOTE (1) ERIN CLAWSON**

1:52:21

**ADJUSTMENT TO  
APPLICATION OF  
SUBDIVISION  
STANDARDS –  
DISCUSSION**

Mayor Shelley introduced Mr. Hermansen, who was present to address the Council regarding an issue with the orientation of the allowed access to his lot and the location of the front of the lot.

*Alan Hermansen:* Mr. Hermansen explained that he and his wife purchased a lot on Grand View Circle about 6 years ago. (The plat map was provided to the Council.) At the time, the plat showed 30' setbacks on all sides of the lot adjoining a street. Before he purchased the lot, he came to the City and was told to speak to Ken Young (the City Planner at the time); he had several conversations with Mr. Young. Mr. Hermansen was proposing to turn the house around to face the cul-de-sac; and wanted to know if the front of the lot could be facing the cul-de-sac...thereby placing the side setback on the east side of the lot. Mr. Hermansen read from an email from Mr. Young (representing the City) to Mr.

Hermansen: "I have reviewed your proposed footprint and location of home on the lot; and find that it meets Elk Ridge City's code requirements. I will forward to you my approval on a printed copy of what you sent. If there are any questions, let me know." (Dated July 26, 2006)

Mr. Hermansen also provided a plat map showing how he wanted to orient his home on the lot and Ken Young had written at the bottom of the paper: "Footprint and placement of home on lot meets Elk Ridge code requirements and is approved." (Signed Ken Young – Elk Ridge City Planner)

Current proposal:

*(Mr. Hermansen came forward with a plat map to demonstrate to the City Council.)*

He showed the indicated "buildable area" on his lot. To be able to get the size of the home required by CC&R's on that lot proved to be very difficult. He was asking to have the front of the lot facing the cul-de-sac rather than Grand View Circle...placing the side of the lot on the east side. The lot actually has streets on three sides of the lot.

*City Recorder:* The City Code does allow for "adjustments" to the Subdivision code; not the zoning ordinance section of the code. Setbacks are zoning issues; while orientation of the buildable area is in the Subdivision section. Any adjustment has to meet four criteria to qualify; and must be recommended by the Planning Commission.



The Recorder went on to point out that the code addresses access on a major road and on a minor street...the access should face the less traveled street; but if facing a major street, either a circular drive or a "hammer-head" drive should be provided. The code really does not seem to address lots with street frontage on 3 sides (Major – minor – minor)... as this lot is.

Mr. Hermansen: He contended that the home would still face the road (cul-de-sac); and he had a previous approval. When he recently came to the City and spoke with the Building Inspector; he was told to approach the City Council with his proposal.

The previous approval came prior to him purchasing the lot; he would not have bought it had he not had that approval from Mr. Young.

Mayor Shelley: He realized that Mr. Hermansen has to go to the Planning Commission; but he wanted to get a feel from the Council if the Members feel he has a valid case to present to the Planning Commission.

Weston Youd: He was willing to have the Planning Commission review this and make recommendation.

Erin Clawson: She was willing to vote in favor of the proposed adjustment. She did not see an issue and felt that it had already been approved once. She suggested sending it to the Commission and to have it back to the Council as soon as possible.

Paul Squires: He inquired if there are any problems with slopes. (No, there aren't.)

Nelson Abbott: He responded that, with the driveway coming in from the cul-de-sac, it would actually lessen the grade of the driveway.

Mr. Hermansen: He pointed out that the driveway would be level, based on the way the house would be elevated.

*\*This will go before the Planning Commission at their next Meeting (9/13). Marissa Bassir will provide an agenda to Mr. Hermansen.*

2:01:21

## PUBLIC FORUM

Nelson Abbott: He mentioned that Scott Winn would like to propose an Eagle Project to re-do the arrows pointing toward the fire hydrants. Much of the paint has worn off and he would like to add reflective sand to the paint. It was not on the agenda; so he will have to prepare and be on the next agenda.

LEI STORM DRAIN  
STUDY –  
APPROVAL

*The Mayor reviewed some of the highlights of the previous presentation by Greg Magleby (LEI) for the benefit of Council Members Clawson and Youd, who were not present during the Work Session.)*

After the summary of the presentation of the Study; Council Member Youd wanted to address his main concern regarding Storm Drain Fees. It was explained to him that this was the last topic included in Mr. Magleby's review of the Study; he proposed coming back to the Council with a 5-year plan and fee adjustments based on capital improvements in that plan. This would justify the fees. He had to determine from the Council if the Study was headed in the desired direction. The Council agreed that it was and that he should come back and present this plan to the Council.

