

**ELK RIDGE
CITY COUNCIL MEETING
JUNE 9, 2020**

TIME AND PLACE OF MEETING

This regularly scheduled Meeting of the Elk Ridge City Council was scheduled for Tuesday, June 9, 2020,
at 7:00 PM. Due to the Coronavirus Pandemic the meeting was held via ZOOM;

Join Zoom Meeting

<https://us02web.zoom.us/j/89673306968>

Meeting ID: 896 7330 6968

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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 8, 2020.

ROLL CALL

Mayor: Ty Ellis

Council Members: Nelson Abbott, Tricia Thomas, Jared Peterson, Jim Chase, Cory Thompson

Others: Royce Swensen, *City Recorder*, David Jean, *Public Works Director*, Deputy Doyl

Public: Andy Neff, NRCS, Drew Bulow, Cindi Ellis

OPENING REMARKS- INVITATION

Opening remarks were offered by Jared Peterson

APPROVAL/AGENDA TIME FRAME

**NELSON ABBOTT MOTIONED TO APPROVE THE AGENDA AND THE TIME FRAME JIM CHASE
SECONDED.**

VOTE: AYE (5) NAY (0) APPROVED

7:00 PM - REGULAR CITY COUNCIL MEETING AGENDA ITEMS:

1. ADOPT BY RESOLUTION 20-06-09-1R THE BUDGET FOR 2020-2021 FISCAL YEAR

Mayor pointed out that employee benefits needs to be raised.

NELSON ABBOTT MOTIONED TO ADOPT RESOLUTION 20-06-09-1R BUDGET FOR THE
2020-2021 FISCAL YEAR JARED PETERSON SECONDED

VOTE: AYE (5) NAY (0) APPROVED

Jim Chase AYE

Jared Peterson AYE

Nelson Abbott AYE
Tricia Thomas AYE
Cory Thompson AYE

2. **ADOPT BY RESOLUTION 20-06-09-2R THE CERTIFIED TAX RATE**

JIM CHASE MOTIONED TO ADOPT RESOLUTION 20-06-09-2R FOR THE CERTIFIED TAX RATE OF .001599 or \$466,126 NELSON ABBOTT SECONDED

VOTE: AYE (5) NAY (0) APPROVED

Jim Chase AYE
Jared Peterson AYE
Nelson Abbott AYE
Tricia Thomas AYE
Cory Thompson AYE

3. **MUNICIPAL WASTEWATER REPORT**

David Jean presented the Municipal Water Report. There were no issues

4. **NRCS LOAFER CANYON PROJECT**

Mayor Ellis stated that there are 2 agreements for the easements, one agreement keeps the easements in perpetuity and the other keeps the easements for 5 years only. It is unlikely the residents will sign the in perpetuity agreement. The city needs to approve both of the agreements so the residents can make the choice. Initially a 15 year agreement was proposed which was not agreeable to the residents. The NRCS presented the 5 year plan to the canyon residents and was more agreeable. Mayor Ellis stated that the city attorney did not think the city should give up the perpetuity but it is up to the council. The attorney didn't see any other issues. Cory Thompson asked for clarification on if the residents accept the 5 year easement, then the city is not liable if a flood happens in 6 years due to the residents' choice and is there a reason they chose a 5 year plan why not 2 or 3 years. Mayor Ellis confirmed the liability rest with the residents if there is an event after the agreement for the easement expires. Jim Chase stated that he understood that the next 5 years is the greatest likelihood to have an event. Andy Neff (with NRCS Engineers) stated the canyon residents said that 5 years is the maximum they would be willing to accept. Tricia Thomas stated that even if the agreement is only for 5 years then the council needs to approve the agreement if that is the only way to proceed with the mitigation efforts. Discussion ensued on cost and length of the easement. Andy Neff stated there is an application pending with the Watershed Operations Program with the NRCS for permanent debris basins above these properties but is 3-5 years from being built.

JARED PETERSON MOTIONED TO APPROVE THE MUNICIPAL DRAINAGE EASEMENT FOR PERPITUITY AS STATED NELSON ABBOTT SECONDED

VOTE: AYE (5) NAY (0) APPROVED

JARED PETERSON MOTIONED TO APPROVE THE MUNICIPAL DRAINAGE EASEMENT OPTION WITH THE 5 YEAR SUNSET AS SHOWN EVEN THOUGH IT IS NOT IN THE BEST INTEREST OF THE CITY OR THE RESIDENTS JIM CHASE SECONDED

VOTE: AYE (4) NAY (1) APPROVED

Cory Thompson voted nay - stated, the city should move for a longer time period.

