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**ELK RIDGE
CITY COUNCIL MEETING
July 14, 2015**

TIME AND PLACE OF MEETING

This regularly scheduled Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, July 14, 2015, at 7:00 PM**; this meeting was preceded by a **City Council Work Session Meeting at 6:00 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 July 10th, 2015.

ROLL CALL

Mayor: Hal Shelley

Council Members: Brian Burke, Dale Bigler, Nelson Abbott, Brittany Thompson, Paul Squires

Others: Melanie Hoover, *Deputy Recorder*; Royce Swensen, *Recorder*; Cody Black, *Public Works Director*
City Planner; Shay Stark

Public: Jim Chase, Becky Shelley, Lucretia Thayne, Paul Crook, Trent Jessee, Tricia Thomas, Katherine Gerber, Anita Ault, Dean Ingram, Robin Clawson, Dennis Jacobsen, Ty Ellis

CITY COUNCIL WORK SESSION

6:00 pm

1. CITY CELEBRATION

Mayor Shelley questioned the Council on the timing of the City Celebration. For the last two years, a lot of the youth in the city have been gone to camp. He was concerned having the car show separate from the Celebration this year. Mayor Shelley asked council what they feel the objective of the City Celebration has been, is and should be. Do they want to continue having a large event with 90 vendors again? He feels it should be a family centered event. Dale Bigler feels the purpose of the City Celebration is to bring residents together and there has been positive support in regards to the parade. He feels the timing is a huge factor and feels the date could be moved to a different weekend. He feels the carnival needs to have assignments for help and stay free of cost. Mayor Shelley asked if there should be a patriotic theme since its close to the 4th of July and wondered if the City Celebration should be in the budget to have it all be free of charge. Brittany Thompson feels the City Celebration is to bring residents together and should not be a money maker. She feels the date could change back to the 4th of July weekend. She heard complaints of the cost of bounce houses and feels the free games are great. Nelson Abbott feels that a Council Member should be in charge of the City Celebration as the City used to assign a member to be in charge of it. He feels that all events should be family friendly. He feels the games can be created by the City and there will be no rental fees. The City could rent a bounce house and allow everything to be free. He feels that the time could be moved to the 4th of July. Brian Burke feels the memories for the kids needs to be on the good times they had at the celebration. He prefers a Council Member to be over the Celebration as well. He would like to see more kids within the city be involved. Paul Squires feels the City Celebration games are fun for the kids and should stay in the plan. Most Council members agreed they would like the Celebration to be a homecoming where residents return to town to celebrate. Paul Crook requested more handicap parking. Lucretia Thayne feels the Celebration needs to be more associated with the Community. Ty Ellis feels it should be a family affair and should drop the commercial aspect of it. He feels that if tickets are given out to residents before the carnival, it will encourage residents to attend. Mayor Shelley feels Council is all on the same page and the Celebration needs to be organized and planned early. A Council Member will be appointed in a formal setting and will bring forward plans in the future.

2. HARRISON HEIGHTS PHASE 4 FINAL PLAT APPROVAL

Shay Stark reported this subdivision includes 6 lots along Gooseneast. He presented an overhead view of the plat map. The plans include the Elk Ridge Drive relocation. Brittany Thompson questions how the roundabout comes into the plans and how it will affect Lot #23. Mr. Stark reported the Developer has submitted plans for the roundabout and included a portion of Lot #23 cut out for the roundabout. The frontage on lots 23-27 have exceptions of up to 120 feet minimum to allow Star Lane to be lined up where

1 it needs to be. Nelson Abbott had questions on the driveway of Lot #23 Mr. Stark reported it is to be on
2 the East side of the lot. The road was downgraded to where it is not a collector road and therefore may not
3 require hammerhead driveways.
4

5 3. MONTAGUE SUBDIVISION PRELIMINARY/FINAL APPROVAL AND SETBACK EXCEPTION 6 APPROVAL

7 Shay Stark referred to the attachment of the plat for the Montague Subdivision. He reported this has been
8 approved by the Planning Commission. This lot is in the Hillside Residential Zone. He showed how the
9 natural vegetation on the 20% plus slope will remain untouched. The drainage will be maintained and
10 carried through to a curb and gutter which the developer will install on the North side of his lot on Salem
11 Hills Drive and as will continue to the area behind his lot which will be developed. Mr. Montague will
12 have a ground level basement on the North side of his house which protects from flooding issues. He will
13 also continue the rock water way connecting to the Houghton's in the front of the lot. The area around the
14 drainage pond will mostly stay natural vegetation. The grass that will be laid down will absorb a lot of
15 storm water flow as well. Mr. Montague has asked for a front setback exception to 30 feet which has also
16 been approved by Planning Commission.
17

