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**ELK RIDGE
CITY COUNCIL MEETING
October 25, 2016**

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TIME AND PLACE OF MEETING

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This regularly scheduled Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, October 25, 2016, at 8:00 PM**; this meeting was preceded by a **Joint City Council Work Session at 6:00 pm**; and a **City Council Work Session Meeting at 7:00 PM**. The meetings were held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah.

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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 October 24, 2016.

ROLL CALL

Mayor: Ty Ellis

Council Members: Tricia Thomas, Nelson Abbott, Brittany Thompson, Dale Bigler, Paul Crook

Payson City Mayor: Richard Moore

Payson City Council Members: Brian Hulet, Doug Welton, Linda Carter, Mike Hardy (Scott Phillips absent)

Others: Dave Tuckett, *Payson City Manager*; Jill Spencer, *Payson City Planner*; Sarah Hubbs, *Payson City Recorder*; Travis Jockumsen, *Payson City Public Works Director*; Mark Sorenson, *Payson City Attorney*

Others: Melanie Hoover, *Deputy Recorder* and Royce Swensen, *Recorder*.

McKay Lloyd, *Public Works Director*

Cheri Rhoades, *Deputy Sheriff*

Public: Dan Shaw, Debra Cloward, Mary Allred

JOINT CITY COUNCIL WORK SESSION AGENDA ITEMS:

6:00 pm

1. DISCUSSION WITH PAYSON CITY COUNCIL REGARDING ANNEXATION AREA.

Mayor Ellis welcomed all present.

David Tuckett stated this process started several months ago when Lee Haskell approached Payson City Council in regards to his property west of Elk Ridge Drive stating he would like to develop it.

The current interlocal agreement lists this property as part of Payson's Annexation Boundaries.

Payson does not have a water supply to his property at this point. A well is drilled but they still need a water tank. Mr. Haskell would like Payson to allow him to annex into Elk Ridge and tie into Elk Ridge water line until Payson can get their water supply there. Previous meetings have been held with Payson City Staff, Royce Swensen and Mayor Shelley and it was discussed whether Elk Ridge would be comfortable having Payson properties connect to Elk Ridge water system. There is also an issue of Payson's east side plan annexing less than 300 acres. He clarified Mr. Haskell's property is approximately 70 acres. Payson Council wanted to meet with Elk Ridge Council to get their feelings on this annexation area.

Mayor Ellis asked when the interlocal annexation agreement was established. He referred to Elk Ridge's 2010 General Plan and stated this area is listed as Elk Ridge annexation area so it must have been modified at some point. He is worried there is a misalignment of the dates he is aware of.

Mike Hardy responded that this is a question that Payson City Council has as they understand that previous agreements have been in place.

David Tuckett stated the current interlocal agreement with Elk Ridge annexation areas was signed in 2005. At that time, there was no overlap with the boundaries. In 2009 or 2010, Elk Ridge amended growth boundaries which created some overlaps on areas. His understanding is that both Elk Ridge and Payson Council's approved the agreement and was handled through proper procedures.

Mike Hardy stated that given the growth that Elk Ridge has, Payson is wondering where Elk Ridge is going and how it's going to interact with the previous agreements.

Nelson Abbott stated that one issue is that Elk Ridge is allowed a maximum of 1500 sewer connections to Payson and this limits where Elk Ridge can go.

1 Dale Bigler clarified the golf course water line comes over P Mountain. He would be in favor of
2 annexing Mr. Haskell's property into Elk Ridge at this point.

3 Brian Hulet asked if Elk Ridge has the ability to provide services to this area.

4 Nelson Abbott responded that according to the Capital Facilities plan, once a certain number of
5 homes are built then a new well will need to be built.

6 Mayor Ellis stated that Elk Ridge has the capacity according to the number of current connections at
7 approximately 900 homes.

8 Dan Shaw feels that the city has some fiduciary responsibility to the land owners that are inside city
9 limits. The land being addressed is not within city limits. He feels the city should complete a study to
10 prove it has the availability of water and storage, the bonding capacity to build it, the reserves to
11 maintain it and if proven, can add more ground to the city limits through annexation.

12 Mayor Ellis clarified the residents would not subsidize the cost of annexing, it's a developer cost.

13 Brittany Thompson feels that impact fees don't cover all costs associated with maintaining residences
14 and an additional fire truck may be necessary. She feels negotiations need to occur to allow
15 annexations and the city has that ability.

16 Mike Hardy stated he is more concerned with the annexation boundaries and where Elk Ridge plans
17 to go in the future. Payson's east side plan governs how city's can annex. The residents in this area
18 are not protected at all if Elk Ridge annexes this property.

