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**ELK RIDGE
CITY COUNCIL MEETING
March 8, 2016**

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TIME AND PLACE OF MEETING

This regularly scheduled Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, March 8, 2016, at 7:00 PM**; this meeting was preceded by a **City Council Work Session Meeting at 5:30 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 March 4th, 2016.

ROLL CALL

Mayor: Hal Shelley

Council Members: Brittany Thompson, Ty Ellis, Tricia Thomas, Dale Bigler, Nelson Abbott

Deputy Recorder: Melanie Hoover, *Recorder:* Royce Swensen

Public Works Director: Cody Black

Deputy Sheriff: Cheri Rhoades

Fire Chief: Seth Waite

Public: Becky Shelley, Richard Dougan, Paul Crook, Brent Skipper, Brian Burke, David Clark, Stacey Petersen, Jim Chase, Kim Christensen, Carrie Christensen, Allan Knuteson, Shawn Eliot, Ryan Cloward, Rob Fitzgerald

CITY COUNCIL WORK SESSION

5:30 pm

1. SITE VISIT
 - A. HILLSIDE DRIVE ROAD CONNECTION/SLOPE.
 - B. PARKSIDE COVE
 - C. CITY PROPERTY
 - D. COUNTY PROPERTY 11200 SOUTH AND ELK RIDGE DRIVE

2. DISCUSSION ON SITE VISITS.
 - A. Hillside Drive Road Connection/Slope.
 - B. Parkside Cove.

Cody Black stated that he feels that Hillside Drive needs to connect to Elk Ridge Drive as per the Master Plan. This has been the city's future plan on how the city was laid out for future development and was planned as an emergency exit for southern city residents.

Shay Stark stated that the senior housing overlay zone that was applied has a requirement that the streets cannot have over a 6% grade. If the city council approves the road connection, there will be slopes over the 6% grade up to 8% grade and an exception would need to be made if approved. The city street ordinances allows local streets up to 12% grade. There isn't additional exceptions that would need to be made. The question is which is more important - the connectivity of the road or meeting the code of the senior overlay zone.

Dale Bigler doesn't like to see a dead end street in regards to maintenance and snow plowing. He feels the road needs to connect through to Elk Ridge Drive. He likes the idea of the senior overlay housing development. This is an attractive appeal to the use of the land in that area.

Brittany Thompson feels the plan doesn't fit this part of the city's master plan in regards to city slope codes. As far as the road being connected, speed is an issue but this is a neighborhood/enforcement issue. She doesn't feel the amount of traffic will be increased that much but feels that the road does need to be connected for an emergency exit.

Nelson Abbott stated that he doesn't know why the grades and slopes within the senior housing overlay are any different that the rest of the city. They should all be the same and our code isn't what it should be. The code was written for the city to be able to control what happens and to allow

1 permitted use where the city wouldn't have more issues with hillsides being damaged. He feels the
2 city needs to have connections and this is an opportunity for the city to have the road put in without
3 spending a significant amount of money. The amount of traffic won't be much more than it is today.
4 He would like to find a way to make this work as seniors are a great asset within the community and
5 the proposed plan for the senior housing would allow this opportunity.

6 Ty Ellis also likes the idea to have a nice place for seniors. He's not concerned with the slope issue.
7 He feels a lot of residents will use the proposed road. The residents that will have driveways
8 connected to the road will see an amount of increased traffic that most others won't have in the city.
9 The slope is not an issue and unless weather permits, more people will use the road. He is reluctant to
10 agree with the road connection and is not convinced that the road connectivity is worth it. He feels the
11 senior housing would be nice even if the city has to make exceptions to allow it.

12 Tricia Thomas asked if fill would need to be brought in to change the slope.

13 Shay Stark responded that a few feet of fill would need to be brought in at the temporary turn around
14 location to change the slope to 11.5%. The homes there would need to be built on solid ground and
15 not on fill. In most cases at preliminary approval, grades are not looked at but he knew that grades
16 would be an issue therefore it was brought up initially to make sure plans would work in moving
17 forward.

