

**ELK RIDGE
CITY COUNCIL MEETING
June 8, 2021**

TIME AND PLACE OF MEETING

This Public Hearing and regularly scheduled meeting of the Elk Ridge City Council was scheduled for **Tuesday, June 8, 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 24, 2021.

ROLL CALL

Mayor: Ty Ellis

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

Others: Royce Swensen, *City Recorder*, David Jean, *Public Works Director*, Deputy Gary Coffey, Seth Waite, *Firechief*

Public: Cindi Ellis, Jeremy Johnson, Paul Crook, Bob Clark, Aaron Ludwig, Reuben Lisonbee, Gary Winterton, Dan Towsey, Sandra Burke, Brian Burke, Brad Turner, Jennifer Yorgensen, Travis Tasker

OPENING REMARKS- INVITATION

Opening remarks were offered by Cory Thompson

Pledge lead by Scout

APPROVAL/AGENDA TIME FRAME

NELSON ABBOTT MOTIONED TO APPROVE THE AGENDA AND TIME FRAME WITH THE ADDITION OF PUBLIC FORUM AND TIME FOR EDUCATIONAL PURPOSES JIM CHASE SECONDED

VOTE:	AYE (5)	NAY (0)	APPROVED
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PUBLIC HEARING - 2021/2022 TENTATIVE BUDGET

Mayor Ellis opened the public hearing

There were no comments from the public regarding the 2021/2022 Tentative Budget

Mayor Ellis stated the state statute states there are key things to follow- all public meetings has to be done in front of the public. There is no requirement to have public comment. Residents are always urged and welcomed to discuss their concerns with any city councilmember outside the meeting. There are some exceptions whenever there is a change to the budget the city must hold a public hearing which is published in a paper, and invite the public for comment. Tonight, council has the tentative budget for 2021-2022 budget. All land use issues must have a public hearing which generally goes before the Planning Commission.

There is also a Public Forum which is an open time for the residents to make a comment to the council. This is not a requirement and there are a lot of cities which do not have public forum. This is not a discussion time but residents are allowed to make any comment they feel is needed. The agenda is set by the Mayor and can be left off the agenda at the Mayors choice.

CORY THOMPSON MOTIONED TO CLOSE THE PUBLIC HEARING FOR THE TENTATIVE BUDGET FOR THE 2021-2022 FISCAL YEAR NELSON ABBOTT SECONDED

VOTE:	AYE (5)	NAY (0)	APPROVED
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PUBLIC FORUM

Jeremy Johnson stated that his family came to Elk Ridge for the access to public land. He is frustrated that access has been closed off and does not know why; perhaps due to others tearing up the land. This can be addressed but keep the land open to the public. There was a private road, Bennion Creek, that was deemed a public right of way by the Utah Supreme Court due to being open to the public for over 10 years. He would like to council to keep the land open.

Aaron Ludwig appreciates the work the council does on behalf of the city and is concerned over the loss of access to the mountain. His family loves the access to the mountain that Elk Ridge has and he is aware that current access

is through private land. He is respectful of other people's property, but he would like access through it. He is requesting that the city look at all legal opportunities to open access to the mountain.

Reuben Lisonbee stated Elk Ridge is a beautiful place. He was drawn to Elk Ridge because of the access to the mountains. He enjoys the mountains with his family, The views are second to none. It is a spiritual place. There are water pipes and utilities and a road that run up the mountain that the city put in. The tax payers paid for that road and would like to get some usage from the money that resident put into the road and open access to the mountains and take advantage of the views and the peace.

Gary Winterton stated that it is not Lighthouse Subdivision obligation to give me access to his property just only if the city council decides that it needs to be given. The City Council and Planning Commission has the obligation to look at the whole area before any subdivision is approved. He missed an opportunity when the 55+ development was approved. He apologizes that he was not here, that was his bad, but did not realize it at the time. It was his responsibility. He knows the city sent out letters, that is all you can do. He spoke with his attorney, and he believes that the city has an obligation to provide access and whether it's through Lighthouse land. He apologized again. Its is the cities obligation to provide access one way or another. He does not have to go out and buy a lot to get that access.

Dan Towsey lives at 55+ and is concerned about cutting the hilltop above his home and would like more clarification on how that will be done.

Travis Tasker would also like to be able to access the mountains as well.

REGULAR CITY COUNCIL MEETING AGENDA ITEMS:

1. EAGLE SCOUT PRESENTATION; JAKE BUNTON

Jake Bunton stated that he lives in Orem but attends scouts here, where his grandmother lives because it is active troop. He would like to put reflectors around the roundabout and the islands leading up to them . He would place yellow reflectors at the medians and 3 feet at the medians ends and 10 feet on the roundabout and the islands Cost for reflectors is approximately \$1.70 each totaling \$600-\$700 plus adhesive which he would like to ask the city to help with costs and the rest would be raised in a fund raiser. This would be done on a Saturday and they would have to close the road. They would need to get requirements from an engineer. Mayor Ellis stated that in order to have it on this year's budget the materials would have to be purchased and in the city's possession before June 30. The labor can be done after June 30th. There is \$500 in this year's budget. The city needs detailed plans and dates to close the road.

JIM CHASE MOTIONED TO APPROVE JAKE BUNTON'S EAGLE SCOUT PROJECT AND DONATE \$500 JARED PETERSON SECONDED

VOTE: AYE (5) NAY (0) Approved

2. FIRE DEPARTMENT RECAP: FIRE CHIEF WAITE

Fire Chief Waite gave a recap of the fire department personnel, calls and equipment. The fire department has a total of 27 personnel 3 EMTs resigned this week. Recruitment is always a struggle. Fire calls went up 21% EMS call were up over 100% 2020. 20% of the calls were from the care center. The fire Department is good shape and has almost everything it needs but it always needs more personnel. The fire truck is fully operational after 20 years. Mayor Ellis asked if the city would ever need 2 trucks. Fire Chief stated that by typing all the trucks that we have the fire department can now respond with the truck that was recently purchased as a 2nd truck. Discussion ensued on volunteer hours and documentation and the rating of the city and what it takes to lower the rating. Rating is every 5 years. There will be fire training in March/April 2022.

