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**ELK RIDGE  
CITY COUNCIL MEETING  
June 23, 2015**

**TIME AND PLACE OF MEETING**

This regularly scheduled Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, June 23, 2015, at 7:00 PM**; this meeting was preceded by **a Public Hearing at 6:00 PM and City Council Work Session Meeting at 6:15 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 June 22, 2015.

**ROLL CALL**

Mayor: Hal Shelley  
Council Members: Nelson Abbott, Paul Squires, Brian Burke, Dale Bigler, Brittany Thompson (via telephone)  
Others: Melanie Hoover, *Deputy Recorder* and Royce Swensen, *Recorder*.  
Shay Stark, *City Planner*  
Cheri Rhodes, *Deputy Sheriff*  
Public: Ty Ellis, JoAnn Bigler, Paul Crook, Jim Chase, Ryan Haskell, Becky Shelley

**PUBLIC HEARING**

6:00 pm 1. Amended Budget 2014-2015.

Mayor Shelley asked the public if there were any questions, concerns or comments. There was no response.

Paul Squires reported for the public's knowledge that the budget has been reviewed, examined and adjusted at previous meetings. Mayor Shelley referred to the wordage that is to be included in the motion giving Curtis Roberts, the City Financial Director the ability to transfer moneys within the budget and the council needs to determine the percentage of the general fund revenues.

Mayor Shelley closed the Public Hearing at 6:10 P.M.

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1 Shay Stark, *City Planner*  
2 Cheri Rhodes, *Deputy Sheriff*  
3 Public: Ty Ellis, JoAnn Bigler, Paul Crook, Jim Chase, Ryan Haskell, Becky Shelley, Rick  
4 Salisbury, Craig Cloward

5 **CITY COUNCIL WORK SESSION**

6 6:10 pm

7 1. HB362 RESOLUTION.

8 The HB 362 Resolution was not approved at the last City Council Meeting. The County has requested it to  
9 be brought before council again for re-consideration. Mayor Shelley presented the County's request for the  
10 city to support the HB362 Resolution which would be a general sales tax increase of .25% dedicated to  
11 transportation. The city would receive .10% and the county would receive .15%. The figures are based on  
12 population. If approved, it would authorize the city's support for the county's resolution. If passed, the city  
13 could potentially generate \$26,000.00 from this sales tax increase to go into the general fund. The majority  
14 of cities within the county are in support of the HB 362 Resolution.

15  
16 2. ROUNDABOUT PENDING TRAFFIC ENGINEER STUDY RECOMMENDATION FROM PLANNING  
17 COMMISSION.

18 Shay Stark reported there has been a great deal of discussion in City Council meetings and Planning  
19 Commission meetings concerning the roundabout that was approved as part of the Elk Ridge Meadows  
20 Development. The discussions have ranged from aesthetics, to land requirements, to safety concerns,  
21 proving that the issues at this particular location are complex and may require expertise with specific  
22 experience in traffic engineering. On June 11, 2015 Dean Ingram submitted a proposal to Planning  
23 Commission for a standard four-way intersection in place of the roundabout previously approved in 2005  
24 and again with the approval of Elk Ridge Meadows Phases 5 through 10. It includes landscaped islands  
25 and narrower travel lanes through the intersection to help slow traffic down. Mr. Ingram has also submitted  
26 another proposal which affects the consideration of the Gooseneck Elk Ridge Drive intersection. Mr.  
27 Ingram is asking the City to consider the termination of Silver Wolf Road at Cotton Tail Lane. This  
28 modification allows the Mr. Ingram to avoid the 10% grade on Silver Wolf, simplifying the construction of  
29 infrastructure and simplifying drainage issues associated with the building lots. The vertical transition  
30 between homes would now be spread over 50 feet of setbacks in back yards instead of the 16 foot side  
31 setbacks. The proposed four-way intersection at Cotton Tail Lane changes the conditions with the  
32 Gooseneck intersection as it creates additional left hand turns onto Elk Ridge Drive and places additional  
33 traffic movements at the toe of the 10% slope creating potential horizontal and vertical line of sight issues.  
34 The Planning Commission's recommendation at the June 11th meeting was that the City direct the Mr.  
35 Ingram to move forward with the design of a standard four-way intersection at Gooseneck and Elk Ridge  
36 Drive including the landscaped island and additional curbs. They also recommended Mr. Ingram utilize a  
37 traffic engineer to assist in the design to find the safest solutions for the proposed concept. The roundabout  
38 has already been approved and vetted several times throughout the years. Mr. Stark feels it is Mr. Ingram's  
39 responsibility to not only provide a conceptual proposal for the change, but also provide design data to  
40 confirm that the proposed change will meet or exceed the safety of the roundabout. Mr. Stark believes it is  
41 premature to rule out the roundabout without consultation by a traffic engineer. The City will be better  
42 prepared to make a final decision knowing that the proposed intersection can be designed to safely handle  
43 the vehicle and pedestrian traffic that this location will experience and that it will work in concert with the  
44 proposed intersection and Cotton Tail Lane.

