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**ELK RIDGE  
CITY COUNCIL MEETING  
November 15, 2016**

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**TIME AND PLACE OF MEETING**

This regularly scheduled Meeting of the Elk Ridge City Council, was scheduled for Tuesday, November 15, 2016, at 7:00 PM; this meeting was preceded by a Public Hearing at 6:00 PM; a City Council Work Session at 6:10 PM; and an additional City Council Work Session at 8:00 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 November 10, 2016.

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**ROLL CALL**

Mayor: Ty Ellis

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

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

Cheri Rhoades, *Deputy Sheriff*

McKay Lloyd, *Public Works Director*

Public: David Ellsworth, Becky Ellsworth, Dona Jones, Wayne Jones, Monika Cloward, Mary Carol Allred, Debra Cloward, Megan Ellsworth, Bradan Ellsworth, Jim Chase, Dean Ingram, Cindi Ellis, Adam Hickman, Daniel Meredith, Angie Datin

**PUBLIC HEARING**

6:00 pm

1. AMEND THE 2016-2017 BUDGET TO ALLOCATE FUNDS TO LANDSCAPE THE ISLANDS ON ELK RIDGE DRIVE.

Mayor Ellis stated in a previous council meeting, the landscaping of the islands was approved by council and this public hearing is a technical issue along with the amendment of the budget for the cost associated. Royce Swensen clarified that the revenue and expense side of the budget needs to be adjusted. The developer of Elk Ridge Meadows is to reimburse the city in 4 different installments at the time of final approval of phases 8-11 in the amount of \$105,982.00 (\$26,495.50 each installment). Phases 8 and 9 installments are now due to the city. The proposal is to use the installments to landscape the islands. The bid is for approximately \$45,000.00 and will be completed this spring.

Mayor Ellis asked for public comment and there were no comments.

Mayor Ellis closed the public hearing at 6:05 pm.

**ROLL CALL**

Mayor: Ty Ellis

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

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

Cheri Rhoades, *Deputy Sheriff*

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Public: David Ellsworth, Becky Ellsworth, Dona Jones, Wayne Jones, Monika Cloward, Mary Carol Allred, Debra Cloward, Megan Ellsworth, Bradan Ellsworth, Jim Chase, Dean Ingram, Cindi Ellis, Adam Hickman, Daniel Meredith, Angie Datin

**CITY COUNCIL WORK SESSION AGENDA ITEMS**

6:10 pm

1. ALLRED ORCHARDS PROPERTY.

Debbie Cloward and Becky Ellsworth introduced themselves as owners of Allred Orchards. They are farmers and have intentions and goals of retaining the orchards as farm land. Payson City, at the time of creating their East Side Comprehensive Plan, approached the Allred's to help them protect their orchards. At this time, Payson gave them 30 feet easements as a buffer to protect their land. If Mr.

1 Haskell's property is annexed into a city, as per Mr. Haskell's request, Allred Orchards prefers to  
2 have the property annexed into Payson instead which allows them to keep the easement buffer and  
3 protect their orchards. They also have concerns about density in regards to vandalism.  
4 Nelson Abbott referred to the requirement Payson has to annex no less than 300 acres at a time.  
5 Debbie Cloward stated they are agriculture protected within the county and prefer to stay county  
6 property. She stated they want Elk Ridge to know they plan to remain orchards.  
7 Mayor Ellis feels that envision Utah is a wise thing for Elk Ridge to consider and the city needs to  
8 find a wise balance.  
9

10 2. DEVELOPER EXCEPTION ON FRONTAGE REQUIREMENT FOR HARRISON HEIGHTS  
11 PHASE 3 LOT 18.

12 Mayor Ellis referred to the provided plat of the property.

13 Dean Ingram stated this is a ½ acre corner lot and there is a curve line which makes the frontage  
14 requirement 5 inches short. The setback requirements are all met. The utility lines are on Christley  
15 Lane. If an exception can't be made and the home has to face Meadow Lark Lane, the road would  
16 need to be dug up to access the utilities and the homeowner won't be able to have a walk out  
17 basement and will be limited on yard space. He is asking for a 5 inch exception on the frontage  
18 requirement to allow the home to face Christley Lane.  
19

20 3. PROPOSED DEVELOPMENT CODE AMENDMENT 10-15D-2, RECOMMENDATION FROM  
21 PLANNING COMMISSION.