18 4. SETBACK AMENDMENT WITHIN CITY CODE

19 Shay Stark referred to the first section in the ordinance. This was discussed at the last City Council
20 meeting. This amendment affects the Standard Residential Zones (R1-12000, R-1-15000, R-1-20000,
21 R&L-1-20000, RR-1) within the city. The discussion was to modify the front and rear setback having one
22 be at 30 feet and the other relaxed to 25 feet. The corner lots was also relaxed from 30 to 25 feet. The
23 PUD zoning was to amend the corner lots from 25 feet side setback to 20 feet side setback. This will not
24 affect the line of site triangle. Mr. Stark reported at the last City Council Meeting that residents brought
25 forward some accessory building setback concerns. Planning Commission is reviewing the information.
26

27 5. DEVELOPMENT AGREEMENT WITH RICK SALISBURY/HORIZON VIEW FARMS 28 APPROVAL

29 Shay Stark reported this was discussed at the last City Council meeting. Since then, he and Mayor Shelley
30 met with Rick Salisbury to review the development agreement. Mr. Stark reported that Dean Ingram will
31 move forward with the roundabout plan. The islands down Elk Ridge Drive will be a separate item.
32 Brittany Thompson had questions on whether the city or developer is responsible to pay for the PRV. Mr.
33 Stark reported that Salisbury is required to put in two valves that can used if necessary in the future.
34 Brittany Thompson had concerns with the extensions included in the agreement. Nelson Abbott feels that
35 the developer should cover the cost then be reimbursed from the city if the cost is not met. If Salisbury
36 doesn't sell all lots, the re-imburement would be delayed and the city would have to cover costs. Dale
37 Bigler questioned if the bond would cover the cost. Mr. Stark stated the city has to go back to the original
38 approval. Mayor Shelley stated a discussion with Dean Ingram needs to occur. Mr. Stark suggested
39 putting the roundabout in the Capital Facilities plan and collect funds associated through impact fees and
40 could be looked into further. Mayor Shelley reported that Rick Salisbury is part of the development
41 agreement and he will pay for the cost of the roundabout when he sells lots through impact fees. He asked
42 Dean Ingram if a plan is in place. Mayor Shelley suggested bringing this forward to the next council
43 meeting to get repayment terms in plan.
44

45 6. SECONDARY WATER SYSTEM

46 Mayor Shelley reported that nothing has changed since this has been discussed but that a decision has not
47 been made. He felt this needs to be reviewed again and move forward with a direction on what the City
48 wants to do. Mr. Stark referred to the executive summary within the Secondary Water System plan. Mr.
49 Stark questioned...How does Nebo water affect this, if at all? Nebo Water Association has a lot to do with
50 how Highline Canal is handled. Mayor Shelley reported there will more than likely be an enclosure on the
51 Highline Canal and the Nebo Water Agency has delayed this project. Mr. Stark feels all decisions do not
52 need to be made now but there are some to be made to move forward. Mr. Stark referred to the summary
53 as the cheapest and easiest thing to do is conserve water. Elk Ridge uses two times more than the state
54 average on outdoor watering. Mr. Stark reported that if the city conserves 13% water, this will eliminate
55 the need and cost for a new well. He stated the city needs to do research on efforts to conserve outdoor

1 watering. Brittany Thompson is working on amending the City Code to enforce water conservation
2 methods. Mr. Stark reported that conservation within the State will be mandatory in the future and the city
3 will benefit itself in conserving. Mr. Stark stated that if the city cannot conserve, then it has to consider the
4 issue with ULS which won't come into effect for years. The other option is the Highline Canal option
5 which is highly expensive. The City might come to the point that protests will be made in regards to
6 drilling wells. Dale Bigler questioned if the new development should still be required to install PI.
7 Brittany Thompson feels that if one source dries up, then all will dry up. She feels the city should drill its
8 own well to have control over it. This is a cheaper option and benefits all residents. She feels the
9 application to drill should be done as soon as possible to avoid future protests. Mr. Stark reported we are
10 in need of a new well now as this summer water usage is creating loss production in water storage.

