

**ELK RIDGE
CITY COUNCIL MEETING
FEBRUARY 9, 2021**

TIME AND PLACE OF MEETING

This regularly scheduled Meeting of the Elk Ridge City Council was scheduled for Tuesday, February 9, 2021, at 7:00 PM. Due to the Coronavirus Pandemic the meeting was held via ZOOM;

Join Zoom Meeting

<https://us02web.zoom.us/j/86321414588>

Meeting ID: 863 2141 4588

One tap mobile

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Notice of the time, place and Agenda of these Meetings, were provided to the Payson Chronicle, 145 E. Utah Ave, Payson, Utah, and to the members of the Governing Body on February 8, 2021.

ROLL CALL

Mayor: Ty Ellis

Council Members: Nelson Abbott, Tricia Thomas, Jim Chase, Jared Peterson, Absent - Cory Thompson,

Others: Royce Swensen, *City Recorder*, David Jean, *Public Works Director*, Deputy Gary Coffee, Brian Squires, *Code Enforcement*

Public: Trent (?)

OPENING REMARKS– INVITATION

Jim Chase offered opening remarks.

APPROVAL/AGENDA TIME FRAME

NELSON ABBOTT MOTIONED TO APPROVE THE AGENDA AND TIME FRAME JIM CHASE SECONDED.

VOTE: AYE (4) NAY (0) APPROVED Cory Thompson Absent

7:00 PM - PUBLIC HEARING – Budget Amendment

Mayor Ellis opened public hearing for budget amendment. There are 3 items 1) replacement of rescue truck for the fire department 2) in the water department legal counsel for water rights and 3) VFDs and soft-start for the Booster Station

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

1. MAYOR DECLARATION PER USC 1-12-2

WHEREAS, the Mayor is the Chairman of the Elk Ridge City Council public body, and;

WHEREAS, the State of Utah has amended Utah Code 52-4-207 regarding electronic meetings enabling the chairman of a public body to hold public meetings without an anchor location, and;

WHEREAS, the COVID-19 pandemic guidelines set forth by the State of Utah remain in effect and Utah County is listed as a High Transmission Area, and;

WHEREAS, the Elk Ridge City buildings are severely inadequate to hold a public meeting during a pandemic;

49 THEREFORE, it is determined by the Mayor of Elk Ridge City that all public meetings of the City
50 Council public body will be online and without an anchor location for the next 30 days as permitted
51 by city ordinance. Information on how to connect will be made available on the agenda of the meetings.
52

53 VOTE: AYE (4) NAY (0) APPROVED Cory Thompson Absent
54

55 **2. BUDGET AMENDMENT**
56

57 APPROVED AFTER ITEM 3
58

59 **3. PROPOSED CODE AMENDMENT ANIMAL CODE 10-18-6**

60 Mayor Ellis stated that it's possible to deal with the Ram's property through a variance since they do
61 have a unique issue with their property that isn't common with the rest of the neighborhood. The removal
62 of the 75 foot rule will be impactful. Discussion ensued on the placement of structures and difficulty of
63 nuisance code. Tricia Thomas stated she does not think the city should throw out the 75-foot requirement
64 and does not think the city should change the code for 1 person. There are areas that butt up against the
65 livestock zones. Mayor Ellis stated that even if this amendment is passed the Rams will still need a
66 variance for landscaping. Is there no concern between the R&L and R-1 Residential? Brian Squires stated
67 that dealing with nuisance code is not cut and dry. The area around Christly in the old Cloward estate in
68 the middle of town being next to R-1 zone is problematic when dealing with complaints from noise, flies,
69 smell etc. Mayor Ellis stated that it is important to not take away property rights of landowners with
70 animal rights. Tricia Thomas stated this is a community and there has to be some rules.
71

72 **NELSON ABBOTT MOTIONED TO APPROVE ORDINANCE 21-04 LIVESTOCK ANIMALS**
73 **10-18-6 JARED PEERSON SECONDED**
74

75 VOTE: AYE (3) NAY (1) APPROVED
76 Nelson Abbott AYE
77 Jim Chase AYE
78 Jared Peterson AYE
79 Tricia Thomas NAY
80 Cory Thompson Absent
81

82 Ordinance number changed to 21-4, There is already a 21-01.
83

83 **BUDGET HEARING**

84 **JIM CHASE MOTIONED TO CLOSE THE PUBLIC HEARING NELSON ABBOTT**
85 **SECONDED**

86 VOTE: AYE (4) NAY (0) APPROVED
87 Nelson Abbott AYE
88 Jim Chase AYE
89 Jared Peterson AYE
90 Tricia Thomas AYE
91 Cory Thompson Absent
92

93 **NELSON ABBOTT MOTIONED TO APPROVE THE BUDGET AMENDMENT AS**
94 **PRESENTED JIM CHASE SECONDED**

VOTE: AYE (4) NAY (0) APPROVED
Nelson Abbott AYE
Jim Chase AYE
Jared Peterson AYE
Tricia Thomas AYE
Cory Thompson Absent

4. PROPOSED CODE AMENDMENT COMMERCIAL VEHICLE CODE 10-12-26

JIM CHASE MOTIONED APPROVE ORDINANCE 21-02 STORAGE OF COMMERCIAL VEHICLE CODE 10-12-26 NELSON ABBOTT SECONDED

VOTE: AYE (4) NAY (0) APPROVED
Nelson Abbott AYE
Jim Chase AYE
Jared Peterson AYE
Tricia Thomas AYE
Cory Thompson Absent

5. NUISANCE CODE DISCUSSION

Jared Peterson stated the city code is outdated and is possibly not legal in some places on the enforcement side and would like to work on the city nuisance code this year. Brian Squires went through several different city codes in Utah County and there are areas in the nuisance code that need to be less vague or open to interpretation. Counsel agrees the nuisance code needs to be looked at.

6. PROPOSED CODE AMENDMENT PROCUREMENT AMENDMENT

JIM CHASE MOTIONED TO APPROVE ORDINANCE 21-03 PROCUREMENT 1-10 JARED PETERSON SECONDED

VOTE: AYE (4) NAY (0) APPROVED Cory Thompson Absent

NELSON ABBOTT MOTIONED TO ADJOURN COUNCIL MEETING JARED PETERSON SECONDED

VOTE: AYE (4) NAY (0) APPROVED Cory Thompson

Absent

Laura Oliver, Deputy Recorder