19 Debra Cloward (Allred Orchards) stated that Payson's east side plan protects their farm with required
20 easements that Elk Ridge does not have.

21 Mayor Ellis stated this would make an awkward annexation area and asked Payson what they would
22 do with the property if they can't tie into Elk Ridge water system. He has concerns with Elk Ridge
23 resident's negative feelings on connecting Payson properties to Elk Ridge water.

24 Mayor Moore stated he was under the impression from previous meetings that Elk Ridge wouldn't be
25 willing to work with Payson with this water issue.

26 Nelson Abbott stated when the question was asked the timing was off due to a water crisis in Elk
27 Ridge and there will be additional redundancy in the future with a new well.

28 Mayor Moore stated that if Payson hooks up to Elk Ridge water or not, he would be bothered if Elk
29 Ridge would not allow them to connect to the water but then would annex the property into Elk
30 Ridge. The property is not going to benefit Payson a lot. If this property were to be annexed into Elk
31 Ridge, it would allow homes to be closer to Allred Orchards and Payson will have to re do their East
32 side plan over a matter of only 15-20 homes. He asked if both council's agree with the interlocal
33 agreement or if a new one needs to be created.

34 Tricia Thomas responded that maybe a new agreement would be necessary whether it stays the same
35 or not, so they are all under the same understanding.

36 Mayor Ellis stated that annexation area maps have been conflicting. He would like the agreement
37 refreshed so that Elk Ridge's general plan matches what is in the written agreement. As neighbors, we
38 need to make sure we agree to an agreement.

39 Nelson Abbott has full confidence that the properties could connect to Elk Ridge water on paper
40 however perception vs reality. This agreement should be part of Elk Ridge's general plan. The current
41 annexation map now conflicts with the agreement. The map change happened in 2010.

42 Mayor Moore feels he has done his best to work well with everyone. He would like an updated
43 interlocal agreement.

44 Mayor Ellis feels that Elk Ridge needs to take what's in the general plan, look at the agreement
45 signed in 2005 and look at the discrepancy areas to be able to come into alignment.

46 Mayor Moore stated the only area really at issue is Mr. Haskell's property.

47 Dave Tuckett feels Salem needs to be involved as well. It would be good to look at the overlap areas
48 and Payson needs to look at how this will affect their east side plan.

49 Mayor Moore asked why they would want to change their east side plan when they went to the
50 property owners for their input back when it was created.

51 Brittany Thompson responded that they may want to change their east side plan since they can't
52 provide water to the property.

53 Mayor Moore feels both council's should look at the agreement and hash it out together at additional
54 meeting(s). If this can be worked out now, it can help everyone down the road.

1 Both Councils and Mayors agreed to meet again on November 16 at 8:00 pm at the Payson City
2 Council chambers.
3 Mayor Ellis would like to work out the boundaries with Payson first before meeting jointly with
4 Salem.

5 Mayor Ellis closed the Joint City Council Work Session at 6:45 pm

6
7 **ROLL CALL**

8 Mayor: Ty Ellis

9 Council Members: Tricia Thomas, Nelson Abbott, Brittany Thompson, Dale Bigler, Paul Crook

10 Others: Melanie Hoover, *Deputy Recorder* and Royce Swensen, *Recorder*.

11 McKay Lloyd, *Public Works Director*

12 Cheri Rhoades, *Deputy Sheriff*

13 Public: Jim Chase, Cindi Ellis

14 **CITY COUNCIL WORK SESSION AGENDA ITEMS:**

15 7:00 pm

16 1. **DISCUSSION FOLLOWING JOINT CITY COUNCIL WORK SESSION.**

17 Royce Swensen, clarified that Mayor Shelley and he met with Payson Staff and discussions were
18 reported back in a previous council meeting. He knows there is a map that shows Mr. Haskell's
19 property is in Payson's Annexation boundary. It was discussed that if it was in their annexation area,
20 Elk Ridge would support it being annexed into Payson. At that time, he directed Mr. Haskell to
21 approach Payson. He also clarified that there was no commitment, only discussion made on whether
22 Elk Ridge would service the water as the decision would be made by the council.

23 Nelson Abbott feels that if Payson cannot provide the water, and they can't annex it in regarding their
24 300 acre requirement, there's nothing Elk Ridge can do. He feels that residents may be upset if Elk
25 Ridge provided water to Payson properties.

26 Mayor Ellis asked what Payson should provide to the city if Elk Ridge provided water to them. This
27 has to be a positive impact to Elk Ridge and its residents. He doesn't understand why Payson would
28 want to keep the boundaries as they are. He suggested council read Payson's east side comprehensive
29 plan.