11
12 **7. WATER/SEWER RATE INCREASE**

13 Mayor Shelley reported that the City's main source for income is property tax. The city is a bedroom
14 community and has no other source of tax revenue. Water has to sustain itself. Depreciation costs should
15 be collected and set aside for future costs. New construction is paying impact fees to provide water.
16 Overall maintenance has to be paid for somehow. Curtis Roberts, the City's Financial Director, has
17 reviewed the numbers in the water department and reported that the city needs an additional \$13 per
18 customer per month to keep the water department afloat. The last water increase was 8-12 years ago. He
19 hopes we can cut the increase by conserving water. If the city wants to maintain its bedroom community,
20 it has to make changes. Mayor Shelley reported the EPA has set new requirements for Payson Sewer and
21 costs of improvement may be passed onto our residents. Nelson Abbott reported the Sewer is an enterprise
22 fund and runs on revenue generated from water. When water rates were increased last time, the State
23 required the raise due to our new well. He felt the raise should not occur until the State requires us to do
24 so. He would like to see a rate study and justification of a water increase and not just a report from our
25 Financial Director. Mayor Shelly stated Curtis Roberts will be here to present reasons behind a water
26 increase. Mayor Shelley asked council if the City should save for future projects or bond for them.

27
28 **8. PLANNING COMMISSION COMPENSATION**

29 Mayor Shelley reported Council had the discussion at the last meeting. The discussion was to pay the
30 Planning Commission members \$25 per meeting attended and the funds would come from City Council's
31 compensation. Nelson Abbott feels that the compensation should be covered from Developers since
32 Planning Commission is in relation to development. Mayor Shelley responded that Planning Commission
33 serves the entire city and not just new development. Dale Bigler and Mayor Shelley are willing to allow
34 \$50 cut from their compensation to go towards Planning Commission compensation. Compensation
35 would be a motivation for the Planning Commission Members to attend. Mayor Shelley stated the
36 compensation is not included within the budget and therefore has to come out of another source.

37
38
39 Mayor Shelley closed the City Council Work Session at 7:56 pm.

40
41 **ELK RIDGE**
42 **CITY COUNCIL MEETING**
43 **July 14, 2015**

44
45 **TIME AND PLACE OF MEETING**

46 This regularly scheduled Meeting of the Elk Ridge City Council, was scheduled for
47 **Tuesday, July 14, 2015, at 7:00 PM**; this meeting was preceded by a **City Council Work Session**
48 **Meeting at 6:00 PM**. The meetings were held at the Elk Ridge City Hall, 80 East Park Drive, Elk
49 Ridge, Utah.

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51 Chronicle, 145 E. Utah Ave, Payson, Utah, and to the members of the Governing Body, on
52 July 10th, 2015.

53
54 **ROLL CALL**

55 Mayor: Hal Shelley

1 Council Members: Brian Burke, Dale Bigler, Nelson Abbott, Brittany Thompson, Paul Squires
2 Others: Melanie Hoover, *Deputy Recorder*; Royce Swensen, *Recorder*; Cody Black, *Public Works Director*
3 City Planner: Shay Stark
4 Public: Jim Chase, Becky Shelley, Lucretia Thayne, Paul Crook, Trent Jessee, Tricia Thomas, Anita Ault,
5 Dean Ingram, Ty Ellis, Dennis Jacobsen, Robin Clawson

6 **OPENING REMARKS** An invocation was offered by Mayor Shelley and he led those present in the Pledge of
7 Allegiance, for those who wished to participate.
8

9 **PLEDGE OF ALLEGIANCE**

10
11 **AGENDA TIME FRAME**

12 **NELSON ABBOTT MOVED, DALE BIGLER SECOND, TO APPROVE THE AGENDA TIME**
13 **FRAME, ADJUSTING THE START TIME TO 7:57 PM.**

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

15
16 **PUBLIC FORUM**

17 Lucretia Thayne feels that development costs needs to be passed onto the developers. She asked the Council
18 to please make sure they are aware of the fine details and costs before any rate increase is approved.

19 Ty Ellis felt the city could look at a 5 year projection instead of 20 years as 20 years is too far out to estimate.
20 In regards to funding the roundabout and other projects, he hopes that the City Council's obligation is towards
21 the residents and to protect them from being obligated to pay for something a developer proposed that could
22 possibly not happen.

23 Dennis Jacobsen just heard of a tax increase rate and hoped that it's not true. Mayor Shelley explained
24 discussion on sewer and water rate was made as well as a truth in taxation hearing will be held. Mr. Jacobsen
25 does not wants rates raised as he feels he doesn't have a say in anything. He has concerns on who is doing
26 the inspections on projects within the city. Brittany Thompson requested if he has concerns regarding
27 inspections to please call the city to ensure the job is done properly. He feels he has been blown off by the
28 council whenever he has addressed issues in the past.