45 3. DEVELOPERS AGREEMENT REGARDING ROUNDABOUT WITH CHRIS SALISBURY.

46 Shay Stark presented that in late 2013 the City Council approved the final plat and an associated  
47 Development Agreement for the Horizon View Farms Townhouses. Nothing was recorded on the  
48 townhouse project because the Developer did not move forward with the project. The Developer brought  
49 forward a proposal for 36 single family lots that were approved by the City Council in April 2015. The  
50 terms and conditions in the previously approved Development Agreement were not rescinded as part of the  
51 approval. The question has been asked by the City Council concerning how the payment of the \$150,000.00  
52 by the Developer for the roundabout/intersection and entrance monuments is to occur. The process

1 approved by the City Council with the townhouses was to collect the funds with the issuance of each  
2 building permit. The Development Agreement has been updated to reflect the change in the number of lots  
3 and thus the change in the per unit/lot fee to be paid at the time of application for each building permit.  
4 Other terms and conditions that have been rendered extraneous due to the change to single family lots have  
5 been removed from the Development Agreement. The Developer has also asked the City Council to  
6 approve the two years of extensions that are allowed by code. The project is two phases and will extend  
7 over the two years. This is not an exception to the code, having this in the Development Agreement will  
8 just save the Developer and City time in dealing with the extension approval. As required by code, once the  
9 two years is up the Developer would still need to come back to the City for approval of a time extension if  
10 needed.

11 4. MOUNT NEBO WATER AGENCY.

12 Mayor Shelley reported he attended the Mount Nebo Water Agency's last meeting and met with a board  
13 member afterwards. He reported the intent of the agency is to have one large agency for water usage for  
14 southern Utah Valley. He is concerned that SUVMA is losing their ability to control their water usage.  
15 Mayor Shelley reported that Payson City is required to comply with EPA regulations which will cost  
16 Payson City \$12-17 million in sewer modifications and will raise resident's monthly sewer fees \$15 per  
17 month.  
18

19 5. SETBACKS RECOMMENDATION FROM PLANNING COMMISSION.

20 Shay Stark reported that on June 11, 2015 the Planning Commission discussed the setback issue within the  
21 entire city and has come forward with the following recommendations: 1) The current front and back  
22 setback for standard residential zones is 30 feet front and 30 feet back. The Planning Commission  
23 recommends to allow the owner to choose either a 25 foot front setback or back setback with the other  
24 remaining 30 feet. 2) The current street side setback on a corner lot is 30 feet. The Planning Commission  
25 recommended a 25 foot side setback on corner lots. It was noted that the code requires a 30 foot by 30 foot  
26 line of sight triangle on corner lots. A house set at 20 feet back and 20 feet off the side still easily clears this  
27 sight triangle by almost 10 feet at the corner. 3) The current street side setback on a corner lot in the PUD is  
28 25 feet. The Planning Commission recommends a 20 foot side setback which still clears the sight triangle.  
29 Mr. Stark recommends the setbacks be amended per the Planning Commission recommendation. Brittany  
30 Thompson and Brian Burke feel that the entire city code should not be changed to accommodate a few lots  
31 within the city and that those few lots should request an exception if necessary.  
32

33 6. PLANNING COMMISSION COMPENSATION.

