

**ELK RIDGE  
CITY COUNCIL MEETING  
MARCH 25, 2025**

**TIME AND PLACE OF MEETING**

This regularly scheduled meeting and public hearing of the Elk Ridge City Council was scheduled for **Tuesday, March 25, 2025, 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 March 24, 2025.

**ROLL CALL**

Mayor: Robert Haddock

Council Members: Jared Peterson, Tanya Willis, Charles Wixom, Cory Thompson, Late -  
Melanie Paxton

Others: Royce Swensen, *City Recorder*, Laura Oliver, *Deputy Recorder*,

Public: Marcus Williams, Maureen Bushman, Steven Anderson, Milo Anderson, Larry Lee, Lis  
Graham

OPENING Steve Anderson

PLEDGE Larry Lee

COUNCILMEMBER WILLIS MOTIONED TO APPROVE THE AGENDA AND TIME  
FRAME COUNCILMEMBER PETERSON SECONDED

VOTE	AYE (4)	NAY (0)	Approved
------	---------	---------	----------

Absent -Councilmember Paxton

**PLANNING COMMISSION UPDATE**

Maureen Bushman - There is no update. Planning Commission has not met yet

**PUBLIC COMMENT**

Marcus Williams- The Hales Theater has moved to Pleasant Grove

Steve Anderson - Fusion Networks is an internet service provider here in Elk Ridge and has been providing high speed broadband here for 4-5 years now. Steve gave an update on the Elk Ridge Fiber Project. Fusion has purchased existing fiber optics infrastructure from SESD and has been able to expand that infrastructure. Fusion has recently completed installing fiber on the north end of town near Grizzly Way and Bear Hollow for 131 homes. They currently are working on Hillside Dr serving the south end of town. The goal in the next 12 months is to have fiber available to the entire city from Loafer Canyon to Coley's Cove and everyone in between. Right now, Fusion is trying to bring grant money to Elk Ridge to help expedite that construction. Fusion now has to find a place to put all the gear that makes the network run. Fusion is grateful for the support they have received from the city and looks forward to continuing servicing and working with the city.

48       **1. ANNEXATION MAP**

49       Tabled

50  
51       **2. IMPACT FEES**

52       Mayor Haddock stated Curtis Roberts, City Financial Director, filed the Impact Fee Report with  
53       the state and the State Auditor didn't like it. The city has impact fees that do not have supporting  
54       projects and need to be returned to the developer. These are fees that go back to 2011. A project  
55       has to be in the Capital Facilities plan and be connected to growth. The impact fees for the sewer  
56       were stopped a few months ago for the city portion; Payson's portion is still being collected. A  
57       motion needs to be made to stop the road impact fees at this point. Councilmember Thompson  
58       stated the city has a growth-related project, the city needs a sewer plant and needs clarification on  
59       the issue. Councilmember Peterson stated it had to be an identified project. Royce Swensen stated  
60       the identified projects have been completed. The only identified project is the Dugway (hillside  
61       going down east Park Drive to Loafer Canyon). Every time it was brought up, with the match, it  
62       was never passed by the council. Councilmember Thompson said the council needs to get the  
63       sewer plant into the Capital Facilities now. Mayor Haddock stated the amount to return is  
64       significant, about 1 ½ million dollars between the sewer and the roads. Discussion ensued on the  
65       Dugway. It would be a 50/50 match and does the city want to use money from the general fund to  
66       project. The report has to be filed 60 days from March 5th, which is May 5th. Royce Swensen  
67       stated the Capital Facilities report was just done and no sewer or road projects were identified that  
68       meet the criteria for impact fees for growth. The city cannot use impact fees for repairs.  
69       Councilmember Peterson stated everyone has looked at this and the lesson learned is the city needs  
70       to get the projects needed on the Capital Facilities plan. The list they are looking at was made  
71       before the current council. Royce Swensen stated he has to make a report showing all the impact  
72       fees collected for each year. Royce Swensen stated that in order to keep the money you have to  
73       have allocated funds to a project. Councilmember Willis stated we have a project, the Dugway, the  
74       city doesn't have to return the funds. Royce Swensen stated but the city has not committed any  
75       funds. The city would have to come up with 50% which would come out of the general fund,  
76       which would be at last estimated \$700,000 to \$800,000. Councilmember Willis said then the city  
77       hurry's and commits it and pays for half now instead of all of it later and does that hillside need  
78       stabilized and will they need that 50 years from now. The project needs to be done at some point.  
79       Councilmember Peterson stated the main exit from the city now is Canyon View. The discussion  
80       now is does the project still need to be done now that Canyon View is the main corridor and would  
81       rather spend the money elsewhere. The Dugway is narrow, and the bulk of the traffic goes down  
82       Canyon View. The rules are you have a Capital Facilities Project that sets the ration. Mayor  
83       Haddock stated the road could be abandoned and used for a trail. Councilmember Thompson read  
84       the state code which said the funds can be held longer if the city can show a compelling reason and  
85       give a date on which they will be expended. It would be amazing to keep the funds for a real  
86       project that the city needs but if the city doesn't have one then we don't have one. Councilmember  
87       Willis asked for clarification that it would have had to be in the capital facilities plan. Continued  
88       below

89  
90       Councilmember Paxton arrived

91

92       **3. FINANCIAL REVIEW**

93       There were no concerns

94  
95       **4. CITY COUNCIL MINUTES MARCH 11, 2025**

96       Line 162 correct vote count, correct spelling on corral

97  
98       COUNCILMEMBER PETERSON MOTIONED TO APPROVE THE MINUTES FOR MARCH  
99       11, 2025, COUNCILMEMBER WIXOM SECONDED.