18 Brent Skipper stated there have been multiple TRC meetings held and staff has been great to work
19 with.

20 Cody Black stated that all possibilities have been looked at and his opinion is that the road connection
21 is the best plan. The benefit of the connection far outweighs the increased traffic issue.

22 Tricia Thomas asked how this will affect the Fitzgerald's driveway and wants to make sure this plan
23 will work.

24 Shay Stark responded the developers engineer has looked at this and reported that the road would be
25 4-5 feet higher with 11.5% grade but the road swings out a bit so there is more space to make the
26 transition. It won't be perfectly flat but won't encompass his driveway.

27 Cody Black stated that Hillside Drive will be shaved off at a higher point to slope off sooner.

28 Tricia Thomas questioned what the width of the road would be.

29 Shay Stark stated this is a local street and will be a 56 foot wide right-of-way which is the same as
30 what's above. The issue that has been brought up is that Hillside Drive is fast, windy and narrow. If
31 this would be split into a connector road, would it be faster or slower? He feels that traffic will be
32 faster. The windy/narrow roads tends to slow down traffic. The only reason to make the road wider is
33 high volume of traffic and feels there will not be higher volumes of traffic on this street.

34 Tricia Thomas stated that several future roads will all be connected to Elk Ridge Drive and wonders if
35 this will help with fire and emergency escape or create a problem with one road out of town.

36 Shay Stark responded that the new sections of Elk Ridge Drive will have an extra 8 feet of pavement.
37 That area warrants the additional lane width.

38 Tricia Thomas asked Deputy Rhoades' opinion if the Hillside Road connection will be more
39 dangerous due to speed.

40 Deputy Rhoades doesn't feel this would be much different than the current Elk Ridge Drive that goes
41 up the hill. The speed limit there is 25 mph and with the lack of homes people tend to speed there.

42 Tricia Thomas wanted clarification that if the road is approved, are exceptions necessary to approve
43 the senior housing.

44 Shay Stark responded that the senior housing plan has brought this road issue up. Now that a new
45 development plan is here, the issue on the road connection in the master plan needs to be addressed. If
46 the road is allowed through, there will have to be an exception. If the road connection is not approved,
47 there will still be a different exception.

48 Seth Waite feels the road connection won't have a huge impact on emergency/fire services. In regard
49 to fire evacuation, the more routes out of town, the quicker the evacuation. In previous drills, there are
50 choke points discovered at the intersection of Park Drive and Elk Ridge Drive. If there is another
51 route, the traffic can be funneled to avoid the impact at the choke point.

52 Brittany Thompson asked what the plan is on the drainage in the ravine.

53 Shay Stark responded that the ravine is not the problem because the ravine sees little flow. The
54 developer's engineer has looked at this at a higher intensity storm level to see if overflow would be an
55 issue. The design of the ponds and the bottom of the ravine allows the flow to continue. The drainage

1 that brings water down runs below the city's water tank and down below in that direction. The
2 engineers have taken precautions to allow the flow to continue.
3 Brittany Thompson asked what the cost to the city would be if the connection is allowed versus if the
4 connection is not allowed. Cost also needs to be considered in this discussion.
5 Cody Black responded that whatever is on the developer's property is covered by the developer.
6 Anything that is off the development would be paid for by the city.
7 Shay Stark stated that the tie in to Hillside Drive includes a vertical curve which will extend into the
8 city's right-of-way. If the connection is required, the developer will have to cover the cost of the
9 vertical connection on city property. This would be minimal costs compared to the recommended
10 relocation and creation of the new permanent turnaround cost to the city if the road is not connected.

11 (out of order) C. City Property.

12 Tricia Thomas feels the 4 lots should be sold and the city should keep the rest of the property for the
13 future.

14 Brittany Thompson agrees with Tricia and feels that by keeping the 6.7 acres, that's plenty of room to
15 build a civic center and a park when the city has the money. By eliminating the debt on the property
16 the funds could then be saved to go towards the civic center and/or park.