22 Mayor Ellis referred to the development code which requires developers to complete the  
23 improvements in subdivisions by October 1. If a subdivision is approved September 30, technically  
24 the code would require them to have it constructed the next day. The requested change is to allow  
25 them 1 year from the date of final acceptance since projects take approximately 1 year to complete  
26 due to weather issues.

27 Brittany Thompson has concerns with giving the developers one full year to complete the projects.

28 Dale Bigler clarified the projects are required to be bonded for one full year.

29 Nelson Abbott stated that the time frame change is in the city's best interest which allows the  
30 contractor's time to do the job right and not be rushed to complete the job.

31 Mayor Ellis clarified that if a project isn't completed by Oct 1, and an extension is requested, the city  
32 has to grant that extension of 6 months as per city code.

33 Dean Ingram stated that the improvements are made on private property since the lots aren't recorded  
34 yet therefore the owner takes the risk, not the city.  
35

36 4. PURCHASE OF BACK UP WELL PUMP AND MOTOR.

37 Mayor Ellis referred to the quote from Widdison Turbine Services to purchase a replacement well  
38 pump and motor.

39 Nelson Abbott asked if the pump and motor could be compatible with other wells.

40 McKay Lloyd responded he doesn't have an answer since the new well design hasn't been completed  
41 at this time.

42 Brittany Thompson stated the compatible pump and motor may not be wanted since new technology  
43 will be available with newer well designs.

44 McKay Lloyd prefers a spare pump and motor for each well.

45 Brittany Thompson asked if time/weather decreases the life of the pump and motor being stored.

46 McKay Lloyd responded the pump and motor will be stored in the pump house away from weather.  
47 The bearings will be turned periodically to eliminate them from going flat.

48 Mayor Ellis responded that more than likely, the pump and motor will not sit for ten years since  
49 pumps and motors will be pulled and serviced every 6 to 8 years. He also clarified the cost will be  
50 funded through the water fund and depreciation savings.  
51

52 5. WATER CONSERVATION PLAN

53 Dale Bigler reported a plan is in place to reduce water consumption by having a graph printed on  
54 utility bills to show residents their yearly water consumption. This is included in the water

1 conservation plan that is required by the state. He would like the council to look at billing rate options  
2 as state law requires increment rate billing to be higher than the base rate.

3 Mayor Ellis stated this plan needs to be approved and provided to the state by December 31. He is  
4 currently working on numbers for a new rate structure. A work session will be held to discuss the  
5 options on water rates.

6 Royce Swensen wants a feel on how council wants to go on the rate structure.

7 Mayor Ellis stated he would like to leave the base rate at \$40 but not allow 12k gallons of usage  
8 within that rate. He would like the first tier set at approximately .50 per 1,000 gallons usage.

9 Paul Crook asked what the status is on changing out old meters.

10 McKay Lloyd stated this is a huge part of the conservation plan for usage accuracy however the funds  
11 to replace are not in the budget. He is currently replacing meters as they break.

12  
13 6. PAYSON'S EAST SIDE COMPREHENSIVE PLAN AND 2005 INTERLOCAL AGREEMENT  
14 Discussed in the continued work session as documented below.

15  
16 7. PARKVIEW CORNER PRELIMINARY APPROVAL AND RECOMMENDATIONS FROM  
17 PLANNING COMMISSION  
18 No discussion at this time. Drainage issues need to be addressed with the Planning Commission.

19  
20 8. DEVELOPMENT SIGN CODE DISCUSSION  
21 No discussion at this time.

22  
23 9. DURABILITY FUNDS HELD AFTER COMPLETION OF TYPE II SLURRY SEAL DISCUSSION  
24 No discussion at this time.

25  
26 10. DEPARTMENT REPORTS IF TIME PERMITS  
27 No department reports at this time.

28  
29 Mayor Ellis closed this work session at 7:00 pm.

