ELK RIDGE
CITY COUNCIL MEETING
October 11, 2016

TIME AND PLACE OF MEETING

This regularly scheduled Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, October 11, 2016, 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 October 10, 2016.

ROLL CALL

Mayor: Ty Ellis
Council Members: Tricia Thomas, Nelson Abbott, Brittany Thompson, Dale Bigler
Others: Melanie Hoover, *Deputy Recorder* and Royce Swensen, *Recorder.*
McKay Lloyd, *Public Works Director*
Cheri Rhoades, *Deputy Sheriff*
Public: JT Webster, Marta Webster, Jim Chase, Talia Christensen, Jared Peterson, Paul Crook, Karter Sorensen, Jared Barton

CITY COUNCIL WORK SESSION

6:00 pm

1. CITY COUNCIL APPLICANT INTERVIEWS.
   A. JT (Jeffery Tyler) Webster
   B. Jared Paul Peterson
   C. Paul Crook
   City Council asked each applicant various interview questions and received responses from them.

2. DISCUSSION ON ADDITIONAL FEE (LINE ITEM) ON UTILITY BILLS.
   Mayor Ellis referred to the list of items presented at the truth in taxation presentation that were to be paid with the one time funds totaling $433,000.00. This did not cover the annual cost of road salt $25,000.00, bobtail depreciation $36,000.00, and a bond payment for a new bobtail $15,000.00 per year OR $7.45 additional per month per household. Council needs to address where the on-going expenses of $76,000.00 will come from if it's not from a city bill line item or take the items to be completed off the list.
   Nelson Abbott won't approve the cost for lighting of the park.
   Dale Bigler stated the decision to not raise taxes was made since council was looking at a line item to be included on the bill. Resident's results from the survey agree to a line item to specifically see where their money goes.
   Brittany Thompson feels the city is ok for another year and feels this is a tax increase and the line item should not go forward this year. She feels that Salem Hills trail widening, park lights, aerator, could be cut from the list taking $52,000.00 from the $76,000.00 that needs to be addressed.
   Dale Bigler feels some items could be cut but a lot needs to still be funded.
   Tricia Thomas is worried that down the road, residents will be upset when large projects costing large funds are mandated or have to be completed and funds weren't set aside to fund these projects. She feels the projects and funding can't continue to be kicked down the road.

3. HORIZON VIEW FARMS PLAT B AMENDMENT DUE TO EXISTING UTILITY LINES.
   Mayor Ellis reported the plans for the trail has a utility pole in the middle. The construction of the trail has been completed. The developer couldn't go around roadside so they made a little jog on the south side of the utility pole. The plat has not been recorded yet therefore an amendment does not need to happen. This plan change is barely two steps long and the developer had no other choice. City Planner Shay Stark recommended letting council know of the adjustment on the plat before the mylar is signed and recorded with the county.

DRAFT

Nelson Abbott referred to Premier Point subdivision trail and stated that they had to move a power box for the trail.
McKay Lloyd responded that the power box was not as big of a move as a power line pole in this situation. The contractor completed this without consulting him.
Brittany Thompson asked if the city should make them move the pole to build to the plan. She wants to make sure all contractors are treated the same. She is irritated they went against what was approved without coming to the city.
Tricia Thomas wants to look at the trail before she has an opinion.

4. LEE HASKELL EXCEPTION REQUEST TO COMMERCIAL DEVELOPMENT PLAN.
Mayor Ellis moved item to be discussed after the regular city council meeting as time does not allow.

5. DISCUSSION TO CREATE PARK CODE ORDINANCE REGARDING E CIGARETTES.
Mayor Ellis does not feel that a code should be created to prevent e cigarettes in a park. The city currently relies on the county code prohibiting cigarettes in the park. This process is not worth the cost to do so.
Tricia Thomas agrees and clarified that the county or state may prohibit this in the future and the city will follow those laws at that time.
Nelson Abbott would like a letter created stating the city supports the idea of prohibiting e cigarettes, have supporting cities also sign the letter and deliver it to the county commissioners to push them to implement the idea.

6. DEPARTMENT REPORTS AS TIME PERMITS.
No discussion at this time.

7. OTHER ITEMS AS NEEDED.
Mayor Ellis moved item to be discussed after the regular city council meeting as time does not permit.

Mayor Ellis closed the City Council Work Session at 7:00 pm.

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McKay Lloyd, *Public Works Director*
Public: JT Webster, Marta Webster, Jim Chase, Talia Christensen, Jared Peterson, Paul Crook, Karter Sorensen, Jared Barton, Reece DeMille

OPENING REMARKS and PLEDGE OF ALLEGIANCE – INVITATION

Opening remarks were offered by Royce Swensen and Nelson Abbott led those present in the Pledge of Allegiance, for those who wished to participate.

AGENDA TIME FRAME

DALE BIGLER MOVED, BRITTANY THOMPSON SECOND, TO ADJUST THE START TIME TO 7:03 PM.