34 Mayor Shelley stated the Planning Commission Members are not compensated and Dale Bigler has  
35 recommended to compensate them \$25 per meeting attended to compensate them for their work and to give  
36 them incentive to attend. He suggested taking \$50 off the City Council compensation per month to give to  
37 the Planning Commission Members. Nelson Abbott feels that Planning Commission meetings are  
38 developer driven and should be covered through developer costs. Brittany Thompson feels that there should  
39 be a monetary incentive but feels that costs should be passed on through administrative costs. Brian Burke  
40 pointed out that the Planning Commission is the only department that does not receive compensation and  
41 agrees with Mr. Bigler on decreasing City Council compensation to compensate Planning Commission  
42 Members.  
43

44 7. CITY COUNCIL MEMBERS ATTENDANCE AT PLANNING COMMISSION MEETINGS.

45 Dale Bigler suggested having a member of the City Council attend each Planning Commission Meeting.  
46 Mr. Stark agreed it would be a good idea but referred to State law that there cannot be a quorum in  
47 attendance.  
48

49 Mayor Shelley closed the City Council Work Session at 7:20 pm.

50  
51 **ELK RIDGE**  
52 **CITY COUNCIL MEETING**

June 23, 2015

TIME AND PLACE OF MEETING

8:00 pm This regularly scheduled Meeting of the Elk Ridge City Council, was scheduled for Tuesday, June 23, 2015 at 7:00 PM; this meeting was preceded by a Public Hearing at 6:00 PM and City Council Work Meeting at 6:15 pm. The meetings were held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah.

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ROLL CALL

Mayor: Hal Shelley
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Others: Melanie Hoover, Deputy Recorder and Royce Swensen, Recorder
Shay Stark, City Planner
Cheri Rhodes, Deputy Sheriff
Public: Ty Ellis, JoAnn Bigler, Paul Crook, Jim Chase, Ryan Haskell, Becky Shelley, Rick Salisbury, Craig Cloward

OPENING REMARKS An invocation was offered by Dale Bigler and Mayor Shelley led those present in the Pledge of Allegiance, for those who wished to participate.

PLEDGE OF ALLEGIANCE

AGENDA TIME FRAME

BRITTANY THOMPSON MOVED, DALE BIGLER SECOND, TO AMEND THE AGENDA TIME FRAME, ADJUSTING THE START TIME TO 7:25 PM.

VOTE: AYE (5) NAY (0)

PUBLIC FORUM

Mayor Shelley asked the public if they have any comments.

Ryan Haskell referred to the request to amend the setback requirements. Current setback codes can only allow a rectangular home built on a lot. He referred to several lots within the city which are 1/3 and 1/2 acre lots but cannot fit a third car garage on their home due to the setback codes. He feels that a five feet exception will make a huge difference on how the homes can be placed on the lots. He recommended that City Council follow the direction of Planning Commission on amending the setback codes.

Ty Ellis feels the 30 feet setback should stay in place. He feels that the backyard setback could be adjusted. His concern is the setbacks on accessory buildings. He was unable to build an accessory building on his lot due to the setback requirements.

Craig Cloward has a lot that he has a difficult time placing a home on in Cloward Estates due to the setback requirements. He wondered why the city will not allow the 9 feet easement be included in the setback measurements instead of addition to.

- 1. AMENDED BUDGET FOR 2014-2015 FISCAL YEAR.
NELSON ABBOTT MOVED, PAUL SQUIRES SECONDS, TO APPROVE THE AMENDED BUDGET FOR 2014-2015 FISCAL YEAR AND IN ORDER TO COMPLY WITH STATE LAW, THE COUNCIL AUTHORIZES THE FINANCE DIRECTOR TO TRANSFER FROM THE GENERAL FUND TO THE CAPITAL PROJECTS FUND AN AMOUNT SO THAT THE GENERAL FUND UNRESTRICTED FUND BALANCE IS LESS THAN OR EQUAL TO 20% OF

1 THE GENERAL FUND REVENUES. THE BUDGET FOR EACH FUND IS AMENDED TO  
2 REFLECT THIS AUTHORIZATION.

3 VOTE: AYE (5) NAY (0)  
4

- 5 2. APPOINT DALE BIGLER TO UTAH COUNTY DISPATCH BY RESOLUTION.  
6 BRITTANY THOMPSON MOVED, NELSON ABBOTT SECONDS, TO CREATE A RESOLUTION  
7 TO APPOINT DALE BIGLER AS A BOARDMEMBER TO THE UTAH COUNTY DISPATCH.