17 Mayor Shelley stated this is the only sizable property the city owns and there is a sizable debt as well.
18 The load is paid through a sales tax revenue bond and is projected to be paid off in 6 years at
19 \$77,000.00 per year that the city could save. It would be nice not to have a debt of \$500,000.00 and
20 put the yearly payments toward future projects.

21 Ty Ellis feels the city could sell the 4 lots, reduce the debt and retain the acreage. It wouldn't make
22 sense to have to acquire property later when the city has the property now.

23 (out of order) D. County Property 11200 South and Elk Ridge Drive.

24 Mayor Shelley reported this is county property. The proposal is to have the property be zoned as
25 commercial if it ever were to be annexed into the city. There was a public hearing with Planning
26 Commission in this regards. The property owners have a concern that the acreage is too much land to
27 be zoned commercial. The sales tax generated from businesses would be beneficial for the city. The
28 types of businesses need to be beneficial to the city as well. He asked for continued discussion to be
29 held at a later time.

30
31 3. SETH WAITE/FIRE DEPARTMENT, ISO PRESENTATION.

32 Seth Waite presented council with a report on the city's ISO rating in response to Brittany
33 Thompson's questions in a previous meeting. He reported that the fire department is already to the
34 point of needing a new fire truck. The city has a lack of personnel issue as personnel is considered in
35 the evaluation and point rating system. He explained the point system and how the ISO rating is
36 determined. The city's current ISO rating is a 5. The city is only 7 points away to get a rating of 4.
37 Our city has a better than average rating as most ratings country wide are between 5-9. The easiest
38 way to get more points for the better rating is to have an extra engine and personnel on hand to avoid
39 Payson responding. The report he presented is an overview. He has an appointment for next week to
40 meet with them to help the city get a better point rating plan for the future. The ISO rating is
41 significant to residents as it keeps the cost of homeowner's insurance down. The higher the ISO rating
42 the higher the homeowner has to pay on insurance.

43 Tricia Thomas asked how often the city is rated.

44 Seth Waite responded the city is rated every 5 years. The next rating should be in 2019 and a request
45 for a sooner rating can be made. Every rating point change makes a difference on homeowner's
46 insurance. What is the city willing to spend to get the rating lowered? Population, building and
47 numbers of response calls has an impact on the rating system.

48
49 4. DEPUTY CHERI RHOADES, NOISE ORDINANCE PRESENTATION.

50 Cheri Rhoades stated her presentation is in regards to current issues of a noise nuisance in a specific
51 neighborhood. The question is if the situation is a nuisance or not. Two council meetings ago, a
52 resident presented an issue of a health hazard in regards to noise. Some of the information received
53 was not accurate. She wants council to understand the bigger picture. In March of 2015, the issue was
54 presented to her and was not pursued due to lack of evidence of it being a nuisance and a repetitive