VOTE: AYE (4) NAY (0)

PUBLIC FORUM
7:03 pm

Jim Chase agrees with Brittany Thompson regarding the line item proposal. He feels that council should wait until next year to see if an increase is necessary. He also feels that council is throwing Paul Crook under the bus since he is on Planning Commission and feels that council should consider him to be appointed to the city council. He feels Mr. Crook has a lot of wisdom and insights on the city.
Reece DeMille, Republic Services welcomed Mayor Ellis. He stated his company wants to support the Fire Department's Chili Cook Off. He is awaiting contact with Chief Waite to arrange donations.

1. APPOINT CITY COUNCIL MEMBER.
   Dale Bigler feels Jared Peterson should be appointed.
   Brittany Thompson, Nelson Abbott, Tricia Thomas feel that Paul Crook should be appointed.

NELSON ABBOTT MOVED, TRICIA THOMAS SECOND, TO APPOINT PAUL CROOK TO THE CITY COUNCIL TO SERVE THE REMAINDER OF THIS YEAR AND NEXT YEAR FOR THE VACANT COUNCIL POSITION.

VOTE: AYE (3) NAY (1)

TRICIA THOMAS	**(AYE)**
NELSON ABBOTT	**(AYE)**
BRITTANY THOMPSON	**(AYE)**
DALE BIGLER	**(NAY)**

PAUL CROOK WAS SWORN IN BY ROYCE SWENSEN, CITY RECORDER.

2. APPOINT DALE BIGLER AS CHAIR ON WATER CONSERVATION PLAN.
   Ty Ellis referred to the last city council meeting where discussion was held to appoint Dale Bigler as chair to the water conservation committee.

BRITTANY THOMPSON MOVED, NELSON ABBOTT SECOND, TO APPOINT DALE BIGLER AS CHAIR ON THE WATER CONSERVATION COMMITTEE.

VOTE: AYE (5) NAY (0)

TRICIA THOMAS	**(AYE)**
NELSON ABBOTT	**(AYE)**
BRITTANY THOMPSON	**(AYE)**
DALE BIGLER	**(AYE)**
PAUL CROOK	**(AYE)**

3. WATER ALLOCATION FOR HARRISON HEIGHTS PHASE 9.

BRITTANY THOMPSON MOVED, NELSON ABBOTT SECOND, TO ALLOCATE 22.33 ACRE FEET OF WATER FROM THE DEVELOPER TO THE CITY OF ELK RIDGE CHANGE APPLICATION NUMBER 51-8593.

VOTE: AYE (5) NAY (0)

4. RESOLUTION TO AMEND CITY FEE SCHEDULE FOR ADDITIONAL FEE (LINE ITEM) ON UTILITY BILLS.
   Mayor Ellis stated that if this is not approved tonight, council will have to find a way to come up with the funds necessary for the on-going items. Council cannot continue to ignore depreciation any longer.
   Nelson Abbott suggested that if necessary, this proposal can be brought back to council after the item list is reviewed and discussed again.
   Brittany Thompson feels that the one time funds can cover the ongoing costs and council can address this issue next year.

NO ACTION TAKEN AT THIS TIME AS COUNCIL FEELS THIS CAN BE ADDRESSED AT A LATER DATE.

5. DECISION TO CREATE PARK CODE ORDINANCE REGARDING E CIGARETTES.
   Brittany Thompson agreed to create a draft resolution as per Nelson Abbott's request to express the city's interest in having the county update their codes to include e cigarettes.

NO ACTION TAKEN AT THIS TIME. A NEW CODE WILL NEED TO BE CREATED AND PUT IN PLACE COSTING THE CITY FUNDS COUNCIL DOES NOT FEEL NECESSARY AND FEELS THIS IS NOT A PRIORITY AT THIS POINT.

6. APPROVAL OF CITY COUNCIL MEETING MINUTES FROM SEPTEMBER 13, 2016.

NELSON ABBOTT MOVED, DALE BIGLER SECOND, TO APPROVE THE CITY COUNCIL MEETING MINUTES FROM SEPTEMBER 13, 2016.

VOTE: AYE (3) NAY (0) ABSTAINED (2)

PAUL CROOK ABSTAINED AS HE WAS NOT A MEMBER OF COUNCIL AT THIS MEETING. BRITTANY THOMPSON ABSTAINED AS SHE DID NOT READ THE MINUTES.

7. CLOSED SESSION IF NECESSARY.

ADJOURNMENT

Mayor Ellis adjourned this meeting at 7:30 pm.