8 VOTE:

9 BRIAN BURKE AYE  
10 DALE BIGLER AYE  
11 NELSON ABBOTT AYE  
12 PAUL SQUIRES AYE  
13 BRITTANY THOMPSON AYE  
14 AYE (5) NAY (0)  
15

- 16 3. HORIZON VIEW FARMS PLAT A FINAL APPROVAL.  
17 Shay Stark referred to the letter created by Craig Neeley that verifies Public Works Director Cody Black has  
18 completed a final inspection of the public improvements and determined that all items listed in the final punch  
19 list are complete. The state of the one-year durability period is June 19, 2015. The required Type II slurry  
20 seal should be placed as weather permits next year.

21 BRITTANY THOMPSON MOVED, DALE BIGLER SECONDS, TO ACCEPT THE PUBLIC  
22 IMPROVEMENTS FOR HORIZON VIEW FARMS PLAT A AS APPROVED BY THE PUBLIC  
23 WORKS DIRECTOR.

24 VOTE: AYE (5) NAY (0)  
25

- 26 4. HB 362 RESOLUTION.  
27 Mayor Shelley stated the proposal is that the city support the county's HB 362 Resolution as a community  
28 authorizing Utah County Commission to include it on the ballot letting the decision be made by the residents.

29 VOTE: BRIAN BURKE AYE  
30 DALE BIGLER AYE  
31 NELSON ABBOTT NAY  
32 PAUL SQUIRES AYE  
33 BRITTANY THOMPSON AYE  
34 AYE (4) NAY (1)

35 NELSON ABBOTT VOTED NAY BECAUSE OUR STATE REPRESENTATIVE AND A COUNTY  
36 COMMISSIONER VOTED NO, THEREFORE HE FEELS THEY AWARE OF SOMETHING  
37 THAT THE CITY IS NOT AWARE OF.  
38

- 39 5. ROUNDABOUT PENDING TRAFFIC ENGINEER STUDY RECOMMENDATION FROM PLANNING  
40 COMMISSION.

41 Shay Stark feels the city needs the backup data to justify the decision between a roundabout or a two stop  
42 intersection from a traffic engineer.

43 PAUL SQUIRES MOVED, DALE BIGLER SECONDS TO MOVE FORWARD WITH A TRAFFIC  
44 STUDY PERFORMED BY A TRAFFIC ENGINEER INVOLVING THE INTERSECTION OF  
45 GOOSENEST DRIVE, ELK RIDGE DRIVE, AND COTTONTAIL LANE.

46 VOTE: AYE (5) NAY (0)  
47

- 48 6. DEVELOPERS AGREEMENT REGARDING ROUNDABOUT WITH CHRIS SALISBURY.  
49 Dale Bigler presented his idea of installing planter strips on Elk Ridge Drive as an alternative to the  
50 roundabout. Mayor Shelley addressed that the point of this topic is to verify the development agreement with  
51 Salisbury is in effect and to be accepted by council. Shay Stark has prepared a revised draft development  
52 agreement making it more valid to the current development with the language of roundabout/intersection  
53 included.

54 NO MOTION OR ACTION IS NECESSARY AT THIS TIME.  
55

1 7. MOUNT NEBO WATER AGENCY.

2 Mayor Shelley recommended a decision to be made at the next City Council meeting to obtain further  
3 information.

4 **NO MOTION OR ACTION TAKEN AT THIS TIME.**

5  
6 8. SETBACK RECOMMENDATION FROM PLANNING COMMISSION.

7 Brittany Thompson requested a review of other building code requirements in regards to setbacks and  
8 accessory buildings and amending them all at the same time. Nelson Abbott suggested moving forward and  
9 approving the setback amendment so that builders can move forward with their plans and pass  
10 recommendation back to planning commission to review codes on accessory buildings.

11 **NELSON ABBOTT MOVED, DALE BIGLER SECONDS, TO AMEND THE SETBACKS AS PER**  
12 **THE PLANNING COMMISSION RECOMMENDATION WITH THE REQUEST THAT**  
13 **PLANNING COMMISSION REVIEW AND CONSIDER CURRENT ACCESSORY BUILDING**  
14 **SETBACKS.**

15 **VOTE:                    AYE (4)                    NAY (1)**  
16 **BRITTANY THOMPSON VOTED NAY**

17  
18 9. PLANNING COMMISSION COMPENSATION.