30 Brittany Thompson was under the impression that Payson wants Elk Ridge to provide them a favor.

31 Nelson Abbott knows that discussions are being made in Payson regarding four bay and wants to
32 know how this comes into play.

33 Tricia Thomas questioned why Payson is concerned that Elk Ridge doesn't have enough water but
34 then they want to buy the water from Elk Ridge. She referred to this as a reason Payson stated they
35 feel it shouldn't be annexed into Elk Ridge and that doesn't make sense.

36
37 2. **OPTIONS REGARDING CITY PROPERTY 4 RESIDENTIAL LOTS.**

38 Mayor Ellis reported that Planning Commission will hold a public hearing regarding the city's request
39 to rezone the 1.71 acres of city property from public to 4 residential lots. The question is whether to
40 leave it raw ground or develop it. The risk versus the benefit needs to be visited. If the city could
41 make approximately \$400,000 by selling this property, it could be beneficial to the city. A decision
42 needs to be made.

43 Nelson Abbott worries about spending the funds to develop the property without a guarantee the lots
44 will sell.

45 Tricia Thomas responded these are premium lots and it is a calculated risk. She feels the property
46 should be rezoned and sold.

47 Brittany Thompson feels they need to look at getting the most value for the city, raw ground versus
48 developed lots. Most of the risk is the construction/utility costs and those get paid at the end of the
49 process. If the market crashed and the lots were not sold, the city would have only invested \$20,000 at
50 that time, not over \$110,000 and the city would still retain the property. The property could be
51 retained until the market picks back up. She wondered what would be done with the land if kept.

52 Tricia Thomas feels the lots should be developed and sold to pay off most of the bond the city owns
53 on the property (approximately \$500,000).

1 Mayor Ellis feels there is a need in the city for a new city office. The current city building is to be
2 public safety only. He feels the additional city property is the perfect place for a new office and he
3 doesn't know any other way to pay for it without an option as this. Until the city collects sales tax
4 with commercial development, there is no other option. He feels that taxes shouldn't be increased to
5 fund a new building when there is an option to obtain the funds elsewhere.
6

7 3. COMPLAINT FORM INFORMATION.

8 Mayor Ellis stated he and staff wanted a formality on how to handle resident complaints.

9 Royce Swensen referred to the created complaint form as a paper trail and complaints can then be
10 forwarded to appropriate departments to be handled.

11 Dale Bigler feels it's important to notify residents of this process.

12 Royce Swensen stated it is already on the city website and will be included in the newsletter.

13 Mayor Ellis feels that remaining anonymous is an option but they will need to include their name on
14 the form. If they don't, it lessens the nature of the complaint to a certain degree.

15 Brittany Thompson has concerns in anonymous complaints remaining anonymous.

16 Tricia Thomas stated that complaints are handled through administration and this will help complaints
17 filter through the proper procedures.

18 Mayor Ellis emphasized that council direct complaints they personally receive to the city office.
19

20 4. PROPERTY SALE OFFER FROM PAYSON CITY.

21 Mayor Ellis referred to the parcel map and sale offer that Payson made to Elk Ridge. They have listed
22 this property as surplus and it's located by the water tank. He wonders why Payson isn't offering the
23 thin parcel where the golf cart path was. This would be access to the property. He asked what the
24 property would be used for if purchased and asked if it adds value to the water tank.

25 McKay Lloyd can see some value if an additional tank or well is necessary in that location. He stated
26 that we have access to the property through easement to the current tank.

27 Brittany Thompson feels if the offer would be made, this thin parcel would have to be part of the sale.
28 The property is not big enough for a cemetery. She feels this could be beneficial for an additional
29 tank.

30 Royce Swensen stated that Payson has made surrounding property owners aware of the sale offer as
31 well.

32 Tricia Thomas wants to determine a use for the property before considering the purchase.
33

34 5. DISCUSSION OF LANDSCAPING ISLANDS ON ELK RIDGE DRIVE.

35 Mayor Ellis presented the three bids from landscaping companies. All three companies will guarantee
36 work for 1 year. If the job is not completed this fall then new bids will need to be provided in the
37 spring which will be at higher costs. Does council want to issue the contract now and who do they
38 want to contract with? All bids meet the bid requirements.

39 Mayor Ellis asked how council feels about having volunteers perform the labor to save on costs. The
40 road will need to be closed in order to landscape and he would like it closed the least amount of time
41 as possible. Volunteer projects will take a lot longer and the number of volunteers could be an issue.
42 Hiring professionals might be the best option regarding performance and time.