29 Robin Clawson had concerns on the Canyon View Drive water line project. He feels that the city should not
30 consider increasing taxes.
31

32 7:59 pm 1. PLANNING COMMISSION MEMBER, JIM CHASE REPLACING ANDY COSTIN.

33 Mayor Shelley reported he has asked Jim Chase to serve on Planning Commission and is replacing Andy
34 Costin. Mr. Chase introduced himself and looks forward to helping to meet the needs of the citizens by
35 planning for the city.
36

37 **NELSON ABBOTT MOVED, PAUL SQUIRES SECOND, TO APPOINT JIM CHASE TO THE**
38 **PLANNING COMMISSION, REPLACING ANDY COSTIN.**

39 **VOTE: AYE (5) NAY (0)**
40
41

42 2. HARRISON HEIGHTS PHASE 4 FINAL APPROVAL

43
44 **BRITTANY THOMPSON MOVED, PAUL SQUIRES SECOND, TO APPROVE HARRISON**
45 **HEIGHTS PHASE 4.**

46 **VOTE: AYE (4) NAY (1)**

47 **NELSON ABBOTT VOTED NAY AS HE IS CONCERNED ABOUT THE LOT LOCATED NEXT**
48 **TO THE ROUNDABOUT AND THEIR DRIVEWAY ACCESS AS HE WOULD LIKE TO SEE**
49 **ONE LESS LOT IN THE PLAN TO MAKE ROOM FOR THE ROUNDABOUT.**
50
51
52

1 3. MONTAGUE SUBDIVISION PRELIMINARY/FINAL PLAT APPROVAL AND SETBACK
2 EXCEPTION APPROVAL
3

4 **DALE BIGLER MOVED, BRIAN BURKE SECOND, TO APPROVE THE PRELIMINARY AND**
5 **FINAL PLAT FOR THE MONTAGUE SUBDIVISION ALLOWING A 30' FRONT SETBACK**
6 **EXCEPTION.**

7 **VOTE: AYE (5) NAY (0)**
8

9 4. SETBACK AMENDMENT WITHIN CITY CODE
10

11 **NELSON ABBOTT MOVED, DALE BIGLER SECOND, TO APPROVE THE SETBACK**
12 **AMENDMENT AS PRESCRIBED BY THE PLANNING COMMISSION AND RECOMMENDED**
13 **BY THE CITY PLANNER.**

14 **VOTE: AYE (3) NAY (2)**

15 **BRITTANY THOMPSON VOTED NAY BECAUSE SHE FEELS THAT CHANGING THE**
16 **ENTIRE CITY CODE FOR A FEW LOTS IS RIDICULOUS. BRIAN BURKE ALSO VOTED NAY**
17 **AS HE FEELS IT SOULD BE ON AN EXCEPTION BASIS.**
18

19 Nelson Abbott reminded Council that the square footage minimum was increased without reviewing and/or
20 adjusting the setback codes. Mayor Shelley reminded Council that this setback amendment affects the entire
21 city and not just a few lots. These setback issues have needed to be addressed and were finally brought
22 forward to the City and he feels it was addressed correctly.
23

24 5. DEVELOPMENT AGREEMENT WITH RICK SALISBURY/HORIZON VIEW FARMS APPROVAL
25 Mayor Shelley requested moving this discussion to the next City Council Meeting with the intent to find
26 satisfactory answers. Brittany Thompson's concern is there is no time period in the agreement to collect
27 the money.
28

29 **NO ACTION TAKEN AT THIS TIME.**
30

31 6. SECONDARY WATER SYSTEM

32 Nelson Abbott felt that a secondary water system is not viable for the city. Cody Black requests a decision
33 to be made soon as this has been discussed several times and new subdivisions are going in therefore the
34 PI plan needs to be in play or not. Shay Stark reminded Council his discussion was not entirely based on
35 PI systems but is recommending not to close other options and move forward with conservation. As far
36 as the PI system, a decision needs to be made. Nelson Abbott requested Mr. Stark to review cost options
37 for the public and Mr. Stark did so as follows: 1) well to replace secondary water with tank at a cost of
38 \$4,636,575.00 plus operational costs at \$112,000.00 per year. 2) Utah Lake System (construction 20 years
39 out) water pipeline at a cost of \$3,500,000.00 plus operating costs at \$200,000.00 per year. 3) Transfer
40 water from ULS to Highline Canal with enclosure at a cost of \$4,700,000.00 with operation and
41 maintenance costs of \$350,000.00 per year. The City would be required to conserve at 15% to utilize
42 these options. If the city can conserve 13%, there will be no need for an additional well.
43