CITY COUNCIL WORK SESSION
7:35 pm

1. CONTINUED WORK SESSION IF NECESSARY IN REGARDS TO WORK SESSION AGENDA ITEMS LISTED ABOVE.
   4. LEE HASKELL EXCEPTION REQUEST TO COMMERCIAL DEVELOPMENT PLAN.
   Mayor Ellis referred to the commercial development plan submitted by Lee Haskell who has made application under the existing code. The current code requires the parking to be in the rear of the development. Mr. Haskell's proposal is to have the parking in the front as it's more aesthetically pleasing as per the drawing he submitted. His plan is to have commercial buildings with residential on the second level. The planning commission is currently reviewing commercial codes and could determine the parking lot could change to be in the front but could also recommend taking the second level residential out of the code.
   Lee Haskell stated that if he were to build to current code, the back of the building will face Elk Ridge Drive and will not look as nice. He feels the front of the building needs to be on the roadside.

Mayor Ellis asked council to have discussion to give planning commission an idea of where to go with this code and to give Mr. Haskell an idea but not guarantee on hot to proceed forward.
Dale Bigler asked how many store fronts and Mr. Haskell responded 5 which allows each building 1/2 acre. He is unsure as to which type of businesses as he hasn't gotten that far yet in planning. Mr. Bigler agrees that it's more pleasing to have the store fronts face Elk Ridge Drive. He is willing to grant Mr. Haskell the exception to have the parking lot in the front.
Brittany Thompson clarified that parking lot design is for residential and commercial and residents will have access in the back of the building. She personally likes the code as written to require the parking lot behind the building.
Tricia Thomas stated she prefers the parking lot in the front of the businesses.
Nelson Abbott is conflicted. His concern is that an additional fire truck will be necessary if commercial and residential are put in. He understands this is not Mr. Haskell's issue as he has rights to his property. The way to make the plans viable is to have residential on the second level.
Brittany Thompson stated that whether she likes it or not, Mr. Haskell is in compliance and the only issue to look at now is if an exception can be granted to have the parking lot in the back.
Mr. Haskell stated the proposed 35 feet high building placed 15 feet away from the property line is overwhelming for drivers coming out of the roundabout and the 15 foot setback requirement is half the distance of residential.
McKay Lloyd has concerns with bringing the buildings out to roadside as he feels there would be confusion on which stores are there and how to access them. The other aspect is the city needs to allow economic development whenever it can. He feels it would be aesthetically pleasing to have the parking lot and store front roadside. Another concern is that just off the asphalt on Elk Ridge Drive, there is 10 inch pump line which is tied to a million gallons of water and a 12 inch pump line coming in at 5 feet to the east. In a worst case scenario if there were a leak or break, it would be easier to access under a parking lot rather than a building.
Tricia Thomas feels the drawn plans with the parking lot in the front look great.
Mr. Haskell would like this project to look nice as people are driving past it through the city.
Brittany Thompson asked if the minimum square footage requirement of the apartments would meet our city code.
Nelson Abbott responded the minimum square footage requirement addresses the residential zones, not commercial zone. He feels council needs to work with the hand their dealt with since Mr. Haskell is grandfathered in current code since application has been made. He feels there should be a little give and take here. He feels council needs to work with Mr. Haskell and by the time the plans are polished and perfected, it will look a lot nicer than the concept plans.
Paul Crook asked if the full parking lot is to be built with the first building.
Mr. Haskell's plans are to build in phases with part of the parking lot completed in each phase.
Dale Bigler feels that if commercial is built, the city needs to give it the best chance to be successful. He feels the store frontage needs to front the road and would he be willing to give the exception of allowing the parking lot in the front and keep residential on the second floor of the buildings.
Tricia Thomas agrees with Dale Bigler's statement.
Brittany Thompson feels that since the city code is lacking, a good negotiation needs to happen with Mr. Haskell.
Mayor Ellis reminded council that Mr. Haskell is really trying to work with the city.
Nelson Abbott reminded council that signage code needs to be in place before the sign permits are applied for.
Mayor Ellis asked council if they could agree to an exception to allow parking in the front, keep apartments on the second level, and have Mr. Haskell follow the anticipated code if the city can get this done in time for him. Mr. Haskell is willing to help and he cares what it's going to look like.
Nelson Abbott referred to the city's general plan and feels if the parking lot is in the front, it follows the general plan better. He would be ok with the exception request. The exception should not be granted if it's now how the commercial code will be written.
Jim Chase reported the draft that has been written in planning commission is to have the parking lot in the front, apartments on top, and the alpine look and stated this is the direction they are going.

7. OTHER ITEMS AS NEEDED.

Mayor Ellis reminded council that the next meeting with have a work session with Payson City Council beginning at 6:00 pm. There will be a regular work session at 7:00 pm and a regular city council meeting at 8:00 pm. In the future, possibly January, he would like council to discuss water and code enforcement.

Mayor Ellis referred to the letter received from Payson City regarding property off of Cove Drive that they declared as surplus and has offered to sell it to the city for $13,000 per acre.

Nelson Abbott invited everyone to the fire department's chili cook off. He would like the city to look at bidding out auditing services.

Dale Bigler reported he will attending the dispatch meeting this Thursday in Lehi.

Melanie Hoover, Deputy Recorder