43 Royce Swensen stated the budget will need to be amended to cover the cost and a public hearing will
44 be necessary to hear public input.

45 McKay Lloyd stated the water line needs to be run to the islands. The developer will run the line if
46 directed and the water won't be turned on until spring.
47

48 6. DEPARTMENT REPORTS AS TIME PERMITS.

49 McKay Lloyd reported the walking trail is completed on Canyon View Drive.

50 Dale Bigler reported a lot of crack sealing has been done. The trails in the lower parks have been
51 sealed.
52

53 7. OTHER ITEMS AS NEEDED.

54 No other items were discussed at this time.
55

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

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3 **ELK RIDGE**
4 **CITY COUNCIL MEETING**
5 **October 25, 2016**
6

7 **TIME AND PLACE OF MEETING**

8 This regularly scheduled Meeting of the Elk Ridge City Council, was scheduled for **Tuesday,**
9 **October 11, 2016, at 8:00 PM;** this meeting was preceded by a **Joint City Council Work Session at 6:00**
10 **pm;** and a **City Council Work Session Meeting at 7:00 PM.** The meetings were held at the Elk Ridge
11 City Hall, 80 East Park Drive, Elk Ridge, Utah.

12 Notice of the time, place and Agenda of these Meetings, were provided to the Payson Chronicle,
13 145 E. Utah Ave, Payson, Utah, and to the members of the Governing Body on October 24, 2016.
14

15 **ROLL CALL**

16 Mayor: Ty Ellis

17 Council Members: Tricia Thomas, Nelson Abbott, Brittany Thompson, Dale Bigler, Paul Crook

18 Others: Melanie Hoover, *Deputy Recorder* and Royce Swensen, *Recorder.*

19 McKay Lloyd, *Public Works Director*

20 Cheri Rhoades, *Deputy Sheriff*

21 Public: Jim Chase, Cindi Ellis

22 **REGULAR COUNCIL MEETING AGENDA ITEMS:**
23

24 **OPENING REMARKS and PLEDGE OF ALLEGIANCE – INVITATION**

25 Opening remarks were offered by Cindi Ellis and Dale Bigler led those present in the
26 Pledge of Allegiance, for those who wished to participate.
27

28 **AGENDA TIME FRAME**

29 **NO ACTION NECESSARY**

30 **PUBLIC FORUM**

31 7:00 pm

32 There were no public comments.
33

34 1. DETERMINE OPTION REGARDING CITY PROPERTY 4 RESIDENTIAL LOTS.

35
36 **BRITTANY THOMPSON MOVED, DALE BIGLER SECOND, THAT THE CITY SELL OFF**
37 **THE IMPROVED 4 PARCEL LOTS (PARCEL D) WHEN RE-ZONED AS R-1-15,000**
38 **CONTINGENT UPON RE-ZONING FROM PUBLIC TO RESIDENTIAL.**
39

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

41
42 **NELSON ABBOTT VOTED NAY AS HE FEELS IT SHOULD NOT BE DETERMINED UNTIL**
43 **IT'S PUT OUT TO CONTRACT FOR SELL OR UNTIL MONEY IS SPENT FOR THE**
44 **INFRASTRUCTURE.**
45

46 2. LANDSCAPING ISLANDS ON ELK RIDGE DRIVE.
47

48 **DALE BIGLER MOVED, TRICIA THOMAS SECOND, TO ACCEPT THE BID FROM**
49 **OLSEN'S GARDEN SHOPPE AS ITEMIZED IN THE AMOUNT OF \$39,276.51 TO BE**
50 **COMPLETED WHEN THE WATER LINES ARE PUT IN UPON APPROVAL OF THE**
51 **AMENDMENT OF THE BUDGET TO FINANCE.**
52

1 VOTE: AYE (5) NAY (0)

- 2
3 3. APPROVAL OF CITY COUNCIL MEETING MINUTES FROM SEPTEMBER 27, 2016.
4 Nelson Abbott referred to page 4 line 38 to correct the spelling of Brittany Thompson's last name.

5 NELSON ABBOTT MOVED, DALE BIGLER SECOND, TO APPROVE THE CITY COUNCIL
6 MEETING MINUTES FROM SEPTEMBER 27, 2016 WITH THE CORRECTION ON
7 SPELLING OF BRITTANY'S LAST NAME ON PAGE 4.

8
9 VOTE: AYE (4) NAY (0) ABSTAINED (1)

10
11 PAUL CROOK ABSTAINED AS HE WAS NOT A MEMBER OF THE CITY COUNCIL AT
12 THAT TIME.