Nelson Abbott: He felt that the direction should be as discussed:

- Developer driven installation of storm drain facilities for new development

- He has no problem adjusting the user fee to address depreciation on the existing system already in place

*Discussion of the Storm Drain Map provided with the Study; with the various numbered sections of the City.*

Council Member Abbott went on to say that the Planning Commission should be given direction that they should work with the engineer to get supporting code in place that deals with adjusted standards that would upgrade the required manner in which storm drain is handled by individual developers.

**ERIN CLAWSON MOVED, SECONDED BY WESTON YOUNG, TO APPROVE THE STORM DRAIN STUDY; WITH LEI ENGINEERING PROVIDING A 5-YEAR PLAN, SUPPORTING DEVELOPER-DRIVEN HANDLING OF STORM DRAIN ON SITE; AND TO COME BACK TO THE COUNCIL WITH THIS PLAN JUSTIFYING ADJUSTED USER FEES**

**VOTE: YES (5)**

**NO (0)**

*\*Storm Drain needs to be on the Planning Commission agenda.*

CITY COUNCIL  
ASSIGNMENTS –  
ACTION

1. H.R. CODE – Brian Burke:

Certain portions of the amending document needed clarification; the previous motion needed to be changed to reflect the intent of the City Council.

**BRIAN BURKE MOVED, SECONDED BY NELSON ABBOTT, TO APPROVE THE FOLLOWING:**

**- CHANGE IN WORDING IN SECTION 8030 OF THE HUMAN RESOURCE MANUAL, ENTITLED "HOLIDAYS" TO READ, "WHEN A HOLIDAY FALLS ON A NORMAL SCHEDULED DAY OF WORK AND THE ENTIRE OFFICE IS CLOSED, PART-TIME EMPLOYEES SHALL BE PAID FOR THE NORMAL NUMBER OF HOURS THEY WOULD OTHERWISE HAVE WORKED." FURTHER, THE POLICY REGARDING "BENEFITS" SHALL READ, "ANYTHING LESS THAN 32 HOURS WILL NOT RECEIVE BENEFITS; EXCLUDING RETIREMENT AND HOLIDAY PAY FOR PART-TIME EMPLOYEES."**

*Discussion:*

Erin Clawson: She asked if anything was to be "taken away from the current employees with the motion.

Brian Burke: He clarified that the correction to the previous motion made at the last Council Meeting changes that to assuring the current part-time employees of the benefits of their current retirement and paid holidays.

**VOTE: YES (5)**

**NO (0)**

*Passed 5-0*

SUVMWA WATER  
RIGHTS

The allocation had already taken place with the Council granting Final Plat Approval and allocating 2.7 acre-feet to Lee Haskell's Assisted Living Development. The City will just wait to hear from SUVMWA with the details of the purchase.

2:15:19

BUILDING INSPECTION  
CONTRACTS

Mayor Shelley: He provided copies of contracts from Sunrise Engineering and Payson City with regard to building inspection services.

1. Woodland Hills:

He had just that day spoken with the Mayor of Woodland Hills about the possibility of continued services provided by Corbett Stephens, representing Woodland Hills.

He had given a letter to Mr. Stephens (drafts of the letter emailed to the Council prior to giving it to him); and was waiting for Mr. Stephens' response...he replied that it was up to the Mayor of Woodland Hills. Mayor Shelley called the Mayor an hour or so later, after Mr. Stephens and he had spoken...he replied that he and Corbett Stephens were both on the same page...and that everything in the past was "in the past" and that they would move forward on the same basis of:

- \$50 per hour for Plan Check

- \$35 per individual inspections included with a normal building permit

2. Sunrise Engineering:

They propose a flat \$50 per hour for both Plan Check and Inspections.

The Mayor said he was not sure how he felt about the offer; he has not met the Inspector (he lives in Springville).

2. Payson City:

- \$50 per hour for Plan Check

- \$35 per hour for Inspections

Payson's Inspector has worked with Elk Ridge in the past and is acquainted with the staff.

*Suggestion:*

By approving the contracts, they are not "exclusive" and the City can use any Inspector preferred; the three choices simply provide back-up and choices (like the current arrangement with both Aqua & LEI). Mayor Shelley said that if the Council approves the three options; then he will arrange to meet with the Inspector from Sunrise.