44 **NELSON ABBOTT MOVED, PAUL SQUIRES SECOND, TO ACCEPT THE SECONDARY**
45 **WATER STUDY AS PRESENTED.**

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

48 **PAUL SQUIRES MOVED, DALE BIGLER SECOND, TO NO LONGER REQUIRE THE**
49 **SECONDARY WATER SYSTEM TO BE INSTALLED IN NEW DEVELOPMENTS.**

50 **VOTE: AYE (5) NAY (0)**
51

52 7. WATER/SEWER RATE INCREASE

53 Mayor Shelley stated it is apparent that more time is needed to obtain more structured information in
54 regards to the water rate increase. The City has no option to the sewer rate increase as the cost is passed
55 onto the city by Payson Sewer.

1 **BRITTANY THOMPSON MOVED, NELSON ABBOTT SECOND, TO PURSUE THE**
2 **JUSTIFICATION BEHIND THE PAYSON CITY SEWER RATE INCREASE AND LOOK FOR**
3 **ADJUSTMENTS TO THAT RATE.**

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

6 8. PLANNING COMMISSION COMPENSATION

7 Mayor Shelley suggested Council wait for action until more information is obtained.
8

9 **NO ACTION TAKEN AT THIS TIME.**

10
11 9. RATIFICATION THROUGH RESOLUTION FOR THE PROPOSED TAX RATE INCREASE OF 25%

12 Mayor Shelley reported he poll voted each Council Member in regards to have a 25% tax increase
13 discussed at a Truth in Taxation Hearing on August 6 and all members agreed.
14

15 **VOTE: PAUL SQUIRES (AYE)**
16 **BRIAN BURKE (AYE)**
17 **NELSON ABBOTT (AYE)**
18 **BRITTANY THOMPSON (AYE)**
19 **DALE BIGLER (AYE)**
20

21 Nelson Abbott wanted to have clarification for the public on what is being proposed. The maximum end
22 of the increase is being proposed. He will not approve a tax increase unless he knows specifically where
23 the money will go and that it will be spent responsibly. Everything has been done to bring expenses in
24 line. There is not frivolous waste as \$135,000.00 plus has been cut out of last year's budget including
25 road repairs that need attention. Mayor Shelly stated things have been cut out of all parts of the budget
26 and pushed back years. The reality is Council were elected to these positions to take a stance for the City
27 whether the decision is popular or not. The City has not been frivolous. Hours and months have been
28 spent reviewing the budget amongst each other and professionals. A Truth in Taxation hearing will take
29 place. Ty Ellis stated he appreciates what the Council and Mayor Shelley have done in getting the City
30 where it is today in regards to the budget. It's unfortunate that a tax increase may happen but he loves the
31 bedroom community that Elk Ridge is. Dean Ingram stated that he lives here for a reason and has seen
32 great progression in staff, council, and planning commission.
33

34 10. DEPARTMENT HEAD REPORTS

35 A. Administrative & Planning Commission – Mayor Hal Shelley

36 1. Mount Nebo Water Agency

37 Mayor Shelley has not received the dollar amount in regards to the city becoming a member
38 of Mount Nebo Water Agency. It might not be possible to become a member and he will
39 have the cost to report at the next council meeting.

40 B. Roads and Storm Drains – Brian Burke

41 1. Agreement regarding High Sierra Road Project

42 Brian Burke reported Mayor Shelley updated the drafted agreement and it has been given
43 to the Penrod's. He feels a time limit needs to be set since this has been an ongoing problem
44 for over 3 years. The portion of the road they own needs to be dedicated to the city in order
45 for the city to repair it.

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

47 Dale Bigler reported both parks are complete at Elk Ridge Meadows and grass is coming in nice.
48 He would like to see the old city truck and other items listed for sale. He asked about the base mount
49 for the dinosaur for the park and it should be here next week. The next phase for the trail on
50 Alexander will be looked at. He recognized and stated he appreciated the resident's time and efforts
51 to help with the Elk Ridge Meadows Parks.

52 D. Water, Public Safety – Paul Squires

53 Paul Squires reported in regards to the regional water treatment facility. He was unable to obtain
54 the information in regards to fees and will report back at a later date.

55 E. Sewer, Sanitation & SESD – Nelson Abbott