1 problem. The complainant was told to contact the city and he is now demanding results. The major
2 issue the complainant made was that hearing damage is at risk. She researched OSHA standards and
3 performed her own readings with a certified decibel meter device. She presented an overhead view
4 that OSHA requires hearing protection on anything over 85 decibels as hearing damage can occur IF
5 there is 8 hours of consecutive noise. She referred to common tools, street bikes, ATV's used in
6 neighborhoods that are above 85 decibels. If the racecars are banned then all common tools will have
7 to be banned within the city. All these items may be loud but won't cause hearing damage. Can the
8 race cars be singled out? The loudest rev that was metered on the racecar was at 112 decibels at close
9 range within the garage. Readings from 10 feet of the car was rated at 85 decibels and below and is
10 not a hearing damage issue. Hearing loss is not at risk however it may be considered a nuisance. The
11 only way this could cause hearing damage if is someone is right next to the car. The point isn't to
12 justify the existence of the cars. The conflict is what is considered continuous or repetitive as stated in
13 the city code and everyone has their own opinion. The cars never rev over 15 minutes and has to be
14 revved as part of the warming up process. She feels that nuisance would be a more appropriate
15 approach instead of a safety issue. If repetitive starting and revving is banned this will have a domino
16 effect with cars, ATV's, and dirt bikes being started in the city. The complainant wants zero starting
17 and feels the two codes are cut and dry. However, the city, the City Attorney, Sheriff Rhoades and the
18 County Attorney feel the code is not cut and dry. The code lists items of nuisance with specific causes
19 and a race car is not included in the list. The question is, what can be done? Should the definition of
20 continuous and repetitive be re-defined? Should it be left as is and handled on a case by case basis as
21 problems arise? Or should the code be eliminated? Both parties need an answer on what they can do.
22 This has been going on for a year and needs a solution. The race car owners feel they are being
23 singled out and have made sure they don't start them after hours.
24 Tricia Thomas thanked Deputy Rhoades for her research and clarification of the issue. She feels this
25 is a slippery slope. If the city says no to this, then pretty soon no one will be able to even mow their
26 lawns.

- 27
28 5. SCHOLARSHIP RESOLUTION DISCUSSION.
29 No discussion was made.

30
31 Mayor Shelley closed the City Council Work Session at 8:00 pm.

32
33 **ELK RIDGE**
34 **CITY COUNCIL MEETING**
35 **March 8th, 2016**

36
37 **TIME AND PLACE OF MEETING**

38 This regularly scheduled Meeting of the Elk Ridge City Council, was scheduled for
39 **Tuesday, March 8th, 2016, at 7:00 PM**; this meeting was preceded by a **City Council Work**
40 **Session Meeting at 5:30 PM**. The meetings were held at the Elk Ridge City Hall, 80 East Park
41 Drive, Elk Ridge, Utah.

42 Notice of the time, place and Agenda of these Meetings, were provided to the Payson
43 Chronicle, 145 E. Utah Ave, Payson, Utah, and to the members of the Governing Body, on March
44 4th, 2016.

45
46 **ROLL CALL**

47 *Mayor:* Hal Shelley

48 *Council Members:* Brittany Thompson, Ty Ellis, Tricia Thomas, Dale Bigler, Nelson Abbott

49 *Deputy Recorder:* Melanie Hoover, *Recorder:* Royce Swensen

50 *Public Works Director:* Cody Black

51 *Deputy Sheriff:* Cheri Rhoades

52 *Public:* Becky Shelley, Richard Dougan, Paul Crook, Brent Skipper, Brian Burke, David Clark, Stacey
53 Petersen, Jim Chase, Kim Christensen, Carrie Christensen, Allan Knuteson, Shawn Eliot, Ryan Cloward,
54 Rob Fitzgerald

1 **PARAGRAPH 2 THAT AFTER NOVEMBER 9, 2017 THERE IS A PERIOD AND WE STRIKE**
2 **WHEREAS THE TERM AS DETERMINED BY PUBLIC WORKS DIRECTOR CODY BLACK.**

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

4
5 3. **AMEND GENERAL PLAN IN REGARDS TO HILLSIDE DRIVE ROAD CONNECTION,**
6 **RECOMMENDATION FROM PLANNING COMMISSION.**

7 Nelson Abbott has a concern if this road plan is changed because it doesn't meet the code and how firm
8 is the city willing to be on this when High Sierra and Fairway Drive is extended as those may need
9 exceptions as well in regards to slopes. He feels this could be sent back to planning commission for
10 review of the transportation map for future road connections.

11 Brittany Thompson feels that exceptions on developments is not okay. She feels that council needs to
12 say enough is enough and if a developer wants to be here then they need to follow code. If the code
13 needs to be changed, then Council needs to change them.