Nelson Abbott: He commented that he was in favor of having Plans A, B & C.

Mayor Shelley: He wants to have choices available if needed.

Erin Clawson: She pointed out that the plan can always be adjusted if something doesn't work out; then there are three to choose from. She also felt it would be good to be involved more with Payson.

*Suggestion:*

*Whoever does the Plan Check should follow that permit through inspections and occupancy.*

*(That was agreed on.)*

Currently Mary Preece is tracking one of the recent building permits through from beginning to end to come up with a justifiable administration portion of the fees charged.

**WESTON YOUNG MOVED, SECONDED BY ERIN CLAWSON, TO APPROVE CONTRACTS BETWEEN ELK RIDGE CITY AND THE FOLLOWING:**

**- WOODLAND HILLS**

**- PAYSON CITY**

**- SUNRISE ENGINEERING**

**TO PROVIDE BUILDING INSPECTION SERVICES; GIVING THE MAYOR DISCRETION TO SELECT WHICHEVER INSPECTOR IS AVAILABLE; AND THAT ALL EFFORT IS MADE TO FOLLOW THE ESTABLISHED PROCESS OF HAVING THE PLAN CHECK AND INSPECTIONS TIED TOGETHER AND PERFORMED BY THE SAME INSPECTOR**

**VOTE: YES (5)**

**NO (0)**

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3 PRESSURIZED  
4 IRRIGATION  
5 SYSTEM  
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Mayor Shelley: The Mayor reported that Chris Salisbury was waiting to get the Council's final approval so he can get his Landscaping Bond back for the portion designated to the individual boxes that were supposed to be part of the overall pressurized irrigation system in Phase 2 of the PUD.

Existing Problem:

The code for the PUD required trees to be planted in the Planter Strip; and that secondary water was to be provided, as well. The issue is that the trees and the secondary water mains are both located in the Planter Strips. This will eventually create problems with roots growing into and around the main lines and access and maintenance on those lines would be difficult, if not impossible once the trees grow larger.

So, the question to the Council is whether to continue to require the individual boxes be bonded for and eventually installed; or to eliminate this need and count on using the CUP money once the water is available. If the bonding for the boxes were not required, then Mr. Salisbury would like to have that money refunded to him to use on helping to restore the park and open space in Phase 2.

Erin Clawson: She recalled already addressing this and deciding that the secondary system would be accepted as is and to utilize the CUP money, when necessary.

Nelson Abbott: Payson City required that resident "pick up their own costs" for their individual connections.

Mayor Shelley: He wanted to be very clear that this is the Council's intent.

*Suggestion for Chris Salisbury: To let resident know that the mains are there and if they want to connect before their landscaping is in...perhaps they could do something on their own to connect at that point. They also need to understand that those mains are not "charged". If they connect up front; then landscaping and accesses would not have to be disturbed when the CUP water is available.*

City Recorder: She reminded the Council that they had already decided to accept the secondary system as it exists and that it fulfills the requirement for the Development; this was done when Mr. Salisbury was present to address them regarding using Fee-in-lieu of Park Impact Fees; as well as these landscaping bonds to refurbish the Park and open space. The problem lies in the City Code; it does not support this decision. The Code requires "individual connections". So, the Code needs to be addressed by the Planning Commission.

*\*To be discussed in the Joint Session on 9/13; then the process of a code change will have to take place.*

2:30:22

The next item was taken out of order. The previous discussion was moved ahead.

38 EMPLOYEES &  
39 ELECTED OFFICIALS  
40 COMPENSATION  
41 ORDINANCE  
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The City Recorder explained that this ordinance is a formalized version of what had already been voted on and established by the City Council. Each year a similar ordinance is passed and posted. The only two items that had not been previously approved: the salary for the new Public Works Director (the range had been set by the Council; but the Mayor had authority to negotiate the actual salary within that pre-set range. The amount offered and accepted by Cody Black was \$66,000 annually.

The other wage proposed for consideration was to increase the hourly wage for back-up snowplow drivers from \$12/hour to \$13/hour. This was recommended some time ago by the former Public Works Director and the Council had discussed it; but it had not been voted on. All other wages, salaries and compensations had been voted on and approved again within the Approved Budget.