92 5. **SALEM CITY AND ELK RIDGE INTERLOCAL AGREEMENT**

93
94 Discussion ensued on who will determine who can unlock the city side of the meter. It was determined
95 to add in section 3 "as designated by the Mayor" instead of City Engineers or authorized representative.
96

97 JARED PETERSON MOTIONED TO APPROVE RESOLUTION 20-06-09-4R THE
98 INTERLOCAL AGREEMENT WITH SALEM WITH THE ADDITION OF "AS DESIGNATED
99 BY THE MAYOR" IN SECTION 4 TRICIA THOMAS SECONDED
00

01 VOTE: AYE (4) NAY (1) APPROVED

02 Nelson Abbott NAY

03 Cory Thompson AYE

04 Tricia Thomas AYE

05 Jared Peterson AYE

06 Jim Chase AYE

07 Nelson Abbott voted Nay as he is not comfortable with the agreement.
08

09 6. **PROPOSED AMENDMENT: RETAIL COMMERCIAL ZONE ARTICLE A**

10 Mayor Ellis stated that this is the recommendation from the Planning Commission of the Commercial
11 Code and Sign code. Discussion ensued on the businesses that were not allowed. The council was in
12 disagreement with most of the exclusions and making all business conditional use. The county has
13 planned 11200 to be a main corridor, excluding the businesses now listed excludes most anything that
14 would work in Elk Ridge. Council disagreed with not being able to transfer a business that is sold. Most
15 of the changes will not hold up legally and not in the best interest of the city. Cory Thompson stated he
16 understand that a lot of time was put into this but thinks that the changes are in the wrong direction and
17 that the code needs to be based more on making the commercial buildings fit the community This is the
18 consensus of the council.

19 7. **PROPOSED AMENDMENT: SIGNS AND ADVERTISING STRUCTURES 10-12-23**

20 Discussion ensued on electronic signs and perhaps stating what signs can be used instead off definitions
21 of all the different signs there are. Mayor Ellis will work on the code.
22

23 8. **GLADSTAN VIEW ESTATES A RELEASE FROM DURABILITY AND ACCEPT INTO THE**
24 **CITY**

25
26 JARED PETERSON MOTIONED TO RELEASE GLADSTAN VIEW ESTATES PHASE A
27 FROM DURABILITY AND ACCEPT IT INTO THE CITY TRICIA THOMAS SECONDED
28

29 VOTE: AYE (5) NAY (0) APPROVED
30

31 9. **PARKVIEW CORNER RELEASE FROM DURABILITY AND ACCEPT INTO THE CITY**

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33 JARED PETERSON MOTIONED TO RELEASE PARKVIEW CORNER FROM DURABILITY
34 AND ACCEPT IT INTO THE CITY NELSON ABBOTT SECONDED
35

36 VOTE: AYE (5) NAY (0) APPROVED
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41 10. **CAMELOT RIDGE RELEASE FROM DURABILITY AND ACCEPT INTO THE CITY**

42
43 JARED PETERSON MOTIONED TO RELEASE CAMELOT RIDGE FROM DURABILITY
44 AND ACCEPT IT INTO THE CITY JIM CHASE SECONDED

45
46 VOTE: AYE (5) NAY (0) APPROVED

47
48 11. **APPROVAL OF CITY COUNCIL MINUTES FROM MAY 12, 2020**

49 Jim Chase stated that line 80 and 81 needs to have the "and or but" removed

50
51 CORY THOMPSON MOTION TO APPROVE CITY COUNCIL MINUTES FROM MAY 12, 2020
52 WITH CORRECTION ON LINE 80-81 NELSON ABBOTT SECONDED

53
54 VOTE: AYE (5) NAY (0) APPROVED

55
56 12. **APPROVAL OF CITY COUNCIL MINUTES FROM MAY 26, 2020**

57
58 TRICIA THOMAS MOTIONED TO APPROVE THE MINUTES FROM MAY 26, 2020 JIM
59 CHASE SECONDED

60
61 VOTE: AYE (5) NAY (0) APPROVED

62
63
64 NELSON ABBOTT MOTIONED TO ADJOURN CORY THOMPSON SECONDED

65
66 VOTE: AYE (5) NAY (0) APPROVED

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Laura Oliver, Deputy Recorder