30  
31 **ELK RIDGE**  
32 **CITY COUNCIL MEETING**  
33 **November 15, 2016**

34  
35 **TIME AND PLACE OF MEETING**

36 This regularly scheduled Meeting of the Elk Ridge City Council, was scheduled for Tuesday,  
37 November 15, 2016, at 7:00 PM; this meeting was preceded by a Public Hearing at 6:00 PM; a City  
38 Council Work Session at 6:10 PM; and an additional City Council Work Session at 8:00 PM. The  
39 meetings were held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah.

40  
41 Notice of the time, place and Agenda of these Meetings, were provided to the Payson Chronicle,  
42 145 E. Utah Ave, Payson, Utah, and to the members of the Governing Body, on November 10, 2016.

43  
44 **ROLL CALL**

45 Mayor: Ty Ellis

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

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

48 Cheri Rhoades, *Deputy Sheriff*

49 McKay Lloyd, *Public Works Director*

50 Public: Jim Chase, Dean Ingram, Cindi Ellis, Adam Hickman, Daniel Meredith, Angie Datin

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52  
53 **REGULAR CITY COUNCIL MEETING AGENDA ITEMS**

54 *7:00 pm*

1 **OPENING REMARKS and PLEDGE OF ALLEGIANCE - INVITATION**

2 Opening remarks were given by Mayor Ty Ellis and Nelson Abbott led the pledge of  
3 allegiance for those who wished to participate.  
4

5 **AGENDA TIME FRAME**

6 **NO ACTION TAKEN AT THIS TIME.**  
7

8 **PUBLIC FORUM**  
9

10 Adam Hickman has concerns regarding the changing of the speed limits. He lives on Park Drive and  
11 understands the 25 speed limit may be increased to 30 mph. He presented the distance it takes to stop at  
12 different speeds and wants council to consider this before increasing the speed limit on Park Drive.

13 Angie Datin agrees with Mr. Hickman. She also asked council to consider building sidewalks if the speed  
14 limit is increased.

15 Daniel Meredith resides on Sky Hawk Way. He wants his concerns on record in regards to the blind corner  
16 intersection of Sky Hawk Way and Elk Ridge Drive. He referred to the line of sight at 45. He feels the foot  
17 marking isn't the concern, it's the safety issue. He stated that blanket safety is the number one factor and  
18 needs to be addressed by the city. He has concerns with life loss, property loss, the home owner or the city  
19 being sued.  
20

- 21 1. AMEND THE 2016-2017 BUDGET TO ALLOCATE FUNDS TO LANDSCAPE THE ISLANDS  
22 ON ELK RIDGE DRIVE

23  
24 **NELSON ABBOTT MOVED, DALE BIGLER SECOND, TO AMEND THE 2016-2017**  
25 **BUDGET TO ALLOCATE FUNDS TO LANDSCAPE THE ISLANDS ON ELK RIDGE**  
26 **DRIVE TO MOVE THE FUNDS FROM THE REVENUE SIDE TO THE EXPENSE SIDE IN**  
27 **THE AMOUNT OF \$45,000.00.**

28  
29 **VOTE: AYE (5) NAY (0)**  
30

- 31  
32 2. DECISION ON DEVELOPER EXCEPTION ON FRONTAGE REQUIREMENT FOR HARRISON  
33 HEIGHTS PHASE 3 LOT 18  
34

35 **NELSON ABBOTT MOVED, PAUL CROOK SECOND, TO GRANT THE EXCEPTION**  
36 **REQUEST FOR HARRISON HEIGHTS PHASE 3 LOT 18 TO ALLOW THE HOME TO**  
37 **FACE CHRISTLEY LANE.**

38  
39 **VOTE: AYE (5) NAY (0)**  
40

- 41 3. DECISION ON PROPOSED DEVELOPMENT CODE AMENDMENT 10-15D-2  
42

43 **NELSON ABBOTT MOVED, DALE BIGLER SECOND, TO ADOPT THE PROPOSED**  
44 **DEVELOPMENT CODE AMENDMENT 10-15-D-2 AS WRITTEN.**

45  
46 **VOTE: AYE (5) NAY (0)**  
47

48 **PAUL CROOK AYE**  
49 **TRICIA THOMAS AYE**  
50 **NELSON ABBOTT AYE**  
51 **BRITTANY THOMPSON AYE**  
52 **DALE BIGLER AYE**