100  
101       VOTE    AYE (5)           NAY (0)           Approved

102  
103       Royce Swensen asked the Mayor if the council would go back to the impact fee discussion; a  
104       motion is needed to suspend road impact fees.

105  
106       Councilmember Paxton asked why the road on Canyon View above the extension needs to be  
107       widened. Councilmember Peterson stated it wasn't on the Capital Facilities Plan when it was  
108       collected. It had to have been on the Capital Facilities Plan and the percentage as to have been  
109       allocated to it. Councilmember Willis stated the council didn't get anything on this and hasn't had  
110       time to research anything. Councilmember Peterson stated this has been why the urgency to update  
111       the Capital Facilities. Councilmember Thompson stated the funds cannot be used for repairs; it  
112       has to be growth related. Royce Swensen stated Canyon view was studied from Canyon View to  
113       11200 and it did not become a project. Councilmember Paxton stated the council needs to exhaust  
114       in how to use the money. Royce Swensen stated right now all he has to do is the report which  
115       includes where every fee came from. The city loses funding if the report is not done by May 5th.  
116       The money doesn't have to be returned just yet. In the current plan the only project is the dugway.  
117       When a project is placed in the Capital Facilities plan an impact fee study takes place, then the fees  
118       are collected for that project. Councilmember Thompson stated the city has 6 years to use the  
119       funds and the funds have to be allocated. Councilmember Willis wants clarification from the  
120       attorney. Councilmember Peterson stated Royce has been harping on this for half a decade to  
121       update the Capital Facilities Plan. Royce Swensen stated the city received a letter stating the city  
122       has 60 days to resolve this and he has to get the report in. The only attachment that could have  
123       been given to you was the letter. Councilmember Peterson stated the letter says the city unjustly  
124       over collected and we need to resolve it. The city did some projects but right now the only option  
125       the city has is to do the dugway road and the city has to 50/50 it. Curtis Robert's the city's  
126       Financial Director and the State have confirmed all of this. Royce Swensen stated it is on the  
127       agenda in order to tell you of the report received by the state. Councilmember Paxton said then  
128       why don't we do the dugway. We can add a trail to that and get a MAG grant. Councilmember  
129       Willis stated it was mentioned earlier about turning that whole piece of road into a trail.  
130       Councilmember Peterson stated that the road is used a fraction of what it was. Go for the grant but  
131       he isn't willing to spend the city's money on that project just to use the fees when \$700,000 could  
132       be spent elsewhere. The money has to be returned to whoever paid it. Councilmember Wixom  
133       stated he's not sure unjustly is the right word, the city collected the money in anticipation of what  
134       costs but when the actual costs came down to it the city did not spend that money and therefore,  
135       they are due back. Councilmember Thompson stated the city probably has to give it back.

Councilmember Thompson stated it's fun to ask an attorney, but the Utah State Impact Fee Act (11-36a-302 ) reads: "Impact fee facility plan must be completed before imposing the impact fee." If the city does not have a road project technically the city cannot collect it. "The impact facility plan must include among other things identification of existing level of service An impact fee facilities plan shall: (i) identify the existing level of service; (ii) subject to Subsection (1)(c), establish a proposed level of service; (iii) identify any excess capacity to accommodate future growth at the proposed level of service; (iv) identify demands placed upon existing public facilities by new development activity at the proposed level of service; and (v) identify the means by which the political subdivision or private entity will meet those growth demands. For refunding the money 11-36a-603 Refunds - The city is required to give notice and post for a period of time, if it's not claimed, after 12 months of notice the city can use the money for any current capital facilities. There are requirements as to where it must be posted. If the government collected money and it was not used it should be given back. Mayor Haddock stated there is some time to research it and discuss it but right now the report needs to be done, and road impact fees need to stop being collected until the city has a project.

COUNCILMEMBER WIXOM MOTIONED TO HALT COLLECTING ROAD IMPACT FEE UNTIL THE ISSUE IS RESOLVED OTHER THAN THE BUY IN PORTION  
COUNCILMEMBE PETERSON SECONDED

VOTE AYE (3) NAY (2) Approved

COUNCILMEMBER PETERSON MOTIONED TO GO INTO CLOSE SESSION PER UTAH CODE 52-4-204 FOR CONTRACT NEGOTIATIONS COUNCILMEMBER WIXOM SECONDED.

VOTE AYE (5) NAY (0) Approved

COUNCILMEMBER THOMPSON MOTIONED TO ADJOURN THE MEETING  
COUNCILMEMBER WIXOM SECONDED

VOTE AYE (5) NAY (0) Approved

---

Laura Oliver