14 Brent Skipper stated the Cloward's (property owners) have written a letter in support of his proposed
15 development. He agreed to forward this letter to council. They recognize this is a growing market
16 segment of the community. This is more of an empty nester active community. This will be a smaller
17 impact on schools, roads, etc. and hopefully most of these future residents can donate time and
18 knowledge to the city. He is willing to either build the road or not build the road. The only exceptions
19 he would look for is in regards to the slope grades.

20 Dale Bigler agrees with Nelson. We are a hillside community and he feels that you won't find any
21 hillside community that can't grant an exception. The 6% grade may not be an accurate figure and may
22 need to be changed in the codes to reflect what is realistic in development in different areas of the city.
23 The more cul-de-sacs and dead ends, the harder it is for maintenance for the city. He is in favor of
24 connecting the road.

25 Ty Ellis commented that the code could be changed but that more exceptions may come forward in the
26 future. He feels the code should be kept tighter and look at exceptions as they arise rather than relax the
27 code. He feels there will always be exceptions as it is the nature of the game.

28 Brittany Thompson feels if the road does not continue, this will be a big cost to the city to re-build the
29 temporary cul-de-sac into a permanent cul-de-sac and feels the city cannot burden this cost.

30 Nelson Abbott agrees with Brittany's statement.
31

32 **BRITTANY THOMPSON MOVED, DALE BIGLER SECOND, TO LEAVE THE GENERAL**
33 **PLAN IN PLACE WHERE HILLSIDE DRIVE CONTINUES TO CONNECT TO ELK RIDGE**
34 **DRIVE.**

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

36 **TY ELLIS AND TRICIA THOMAS VOTED NAY.**

37
38 4. **PARKSIDE COVE PRELIMINARY PLAT APPROVAL.**

39 Brittany Thompson asked about the setbacks on lots 23-28.

40 Shay Stark responded these are zero lot lines. What she is seeing is a private area. The setback is to the
41 foundation.

42 Brittany Thompson feels the senior housing overlay zone does not fit the harmony in regards to
43 development grades. She is in favor of senior housing but feels this is not the right location and it
44 doesn't fit. She agrees with Shaun Eliot that senior housing should be in smaller clusters throughout
45 the community as per the city code.

46 Shay Stark reminded council that when the senior overlay zone was approved, the exception to allow
47 the 15.49 acres was approved. If a developer comes in and the city sticks with the 6 acres increments,
48 the city cannot see the big picture for all of the land. Road connections are based on guesses at that
49 point and how does the city know that the road connections that are being made need to be made? That's
50 why Elk Ridge Meadows was approved at 122 acres annexation so the city council and planning
51 commission at that time could see the whole picture connecting trails, roads and visualizing the open
52 space to see how it all ties together. As this has been discussed previously, the limitation of 6 acres does
53 not allow the city to see the big picture on what ultimately happens.

1 Brittany Thompson feels the intent of the code was not to have all the acreage together but to have
2 pocket parks throughout the community.

3 Brent Skipper reminded her that when the senior overly zone and exception was approved last fall, the
4 HOA discussed will maintain the green space as a selling point for low maintenance. A small unit
5 development creates less viability.

6 Dale Bigler disagrees with Brittany and feels the plan fits in the view of what he would like to see in
7 the city. If homes are put in instead, there will be no open space and more roads. He feels this will be
8 one of the most attractive points and fit nicely within the city. There will be a tree line and fence with
9 open space. Little developments in other city's usually aren't maintained by HOA's and tend to not
10 maintain their aesthetics. He feels this plan is much better than putting in residential homes.

11 Tricia Thomas asked if parking is going to be an issue with visitors.

12 Brent Skipper responded that each unit will have a 22 foot wide, 24 feet deep two car garage with two
13 parking space areas in front of the garage allowing 4 vehicles per property.

14 Brittany Thompson pointed out other areas in the city with less slope that would fit better for this type
15 of development and feels it doesn't fit here in regards to the general plan.