- 53  
54 4. DECISION ON PURCHASE OF BACK UP WELL PUMP

1  
2 **DALE BIGLER MOVED, NELSON ABBOTT SECOND, TO APPROVE OPTION NUMER 2,**  
3 **13 CMC-10 PUMP PURCHASE, IN THE AMOUNT OF \$13,980.00.**

4  
5 **VOTE: AYE (5) NAY (0)**  
6

- 7 5. DECISION ON PURCHASE OF BACK UP WELL MOTOR  
8

9 **NELSON ABBOTT MOVED, DALE BIGLER SECOND, TO PURCHASE THE MOTOR IN**  
10 **THE AMOUNT OF \$22,807.00.**

11  
12 **VOTE: AYE (5) NAY (0)**  
13  
14

- 15 6. APPOINT JARED PETERSON TO PLANNING COMMISSION TO FILL PAUL CROOK'S SEAT  
16 Mayor Ellis reported that he met with Jared Peterson, who has indicated his willingness to serve on  
17 the Planning Commission. He recommended a motion to appoint Jared Peterson to the Planning  
18 Commission.  
19

20 **NELSON ABBOTT MOVED, PAUL CROOK SECOND, TO APPOINT JARED PETERSON**  
21 **TO THE PLANNING COMMISSION TO FILL PAUL CROOK'S VACANCY.**

22  
23 **VOTE: AYE (5) NAY (0)**  
24

- 25 7. APPROVAL OF MINUTES FROM JULY 27, 2016 CITY COUNCIL MEETING  
26

27 **NELSON ABBOTT MOVED, TRICIA THOMAS SECOND, TO APPROVE THE MINUTES**  
28 **FROM JULY 27, 2016 CITY COUNCIL MEETING.**

29  
30 **VOTE: AYE (4) NAY (0) ABSTAINED (1)**  
31

32 **PAUL CROOK ABSTAINED AS HE WAS NOT A MEMBER OF THE CITY COUNCIL AT**  
33 **THE TIME OF THE JULY 27, 2016 MEETING.**  
34

- 35 8. CLOSED SESSION IF NECESSARY  
36 Closed session was not necessary.  
37

38 **ADJOURNMENT**

39 Mayor Ellis adjourned this meeting at 7:27pm.  
40

41 **ROLL CALL**

42 Mayor: Ty Ellis

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

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

45 Cheri Rhoades, *Deputy Sheriff*

46 McKay Lloyd, *Public Works Director*

47 Public: Jim Chase, Dean Ingram, Cindi Ellis, Adam Hickman, Daniel Meredith, Angie Datin,  
48 Shawn Eliot  
49

50 **CITY COUNCIL WORK SESSION**

- 51 (out of order) 1. PRESENTATION OF COMPLETED TRAFFIC STUDY

52 Shawn Eliot referred to a power point presentation he provided to the council of the traffic study  
53 conducted by the county. He referred to the 85<sup>th</sup> percentile rule where 85% of drivers drive at or

1 under certain speeds. He stated that speeds are to be set by engineering judgment and policy rather  
2 than emotion. If speed limits are set too low, most drivers ignore it. He referred to Elk Ridge code  
3 of what speed limits are to be set depending on which types of roads they are classified as. He  
4 referred to the times of the day where most traffic occurs. Elk Ridge Drive has the least  
5 compliance to the posted speed limit. He referred to the traffic volumes for certain roads in Elk  
6 Ridge and read the results from the study. The study's speed limit recommendations are as  
7 follows: Gooseneck Drive West 30 mph (currently 25 mph), Rocky Mountain Way 30 mph  
8 (currently 25 mph), Park Drive West 30 mph (currently 25 mph), Park Drive East 30 mph  
9 (currently 25 mph), Loafer Canyon Road 35 mph (currently 25 mph), Elk Ridge Drive South 35  
10 mph (currently 25 mph), Elk Ridge Drive Center 35 mph (currently 25 mph), Elk Ridge Drive  
11 North 35 mph (currently 25 mph). His recommendation is to replace the white 15 mph signs in the  
12 roundabout to yellow, where it's a suggested speed not an enforceable speed. The Sky Hawk  
13 Way/Elk Ridge Drive curve blind spot has issues. He feels that speed will slow down when areas  
14 build up. His final recommendations are as follows: 1) council drive each road at the proposed  
15 speeds and see if it seems safe and reasonable. 2) set speed limits by traffic standards and not by  
16 emotion or here say. 3) in 6 months and after new speed limits, redo speed studies to show after  
17 results and 4) allow law enforcement to go after egregious speeders.

