

**ELK RIDGE
CITY COUNCIL MEETING
APRIL 25, 2023**

TIME AND PLACE OF MEETING

This regularly scheduled meeting of the Elk Ridge City Council was scheduled for **Tuesday, Apr. 25, 2023, at 7:00 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, Utah, and to the members of the Governing Body on Apr. 24, 2023.

ROLL CALL

Mayor: Robert Haddock

Council Members: Nelson Abbott, Tricia Thomas, Jared Peterson, Cory Thompson, Tanya Willis

Others: Royce Swensen, *City Recorder*, Deputy Monsen,

Public: Robin Clawson, Larry Lee, Dennis Jacobson, Liz Moldenhauer, Jim Chase

OPENING REMARKS– INVITATION

Opening remarks were offered by Maureen Bushman

Pledge lead by Jared Peterson

Roll Mayor Haddock, Tanya Willis, Jared Peterson, Nelson Abbott, Cory Thompson Absent - Tricia Thomas, Cory Thompson

COUNCILMEMBER ABBOTT MOTIONED TO APPROVE THE AGENDA AND TO ADJUST THE TIME FRAME TO 7:06
COUNCILMEMBER PETERSON SECONDED

VOTE AYE (3) NAY (0) APPROVED Absent-Tricia Thomas, Cory Thompson

PLANNING COMMISSION UPDATE

Maureen Bushman stated the planning commission recommended the landscaping ordinance with a few changes. They are working on the general plan, updating maps with assistance from Shawn Eliot, and the transportation section, Melanie Paxton worked on a grant, which was submitted, for a grant to complete the trail on Elk Ridge Dr. A developer has also offered to help with that.

PUBLIC COMMENT

No public comment

1. **LANDSCAPING ORDINANCE**

Councilmember Willis stated the planning commission recommended using planter strip instead of park strip to make it consistent with the city code and add in 2B “in the front and side yards” since that is what the city requires to be landscaped. Also, add section I for commercial, institutional, and recreational areas. Councilmember Peterson stated the work “lots” reads that the landscaping needs to be done during development instead of after the home is built, city code gives 3 years after C of O. Discussion ensued on landscaping required to be completed before C of O is issued. Councilmember Peterson recommended adding landscaping be done for commercial and multifamily dwelling before C of O, temporary C of O for winter months and single family residential completed in the 3 year requirement of the city code.

COUNCILMEMBER WILLIS MOTIONED TO TABLE THE DISCUSSION UNTIL NEXT MEETING FOR REVISIONS ON THE PROPOSED CHANGES COUNCILMEMBER PETERSON SECONDED

VOTE AYE (2) NAY (1) APPROVED Absent-Tricia Thomas, Cory Thompson

Councilmember Thompson joined the meeting.

2. **RESOLUTION TO REVISE THE FEE SCHEDULE**

The water rate has been increased and the impact fee for sewer has been increased due to the increase from Payson on impact fees. Council will revisit the rates in September to see if the electric rates have decreased.

COUNCILMEMBER ABBOTT MOTIONED TO APPROVE RESOLUTION 23-05-09-1R SETTING THE FEES FOR SERVICES AND STRIKING THE LAST PAGE REFERRING TO MISDEMEANOR FEES
COUNCILMEMBER THOMPSON SECONDED

VOTE AYE (4) NAY (0) APPROVED Absent-Tricia Thomas
Councilmember Willis AYE
Councilmember Peterson AYE
Councilmember Abbott AYE
Councilmember Thompson AYE

Absent - Councilmember Thomas

Mayor went back to item 1 and updated Councilmember Thompson the item had been tabled for revisions to which he agreed.

COUNCILMEMBER WILLIS MOTIONED TO TABLE THE PROPOSED LANDSCAPING ORDINANCE UNTIL NEXT MEETING COUNCILMEMBER ABBOTT SECONDED

VOTE AYE (3) NAY (1) APPROVED Absent-Tricia Thomas

Councilmember Abbott wants it on record that he opposes government involvement in this matter.