16 Ty Ellis asked what the setbacks are.

17 Shay Stark responded the setbacks are at 20 feet.

18 Ty Ellis wondered if certain vehicles will fit in the driveway.

19 Cody Black responded the setback is to the right-of-way and there will be an additional 9 feet to the
20 road.

21
22 **NELSON ABBOTT MOVED, DALE BIGLER SECOND, TO GRANT THE PRELIMINARY**
23 **APPROVAL FOR THE PARKSIDE COVE PRELIMINARY PLAT SHEET 2 WITH HILLSIDE**
24 **DRIVE CONNECTING.**

25 **VOTE: AYE (4) NAY (1)**
26 **BRITTANY THOMPSON VOTED NAY**

27
28 **5. AWARD BID FOR EXPLORATORY WELL.**

29 Cody Black stated two bids were submitted for the project. The recommendation is to go with Hydro
30 Resources with their bid at approximately \$125,000.00. The city engineer has done background and
31 recommendation checks on this company. He feels this bid is at a good number as it's lower than what
32 he expected. This test well will be drilled at the south west corner of Elk Ridge Meadows Phase 2 park.
33 Nelson Abbott asked how to keep people away after the test well is drilled and capped and asked if it
34 would be fenced.

35 Cody Black responded it depends on what the city wants to do after the test well is done. If it produces
36 like expected then we will proceed with drilling the actual well. If it doesn't produce, there is a line
37 item on the bid to fill it back in so there wouldn't be a pipe sticking out.

38 Shay Stark responded that this can be kept within the well property site as a monitoring well. This gives
39 a point to allow us to drop meters and sensors down to see what's happening with the aquifer and can
40 be very valuable to the city.

41 Brittany Thompson is still not sure why we are drilling a well on the north end of town instead of the
42 south end of town up Loafer Canyon. She feels that in the long run it would be a cheaper route to drill
43 south.

44 Cody Black responded the city has consulted with a hydrologist and a geologist. Their recommendation
45 is to drill north for best production and lift above. There is not water available up above as there is down
46 below. All wells that have been drilled in town were looked at by the professionals and they decided
47 down below at the north end of town is the best spot.

48 Mayor Shelley also responded that the water drainage will go to the lowest point of the valley. The
49 perched aquifer gets drainage from what's up above, and not below. He would prefer to have it above
50 but it is not possible.

51 Shay Stark responded that for redundancy, a lower well is needed. One of the goals was to have a well
52 if Cloward well goes down, to produce the higher output. Up top will not produce the higher output. As
53 the city grows in the future, another well will be needed for redundancy.

- 1 No report at this time.
2 D. Sewer, Sanitation & SESD – Cody Black
3 No report at this time.
4 E. Economic Development & Code Enforcement – Mayor Shelley
5 No report at this time.
6

7 7. APPROVAL OF FEBRUARY 9, 2016 MINUTES.

8 Brittany Thompson requested a change to page 5 lines 26 and 39 to include accounting/financial.

9 **NELSON ABBOTT MOVED, BRITTANY THOMPSON SECOND, TO APPROVE THE MINUTES**
10 **FROM FEBRUARY 9, 2016.**

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

12 APPROVAL OF FEBRUARY 23, 2016 MINUTES.

13
14 **BRITTANY THOMPSON MOVED, TY ELLIS SECOND, TO APPROVE THE CITY COUNCIL**
15 **MEETING MINUTES FROM FEBRUARY 23, 2016.**

16 **VOTE: AYE (4) NAY (0) ABSTAINED (1)**

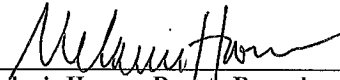
17 **NELSON ABBOTT ABSTAINED AS HE WAS UNABLE TO ATTEND THE FEBRUARY 23, 2016**
18 **CITY COUNCIL MEETING.**

19
20 8. CLOSED SESSION IF NECESSARY.

21 Closed session was not necessary.

22
23 ADJOURNMENT

24
25 Mayor Shelley adjourned this meeting at 8:30 pm.

26
27 
28 _____
29 Melanie Hoover, Deputy Recorder