The ordinance is typically approved earlier at the beginning of the fiscal year; however, it has waited on the position of the Public Works Director.

Brian Burke: He raised a question on two of the listed wages...he questioned if they should be discussed in Closed Session.

City Recorder: She reminded the Council that the decisions had already been discussed and wages approved the previous May and June with the Tentative and Approved Budgets for the 2012/2013 Fiscal Year. These approved wages were implemented on July 1, 2012...at the beginning of the new fiscal year.

Erin Clawson: She added that the only new approvals would be for those called out to drive the snowplows (back-up drivers); as well as the salary for the Public Works Director. This is not about any of the other employees since those increases and COLA had already been decided on.

Nelson Abbott: He asked if the listed wages are the ones that had been approved...not that the increase would be going up from the listed wages. (He was assured that the listed wages include the increases.)

Brian Burke: He questioned whether changes could be made.

Erin Clawson: "Why would we? We have already approved it."

(Council Member Youd asked Council Member Burke if he did not agree with the increase for the back-up snowplow drivers...that was the only thing up for change at that point.)

Mayor Shelley: Everything else has been approved.

Erin Clawson: "We approved this with the budgets...more than once." She further stated that Cody Black's salary was not known at the time when the budget was approved.  
Snowplow Drivers: She recalled that the reason that increase was suggested was because there had been a problem getting the drivers at \$12/hour. This was an attempt to be more competitive with other cities.

Nelson Abbott: He recommended that the City try to utilize the back-up drivers 1<sup>st</sup> since they are at a lower wage than the regular employees.

(Council Member Clawson felt that was a totally separate issue.)

2:34:37

**WESTON YOUNG MOVED, SECONDED BY ERIN CLAWSON, TO APPROVE THE ORDINANCE FOR THE COMPENSATION OF ELECTED AND STATUTORY OFFICERS AND EMPLOYEES OF ELK RIDGE CITY; SPECIFICALLY APPROVING THE NEWLY ASSIGNED:**

**- SALARY FOR THE NEW PUBLIC WORKS DIRECTOR AT \$66,000/YEAR**

**- INCREASING THE WAGE FOR BACK-UP SNOWPLOW DRIVERS FROM \$12/HOUR TO \$13/HOUR**

**VOTE (POLLED): PAUL SQUIRES-AYE, ERIN CLAWSON-AYE, WESTON YOUNG-AYE, NELSON ABBOTT-AYE & BRIAN BURKE-AYE (5) NAY (0)**

Passed 5-0

\*Council Member Burke would like to further discuss certain issues he has at another time.

2:36:35

CITY COUNCIL  
MINUTES

City Council Minutes from August 14, 2012:

**WESTON YOUNG MOVED, SECONDED BY ERIN CLAWSON, TO APPROVE THE CITY COUNCIL MINUTES FROM AUGUST 14, 2012, AS PRESENTED**

**VOTE: YES (5)**

**NO (0)**

\*Noted: The City recorder reported that Marissa Bassir found a way to post a link to the latest recording of the Council Minutes on the City web site for access until the official minutes are approved. When the minutes are approved; they will take the place of the recorded version.

The recorded versions are always available for one year if someone wants a copy; a person would have to come into the office with a thumb drive and a copy would be provided.

2:38:16

EXPENDITURES

1. General:

- Generator for the Loafer Well:

(The Mayor also explained the issue with the generator not being connected and the need to do so. The projected cost: \$5,300.)

The Loafer well is the only well that has a back-up generator. It is less accessible in the winter, though it can be accessed with the ATV (with tracks). The Loafer Well is the main well for the City.

Cody Black: He added that generators for the other wells would be much larger due to pumping requirements.

Erin Clawson: She was surprised that the generator was not connected; she thought it was. This needs to be a priority before snow falls.

Mayor: Getting the fuel out of the tanks also needs to be addressed.

**WESTON YOUNG MOVED, SECONDED BY BRIAN BURKE, TO APPROVE \$6,000 FOR BARNES ELECTRIC TO CONNECT THE GENERATOR; AND TO HOOK UP THE FUEL TANKS WITH THE PUMPS TO DELIVER THE FUEL TO THE GENERATOR, PUT ON THE TANK HEATER (TRIPLE CHARGE) FOR THE BATTERY...TO BE COMPLETED NO LATER THAN OCTOBER 15, 2012.**

**VOTE (POLL): PAUL SQUIRES-AYE, ERIN CLAWSON-AYE, WESTON YOUNG-AYE, NELSON ABBOTT-AYE & BRIAN BURKE-AYE (5) NAY (0)**

Passed 5-0

2. Truck repairs: Bobtail Truck Repairs:

(The Mayor reviewed the Work Session discussion for Council Members Clawson and Young.)