3. TENTATIVE BUDGET 2023-2024

Discussion ensued on whether funds need to be put into the budget to fix/remove the property at the southwest corner at the roundabout.

Councilmember Thompson asked why the sales and use tax is \$200,000 more than the actual? The figures are only through March and the city projections for April, May and June are about \$200,000. Councilmember Willis would like to do an easy-to-understand narrative of the budget so it's easier for residents to understand the budget and how much the city actually gets from the different revenues such as school tax, property tax, what the city's goals are and expenses. Mayor Haddock stated this is the first draft; a public hearing needs to be held at the first meeting in June. Page 3 the under highways is the plow truck is going to be about \$220,000 and a mini ex which cost is about \$90,000 which is split into different funds. Councilmember Thompson would like to budget funds for the planning commission. The planning commission puts in a lot of time for a volunteer position. Councilmember Willis would like the city council to have some discretionary funds for issues that come up like when an employee wants to take a class and pays for it out of their own pocket. Councilmember Thompson thinks it's a good idea but it can't be for pet projects. Royce Swensen stated there is a line between legislative and administration, council is legislative; administrative is not council's role. Councilmember Abbott stated employees need to go through their supervisor and then to the Mayor. A line-item fund could be added for educational funds. Discussion ensued on showers in the public works building for sewer breaks and washer and dryer in the fire station for bio messes. Discussion ensued on roads and if \$250,000 is enough or increasing that now or waiting to get the report from the engineer on the report for the roads and amend as needed. Discussion ensued on the \$350,000 remodel of the city office and the council/reception room.

COUNCILMEMBER ABBOTT MOTIONED TO HOLD A PUBLIC HEARING AT 7 PM ON JUNE 13, 2023 FOR THE TENTATIVE BUDGET FOR THE 2023-2024 FISCAL YEAR COUNCILMEMBER THOMPSON SECONDED

VOTE AYE (4) NAY (0) Absent - Councilmember Thompson

4. NUISANCE CODE

Councilmember Peterson stated the copy tonight is the most up to date with the attorney's edits. Councilmember Willis would like to add a purpose section at the very beginning. Councilmember Thompson recommends putting the purpose in the recitals. Councilmember Willis on page 3 in section C.a. changing in any person to one or more person to make it consistent with other sections, moving illegal accessory apartments to make it less confusing. One 4-2a.c.3 under animal order is too broad. Discussion ensued on a third-party hearing officer for disputes, the code already has the mayor can appoint a third party. Deputy Munson recommends putting in "intent", any order can be offensive and is very subjective and comes down to intent. Councilmember Peterson recommended adding "purposely" annoys...". E1 "uninhabitable building" needs to be better defined. Councilmember Thompson recommends changing in the definition- building to residence and everything else is a structure Councilmember Peterson will strike unfit for human habitation. Councilmember Willis - under J, change wording deleterious to harmful to be easier to understand and referring to the IBC/IRC like the code does when it refers to the state code. Councilmember Peterson stated the IBC/IRC is not free to access. Council Willis stated a fire hazard and gangs needs to be better defined and signs remove the word *exstand*, better define vandalism, construction section TT is missing. Councilmember Abbott stated in QQ the reference is incorrect and needs to be corrected to 76-10-5. Discussion ensued on the number of vehicles permitted to park in the front of a home, code states they have to be registered but was unsure how to say a home can have x number of cars if they are all registered and parking within code. Councilmember Peterson stated Article B is the enforcement part of the nuisance code. The additions made were law enforcement, fire marshal or other authorized

city staff in the various sections. Other changes were made to fit the new chart. In collecting fines authorized city staff was added. Councilmember Peterson will make the changes for the next meeting.

COUNCILMEMBER ABBOTT MOTIONED TO ADJOURN COUNCILMEMBER PETERSON SECONDED

VOTE AYE (4) NAY (0) Absent - Councilmember Thompson

Laura Oliver