18 Brittany Thompson requested to discuss the fence issue on Elk Ridge Drive and Sky Hawk Way.  
19 Since public is in attendance to discuss she would like to discuss it now.

20 Tricia Thomas suggested that a council member talk to the home owner to discuss the issue and  
21 see what options could be agreed upon. She feels that since the fence is built to code, the issue is  
22 the road and the expense to move the fence should be covered by the city.

23 Mayor Ellis prefers to restripe the road. He would like code enforcement to verify that all codes  
24 are met as a starting point.

25 Brittany Thompson feels the homeowner could be liable for damages if an accident happens and  
26 feels it should be fixed at the home owner's expense.

27  
28  
29 2. CONTINUED WORK SESSION IF NECESSARY IN REGARDS TO WORK SESSION  
30 ITEMS LISTED ABOVE:

31 (6. as listed above) PAYSON'S EAST SIDE COMPREHENSIVE PLAN AND 2005  
32 INTERLOCAL AGREEMENT.

33 Mayor Ellis stated that the meeting tomorrow night with Payson City Council is in regards to the  
34 interlocal agreement and Payson's east side comprehensive plan. The four bay issue just came up  
35 and as per the agreement and now four bay comes into play.

36 Brittany Thompson wants everyone to keep in mind that whatever is discussed has to be mutually  
37 beneficial so that it's not a breach of the agreement. She reviewed the agreements content, not  
38 what it should say.

39 Mayor Ellis has questions on the annexation boundary map that Elk Ridge has in the general plan  
40 and would like the minutes of the change if possible. If the changes are not found in minutes, the  
41 change to the map was made in violation. If actions from both Elk Ridge and Payson are not found  
42 in the minutes, then Elk Ridge needs to change the general plan back to match the agreement.

43 Brittany Thompson would like Payson to provide Elk Ridge with any joint planning sessions held  
44 with Elk Ridge in the past.

45 Nelson Abbott stated the property owners want to exercise their property rights, whether they stay  
46 in county or are annexed into Payson or Elk Ridge.

47 Brittany Thompson has concerns with Payson advertising their intent to sell four bay and as per  
48 the agreement, they were required to notify Elk Ridge of their intent to sell. If Lee Haskell asks  
49 Elk Ridge to annex his property and the city agrees, the city will be in breach of contract. A  
50 mutual agreement from Payson would have to be in place first before Elk Ridge could agree to the  
51 annexation. Mr. Haskell needs to approach Payson first.

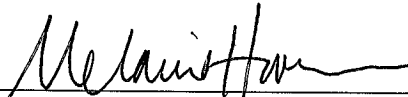
52 Discussion ensued on the wordage within the agreement and the lack of details.

53 Tricia Thomas referred to the last meeting with Payson and asked if a new agreement should be  
54 written.

1 Nelson Abbott and Brittany Thompson both feel that this could be an option as long as the  
2 agreement is mutually beneficial to both Elk Ridge and Payson.

3 Mayor Ellis clarified how he wants to approach Payson at tomorrow night's meeting. He wants  
4 Payson to know that Elk Ridge has no intent of deviating from the interlocal agreement. Elk Ridge  
5 annexation plans includes an overlap but there is nothing binding until an annexation happens  
6 unless Mr. Haskell can convince both Payson and Elk Ridge to agree. If this doesn't happen, it  
7 could be annexed into Payson without any discussion from Elk Ridge or it could remain as county  
8 property. If Payson wants to annex the property and requests to have Elk Ridge provide water,  
9 Elk Ridge should disagree as the residents of Elk Ridge would not be in agreeance.

10  
11 Mayor Ellis closed this work session at 8:30 pm.  
12  
13  
14

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17 \_\_\_\_\_  
18 Melanie Hoover, Deputy Recorder