3. SURVEY PRESENTATION: RON GAILEY

Ron Gailey went over the results of the city survey held in May.

4. LIGHTHOUSE HEIGHTS SUBDIVISION PRELIMINARY PLAT

Mayor Ellis stated that last meeting the council approved the exception to remove more than the 7% cut that is allowed in code. The other issue was the distance of the cul-de-sac which was handled through Planning Commission. Drainage, cuts and roadways were hashed through last weekend. Tricia Thomas asked about access Gary Winterton's property. Mayor Ellis stated that the city has spoken with it's attorney and this is a civil matter between the developer and Mr. Winterton. Mayor Ellis stated that notice is sent to residents 300 feet of any

development. When Parkside Cove development came in the letters were sent to the residents. That is the opportunity to work with the developer to make sure they have access to their property. It is not the city's responsibility to call the developer and tell them they have to make access for the other property owner. This is a civil matter between landowners. This is not the city's place to negotiate with the landowners, this is strictly a civil matter. Royce Swensen stated that Mr. Winterton met with the city and Shay and the difficulties of developing that property. Jared Peterson pointed out issues he would like dealt with during final- lot 12 buildable area and put on the mylar the restrictions on lot 12, the area between the pond and the road, retaining wall details, bonding on the phases because of the cut on phase 2.

NELSON ABBOTT MOTIONED TO APPROVE THE LIGHTHOUSE HEIGHTS SUBDIVISION PRELIMINARY PLAT JIM CHASE SECONDED

VOTE: AYE (4) NAY (1) Approved

Cory Thompson voted Nay

5. C&L ESTATES, ACCEPT INTO THE CITY AND ACCEPT INTO DURABILITY

JARED PETERSON MOTIONED TO ACCEPT C&L INTO THE CITY AND ACCEPT ENTRANCE INTO DURABILITY TRICIA THOMAS SECONDED.

VOTE: AYE (4) NAY (1) Approved

6. 4 WAY STOP SIGN MEADOW LARK AND CHRISTLEY LANE

Jared Peterson stated that this intersection is hazardous. There are tire marks all over the intersection. There is a tree that is also impeding line of sight of the stop sign, as well as a slight curve in the street. It is unknown if the tree is within the 45 feet of the corner line of sight code. The tree will be measured to find out exactly where it is. The tree needs to be trimmed or removed if it is blocking the stop sign.

JARED PETERSON MOTIONED TO TURN THE INTERSECTION OF MEADOW LARK LANE AND CHRISTLY LANE INTO A FOUR WAY STOP TRICIA THOMAS SECONDED

VOTE: AYE (2) NAY (3) Not Approved

Council will look at this after gathering more information- Field trip next work session.

7. WATERING RESTRICTIONS

Mayor Ellis stated the Governor issued his third executive order. Cory Thompson asked how the wells were running and how often the tanks are checked. David Jean stated they are fine and checked all the time. Mayor Ellis stated the shallow wells are dry, but ElkRidge City does not have a shallow well. The deeper wells – 800 feet deep are fine. Nelson Abbott stated that the city should be on a permanent restriction. Council is concerned about not enforcing mandatory restrictions. Council agrees that water restrictions will remain as a recommendation and will be amended to mandatory restriction if needed.

8. 2021/2022 TENTATIVE BUDGET APPROVAL

Mayor Ellis stated the only difference is the capital facilities plan for storm drain has been changed according to the figures that the city received from Aqua.

NELSON ABBOTT MOTIONED TO APPROVE THE 2021/2022 TENTATIVE BUDGET RESOLUTION 21-06-08-1R SUBJECT TO THE TENTATIVE NUMBERS FOR THE OFFICIAL CERTIFIED TAX RATE JARED PETERSON SECONDED

VOTE: AYE (5) NAY (0) Approved

Jim Chase AYE
Jared Peterson AYE
Nelson Abbott AYE

156 Tricia Thomas AYE
157 Cory Thompson AYE

158 **9. NUISANCE CODE**

159 **JARED PETERSON MOTIONED TO TABLE THE NUISANCE CODE CORY THOMPSON**
160 **SECONDED**

161 VOTE: AYE (5) NAY (0) Approved

162 **10. CITY COUNCIL MINUTES FOR MAY 11, 2021**

163 Jim Chase state that line 96 correct typo and line 123 revise sentence.

164 **JIM CHASE MOTIONED TO APPROVE THE MINUTES FOR MAY 11, 2021 WITH CORRECTION**
165 **TO LINE 96 AND 123 CORY THOMPSON SECONDED**

166 VOTE: AYE (5) NAY (0) Approved

167 **11. CITY COUNCIL MINUTES FOR MAY 25, 2021**

168 Jim Chase stated line 89 correct typo.

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170 **NELSON ABBOTT MOTIONED APPROVE THE MINUTES FOR MAY 25, 2021 WITH**
171 **CORRECTION TO LINE 89 AS STATED TRICIA THOMAS SECONDED**

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173 VOTE: AYE (5) NAY (0) APPROVED

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176 **MOTION TO ADJOURN NELSON ABBOTT MOTIONED TO ADJOURN THE REGULAR CITY COUNCIL**
177 **MEETING TRICIA THOMAS SECONDED**

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179 VOTE: AYE (5) NAY (0) APPROVED

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Laura Oliver, Deputy Recorder