

**ELK RIDGE  
CITY COUNCIL MEETING  
May 11, 2021**

**TIME AND PLACE OF MEETING**

This regularly scheduled meeting of the Elk Ridge City Council was scheduled for Tuesday, May 11, 2021, at 7:00 PM. The meetings were held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah.  
Notice of the time, place and Agenda of these Meetings, were provided to the Payson Chronicle, 145 E. Utah Ave, Payson, Utah, and to the members of the Governing Body on May 10, 2021.

**ROLL CALL**

Mayor: Ty Ellis  
Council Members: Nelson Abbott, Tricia Thomas, Jared Peterson, Jim Chase, Cory Thompson  
Others: Royce Swensen, *City Recorder*, Laura Oliver, *Deputy Recorder*, David Jean, *Public Works Director*  
Public: Judy Grantham, Dan Towsey, Jan Hellewell, Maria Hawkins, Terry Bjarnson, Kara Bjarnson, Scot Bell, Denise Partridge, Wendy Scribner, Linda Buytendorp, Rex Tolman, Gary Winterton, Nate Brusik

**OPENING REMARKS- INVITATION**

Opening remarks were offered by Cory Thompson  
Pledge lead by Gary Winterton

**APPROVAL/AGENDA TIME FRAME**

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

VOTE:                      AYE (5)                      NAY (0)                      APPROVED

**PUBLIC FORUM**

Judy Grantham lives in the 55+ community and her backyard faces the proposed Lighthouse Subdivision. Judy stated she would like a barrier along the upper road in the proposed subdivision; she is concerned about cars sliding off the road and into the home below and is concerned about losing the open space and wildlife.

Dan Towse stated he also lives in 55+ community he is concerned the city does not have a master plan. He was drawn to the area by the wildlife and open space and is concerned about losing these important things. How far back from Hillside Dr. is the development and where is the first home located.

Terry Bjarnson stated he live is the 55+ community and he agrees with everyone before him and is concerned about the roadway and the erosion problems on the hillside.

Scot Bell passed out a handout showing the elevations of the hillside where Lighthouse Subdivision is and is concerned about the natural drainage, concerned about the elevation from one side of the intersection to the other, and the backfill behind Parkside Cove and its stability.

Kent Partridge stated he lives in senior 55+ community and would like some kind of barrier on the elbow of the cul-de-sac and a site obscuring fence with gaps for the deer, and wants to make sure the retention basin is properly engineered he is right below it and is wondering if there is an overflow for it and where is that water going to go.

Rex Tolman stated he is concerned for the impact this development would have on the wildlife and the natural drainage of the area.

Gary Winterton stated that his father started Elk Ridge and he loves the city and watching it grow. His concern is being able to access a piece of land he owns that will be landlocked. He spoke of different easements and is hoping that something can be worked out so that he can continue to be able to access his property.

Nate Brusik stated he is the developer of Lighthouse Subdivision and all the concerns stated are all valid. All of the concerns have been addressed and will continue to be addressed. The drainage off the hillside on Elk Ridge Dr. and Hillside Dr will improve. Nate went through the history of finding the property and talking to the landowners behind the original lots along Elk Ridge Dr. Nate Brusik is putting in place everything needed to protect the existing homes as well as his own development.

**REGULAR CITY COUNCIL MEETING AGENDA ITEMS:**

**1. LIGHTHOUSE HEIGHTS SUBDIVISION PRELIMINARY PLAT DISCUSSION**

Tricia Thomas stated that she thinks that the concerns are legitimate but also thinks that there is a lot of "I'm here shut the gates". She feels the same way. But if someone owns property and they meet all the expectation and rules, Council does not have the right to tell them "no".

First bullet point for the requested exceptions from the city engineer:

- The proposed project includes a cul-de-sac that is approximately 728 feet in length. Per City Ordinance Section 10-15c-5(B): *Cul-De-Sac Length: The maximum length of a cul-de-sac shall be five hundred feet (500') as measured from the nearest right-of-way line of the adjacent street to the center point of the turnaround with no more than sixteen (16) dwelling units accessing the cul-de-sac. The Planning Commission may grant an exception up to a maximum length of eight hundred feet (800') in single-family dwelling developments where the configuration or topography of the land reasonably limits the ability to provide a second access point to the local street system. The number of dwelling units may not be increased from the maximum of sixteen (16) dwelling units when the increased length exception is granted. The Planning Commission may grant an exception to the maximum number of dwelling units accessing the cul-de-sac in multi-family dwelling developments to a total twenty-four (24) units along the five hundred foot (500') maximum length. In no case shall the Planning Commission grant a combined exception expanding the maximum length and the maximum number of dwelling units.* An exception is necessary for the proposed cul-de-sac length due to the topography limiting the ability to provide a second access point to the local street system. The proposed length falls within the maximum length of 800' in which the Planning Commission has authority to approve the exception.

Discussion ensued on fire hoses being able to access a certain distance and the department is limited on how long a hose can be connected to a hydrant. The fire department will make recommendation accordingly in the TRC. Planning Commission has already approved it but the council has to approve it.