19 Nelson Abbott feels that the Planning Commission should get compensated but feels it should not be included  
20 in the budget until the city knows where the funds will come from and further research on legalities is  
21 completed. Mayor Shelley agreed and recommended a decision to be made at the next City Council meeting.  
22 **NO MOTION OR ACTION TAKEN AT THIS TIME.**

23  
24  
25 10. CITY COUNCIL MEMBERTS ATTENDANCE AT PLANNING COMMISSION MEETINGS.

26 Mayor Shelley asked council whether they wanted this decision to be mandatory or voluntary and if they  
27 agree to a rotation schedule or designated council member attending Planning Commission meetings. Dale  
28 Bigler agreed to create a rotation schedule for council members to attend the meetings. Nelson Abbott  
29 reminded Council that legally Council is not allowed to influence Planning Commission while attending.

30 **DALE BIGLER MOVED, BRITTANY THOMPSON SECONDS, TO HAVE AN ASSIGNED**  
31 **ROTATION SCHEDULE ON A MONTHLY BASIS TO HAVE A CITY COUNCIL MEMBER**  
32 **ATTEND THE PLANNING COMMISSION MEETINGS.**

33 **VOTE:                    AYE (5)                    NAY (0)**

34  
35 11. DEPARTMENT REPORTS.

36 A. Administrative & Planning Commission – Mayor Hal Shelley

37 Mayor Shelley made council aware that he had a discussion with Seth Waite, Fire Chief, in regards  
38 to allowing fireworks for the July holidays. Council agreed that fireworks should be prohibited due  
39 to the dry conditions.

40 Mayor Shelley asked Council to attend the City Celebration to help serve at the Mayors dinner and  
41 to find residents to volunteer their time at the carnival. He recommended that council walk or ride  
42 together in the parade.

43 B. Roads and Storm Drains – Brian Burke

44 1. Reduce City Council Compensation.

45 Brian Burke recommended having this discussion in a closed session.

46 Brian Burke presented council with a draft agreement he created between the Penrod's and the city  
47 in regards to the road project on High Sierra. He asked Council to review it to address any revisions  
48 necessary and then present it to David Church, attorney, for his review. Brittany Thompson  
49 requested including interest in the agreement.

50 C. Parks, Trails, & Recreation – Dale Bigler

51 1. Report on Elk Ridge Meadows Phase 2 Rock Removal.

52 Dale Bigler reported that residents donated their time and efforts in the rock removal process at the  
53 park and expressed appreciation to them.

54 Dale Bigler reported Elk Ridge Meadows Phase 1 Park is completed. The disc golf course is in use.  
55 He is impressed with the public works employees on maintenance of the parks.

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D. Water, Public Safety – Paul Squires

1. Report on Grant.

Paul Squires requested speaking to an engineer to help with the dugway grant. Mayor Shelley reported that he has spoken with Craig Neeley who advised him that Shay Stark prepares grants and can help to write and apply for the grant.

Paul Squires reported the neighborhood watch will have a booth or table at the city celebration to distribute information.

E. Sewer, Sanitation & SESD – Nelson Abbott

Nelson Abbott reported of the sewer rate increase Payson City has to impose to comply with EPA regulations. The amount will be an approximate \$15 per month increase and he requested that the city work collectively with Salem and Payson throughout this issue.

F. Economic Development & Code Enforcement – Brittany Thompson

Brittany Thompson reported she is working on possible city code changes on water conservation such as landscaping codes. She will present drafts at the next meeting.

Mayor Shelley reported on economic development. It has been suggested to him to hire a company to do an economic development study within the city to see if it would be a successful option.

12. CITY COUNCIL MINUTES APPROVAL FROM JUNE 9, 2015 MEETING.

**BRIAN BURKE MOVED, DALE BIGLER SECOND, TO APPROVE THE MINUTES FOR JUNE 9, 2015 CITY COUNCIL MEETING.**

**VOTE                      AYE (5)                      NAY (0)**

13. CLOSED SESSION IF NECESSARY.

City Council went into closed session at 8:45 pm.

ADJOURNMENT

Mayor Shelley adjourned this meeting at 8:45 pm.

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Melanie Hoover, Deputy Recorder