- 13
14 4. APPROVAL OF CITY COUNCIL MEETING MINUTES FROM OCTOBER 11, 2016.

15 PAUL CROOK MOVED, NELSON ABBOTT SECOND, TO APPROVE THE CITY COUNCIL
16 MEETING MINUTES FROM OCTOBER 11, 2016.

17
18 VOTE: AYE (5) NAY (0)

- 19
20 5. CLOSED SESSION IF NECESSARY.
21 Closed session was not necessary.

22
23 **ADJOURNMENT**

24 Mayor Ellis adjourned this meeting at 7:15 pm.

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26 **ROLL CALL**

27 Mayor: Ty Ellis
28 Council Members: Tricia Thomas, Nelson Abbott, Brittany Thompson, Dale Bigler, Paul Crook
29 Others: Melanie Hoover, *Deputy Recorder* and Royce Swensen, *Recorder*.
30 McKay Lloyd, *Public Works Director*
31 Cheri Rhoades, *Deputy Sheriff*
32 Public: Jim Chase, Cindi Ellis

33
34 **CITY COUNCIL WORK SESSION**

35 7:20 pm

- 36 1. CONTINUED WORK SESSION IF NECESSARY IN REGARDS TO WORK SESSION AGENDA
37 ITEMS LISTED ABOVE.

38
39 OTHER ITEMS AS NEEDED:

40 Mayor Ellis asked council to discuss the trail jog in Horizon View Farms Plat B.

41 Nelson Abbott and Tricia Thomas reported they walked the job site.

42 Mayor Ellis stated the entire trail is not straight. He agrees with Brittany Thompson in principal that
43 the city shouldn't be soft on issues. However, an issue was ran into with the utility lines. The
44 developer gave up some of his land so the trail won't have to be over the easement. A minor
45 adjustment was made to allow room for the trail. He trusts city staff out in the field and feels if this
46 was a big deal, it would have been addressed. There are field adjustments that have to be made. He
47 doesn't want to eliminate council out of things but feels this was handled appropriately through staff.
48 There has been no harm done to the city in this situation.

49 Brittany Thompson feels that if a change in the approved plans needs to be made then it needs to be
50 approved through city council. She feels the developer broke the law by not building to what was
51 approved.

1 Tricia Thomas feels that a mountain is being made out of a molehill. All common sense is being lost
2 now.

3 Mayor Ellis stated the trail is in, what can be done? The plans include the pole in the trail. The
4 developer could file a lawsuit and would likely win since the property he gave up was his own.

5 Brittany Thompson thinks the developer should build to plans or put in a public works parking lot.
6 She feels negotiations need to be made as this is a business.

7 Nelson Abbott feels that the developer has worked with the city in the past when there was pushback
8 regarding townhomes. He feels the city should work with him.

9 Mayor Ellis clarified the underground utilities would have to be moved. If you analyze the site and
10 common sense, the idea of the developer giving up land and having the trail further from 11200
11 south is a better design than the approved plan. This was simply a field modification. Do we want
12 lawsuits involved?

13 McKay Lloyd stated that the city runs into field modifications all the time. If everything is to go
14 through city council, then council might as well get rid of the public works director position and city
15 engineer/planner position. Together they make the best possible educated decisions that they can.
16 Small adjustments are made by consulting with the engineer and planner.

17 Mayor Ellis asked if there are three council members to sign the plat.

18 Brittany Thompson feels the developer is doing whatever they want and the city is just rolling over.

19 McKay Lloyd responded that the city does not roll over for developers. There are many examples
20 where he has made developers tear up new concrete/infrastructure to build to code/plans.

21 Dale Bigler stated that the concern should be presented to the developer and move forward.

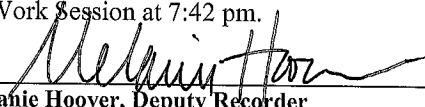
22 Nelson Abbott stated the reality is that the city is more willing to work with developers than other
23 cities. He doesn't want the common sense to be gone.

24 Mayor Ellis is more concerned with exceptions being made rather than field modifications being
25 made.

26
27 Dale Bigler reported that he and staff have reviewed the water conservation plan. The goal is to have
28 a graph print on the utility bills which shows year usage history. Also, purchasing and replacing new
29 meters and new water rates need to be addressed. The water conservation plan needs to be approved
30 by December 13 to follow state law requirements.

31 Royce Swensen stated the main focus is to address the water rate structure.

32
33 Mayor Ellis closed the City Council Work Session at 7:42 pm.

34
35 
36 Melanie Hoover, Deputy Recorder