Second bullet point for requested exception from the city engineer

- Currently, generally, City does not allow cuts and fills over 7 feet deep. However, being on a mountain side this can be a challenge and there are areas such as the Haskell Dryland Subdivision and the Houghton parcel where the City has allowed additional cut and fill depth. In the example of the Haskell Dryland Subdivision additional cut and fill was necessary to slope the interior streets toward the east to get drainage out to an area where it would not flood other properties. In the Houghton example there was no way to access the parcel from Loafer Canyon Road without cutting a driveway into the hillside. In both cases there is special attention given to how the cuts and fills are addressed to prevent erosion and settlement due to the action. As an example, with the proposed subdivision, the only possible way to access the interior of the parcel is to bring a street from Elk Ridge Drive. In order to meet the City maximum grade requirements for both intersection and streets the only solution is to cut into the hillside to enter the property. This cut requires the removal of 13 to 14 feet of material. By doing so the proposed street is a gentle slope of 4% for 100 feet into the intersection and a maximum of 8% slope on the remainder of the street. This also has an added benefit that it reduces the height of the exposed face on the Parkside Cove property. A large area in the proposed development has been cut down to create lots that have useful buildable areas. Knowing that this was being proposed the City staff asked the applicant to provide a drawing showing the cut and fill areas on a grid so the extent of the excavation would be clearly understood. The drawing is found on Sheet C5.0. Negative numbers show the depth of cut from the existing ground and positive numbers show the depth of fill from existing ground. The applicant is requesting an exception to the maximum seven-foot cut and fill requirements. This drawing clearly shows one of the challenges with this parcel is that the ground quickly slopes upward from Elk Ridge Drive. By regrading these areas, the abrupt slopes are removed, and the lots will not require cuts and fills and steep driveways to access the dwellings. It is important that the Planning Commission is comfortable with what is being proposed with this consideration. There is no question that the earthwork being proposed is significant and reshapes the site.

Discussion ensued on taking 13 feet off the top of the development. Slopes over 30% cannot be touched and some of the lots won't be able to hold a huge home due to the buildable area. Discussion also ensued on cars backing out onto and main road. A field trip is planned for the next meeting for council to go to the hillside so that council can see exactly what is being cut off the top and how the hillside will change and the elevations of the hillside and the proposed road.

Discussion ensued on the compaction time of the fill being 6-12 months. Council has concerns with this and would like the development to be done all at once so the once the grading is done and something goes wrong the city isn't left with a big scar. This is something that would go in the development agreement.

Third bullet point for requested exception from the city engineer:

- The final exception request is partly brought on by a request from the City staff. Due to the exposed slope in Parkside Cove and its proximity to Lighthouse Circle the City requested that the sidewalk be constructed at the back of curb thus allowing the traditional park strip width to be an added buffer between the sidewalk and the slope. This will help with safety if a child riding a bike rides off the sidewalk and also will simplify maintenance

for the City as the landscaping will not be split between the two sides. The request is to allow the sidewalk to be located along the back of curb which is an exception from the traditional street cross section. If the Planning Commission is in agreement with any of the requested exceptions, please include the recommendation to approve the exceptions in the motion.

Discussion ensued on who would maintain the retention pond and surrounding area behind the sidewalk. Discussion ensued on whether the retention pond is big enough to handle the runoff and how the retention pond respond. The retention pond, by code, has to handle a 100 year storm for that subdivision and that most runoff goes down Elk Ridge Dr. The lot on the cul-de-sac has a gas line going through the back part of the property which cannot be moved and cannot be built on and the cul-de-sac and perhaps it be shortened a bit and that lot enlarged.

2. **21/22 TENTATIVE BUDGET**

Mayor Ellis stated that tonight they will go through the enterprise funds. The city is not going to increase the water rate at this point but will plan on doing a complete water analysis. The increase may also depend on an SESD increase. Payson is raising rates .79 a month per household. The 2021/22 sewer fund is running negative \$5900. It has been addressed on the expense side of the budget but not on the revenue side. The city needs to raise sewer rates \$2.00 a month per household (tentatively); the city cannot run negative on an enterprise fund. The city charges \$14.25 per can (first can). The second can is \$8.25 this is \$1.25 under what should be charged. The second can is being subsidized by the first can which needs to stop. Recycle can is \$10 a month which needs to be \$11.38 per can. All cans need to go to true cost lower the first can to \$13.95 increase second can to \$9.80 and recycle to \$11.40. Does the council want to raise it once for the next 3-4 years or yearly at actual current costs. The city projects are funded from, sewer, water etc. which come out of these funds. Storm drain needs \$1,500,000 next year. There would have to be an \$8-\$10 increase on storm drain and that's just barely touching what is possibly needed. Storm drain is going to be included in the capital facilities, so the city understands what is really needed. Right now storm drain will not increase until we understand what is needed more clearly.

Discussion ensued on other items that council would like in the budget such as animal mitigation.

3. **NUISANCE CODE**

CORY THOMPSON MOTIONED TO TABLE THE NUISANCE CODE FOR THIS EVENING JARED PETERSON SECONDED

VOTE: AYE (5) NAY (0) APPROVED

**MOTION TO ADJOURN** Nelson Abbott motioned to adjourn Jared Peterson seconded.

VOTE: AYE (5) NAY (0) APPROVED

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Laura Oliver, Deputy Recorder