Council Member Abbott asked about the Maintenance Schedule.

Cody Black reported that he is supervising it; but Travis LeBaron is tracking it all (who has experience with this).

**NELSON ABBOTT MOVED, SECONDED BY ERIN CLAWSON, TO APPROVE THE REPAIRS ON THE OLDER BOBTAIL SNOWPLOW TRUCK; TO BE PERFORMED BY "RUSH" (PREVIOUSLY "LAKE CITY") AT A COST NOT TO EXCEED \$15,000**

**VOTE (POLL): PAUL SQUIRES-AYE, ERIN CLAWSON-AYE, WESTON YOUNG-AYE, NELSON ABBOTT-AYE & BRIAN BURKE-AYE (5) NAY (0)**

Passed 5-0

2:50:15

3. Snowplow Blade for Pick-up:

Mayor: The suggestion has been made to outfit one of the Public Works pick-ups with a snowplow blade for easier access to the cul-de-sacs. Rather than spending \$150,000 on another Bobtail truck right now, this option would be cost effective and would meet immediate needs.



Mr. Black has had successful experience with this option in Hyrum. A "sander" device would be advisable; but the cost of that was not known. There is time before winter to find those costs. The plow would be about \$4,300.

\*Approval was postponed to find out the cost of the sander.

2:51:48

3. List of Expenditures for July, 2012:

No comments or questions.

**WESTON YOUNG MOVED, SECONDED BY ERIN CLAWSON, TO APPROVE THE CITY COUNCIL EXPENDITURES FROM JULY, 2012 AS PRESENTED**

**VOTE: YES (5)**

**NO (0)**

NON-AGENDA  
ITEMS

Mayor Shelley: When the Mayor spoke to Dave Tuckett (Payson City's Manager) about building inspections, Mr. Tuckett asked the Mayor if the City would be interested in selling Payson water for the Gladstan Golf Course, should the need arise. Their source of irrigation water for the Course is Payson Lakes; and the Lakes are getting low. They have already cut back considerably on watering everywhere except the greens. If Payson loses their greens, it would be very expensive (perhaps 1 million dollars) to restore just the greens. He suggested that the water be metered and Payson would pay for it. The pumping costs at the Cloward well are high and those costs would have to be passed onto Payson.

The Mayor would like to build a positive relationship with Payson; but Payson would pay for the use of the City's water. It did not need to be voted on that night.

Nelson Abbott: Elk Ridge does not have a reservoir system like Payson; the City's is ground water. If the water were pumped out of the ground for Payson, there would be less water for Elk Ridge's own needs. Water is not an unlimited resource...the City cannot keep pumping and pumping; as much as he would love to extend a helping hand.

Erin Clawson: She would be hesitant to agree to water a golf course with drinking water.

Nelson Abbott: There is also concern about the aquifers in another drought year. The City's water table would go down if there is another dry winter. Payson would also have trouble providing drinking water to their residents.

Mayor Shelley: There is also an interest in jointly (Payson & Elk Ridge) developing a possible larger reservoir up in the canyon in the future.

Weston Young: He mentioned the possibility of using CUP money for a joint venture like that.

Mayor Shelley: Careful consideration needs to be given in how Elk Ridge interacts with Payson for mutual benefit.

Erin Clawson: She felt the real issue was how Payson would justify servicing a golf course over their citizens.

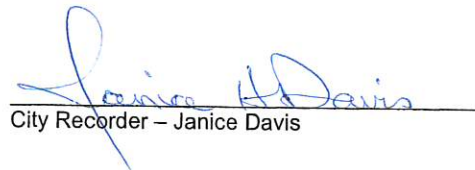
2:58:59

Public Works Pick-up: The Mayor and Mr. Black will check out the trucks from the Forest Service to see what condition they are in.

Landscaping Article: Council Member Squires is going to write an article for the Newsletter regarding the Landscaping regulations.

ADJOURNMENT

The Mayor adjourned the Council Meeting at 9:10 p.m.

  
City Recorder – Janice Davis

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