

ELK RIDGE
CITY COUNCIL MEETING
March 10, 2009

TIME & PLACE
OF MEETING

This Regularly Scheduled Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, March 10, 2009, at 7:00 PM**; this was preceded by a **City Council Work Session at 6:00 PM. The Public Hearing on Impact Fees scheduled for 6:00 PM was cancelled.**

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, UT, and to the members of the Governing Body, on March 6, 2009; and an Amended Agenda on 3-9-09.

6:00 PM –

PUBLIC HEARING – CULINARY WATER, WASTEWATER COLLECTION & ROADWAY IMPACT FEES CANCELLED (To be re-scheduled)

6:00 PM -

CITY COUNCIL WORK SESSION AGENDA ITEMS

ROLL

Mayor Pro-tempore: Raymond Brown; *City Council:* Nelson Abbott, Julie Haskell, Sean Roylance & Derrek Johnson (Mayor Dunn: Absent); *Public:* Scouts: Dallin Kimber, Spencer Weakley, Payton Kimber, McKay Simmons & Jonny Weakley; Rodger Hardy (Deseret News), *High School Students:* Kaitlyn Jones, Brianna Jones, Sara Callor, Nicole Bradley, Kevin Stringham, Howard Van Nostringam, George P. Ranks, Davey Jones, Eric Johansen, Marvin J. Pimp (sure), Smelty R. Hooglehof (?), M. Mitchell, Kurst Mackzie, Dean Christensen; Melanie Paxton; and the *City Recorder:* Janice H. Davis

ADMINISTRATIVE
PROTOCOL

Raymond Brown: Councilmember Brown has had extensive experience in Human Relations, as related to various working environments. He conducted what could be considered a “training session” with the idea of assisting the Council in gaining a better perception of one another, as well as their particular duties as elected officials. Through a power point presentation as well as various exercises meant to cast a positive light on themselves, one another, the Mayor and the Council, as a legislative body.

The Mayor, the City Recorder and Councilmember Brown attended a Utah League Conference two years ago where they were given a type of personality analysis; they are very different types. Councilmember Brown is trying to get this “test” for the Council to take, but has not been successful to date. The point of the “test” was to point out that, though certain types may differ, there is a way to learn to function with a positive attitude of cooperation...and still be effective.

Knowing one another makes a difference in the level of respect and understanding that exists from one person to another. Knowing another person also reveals which “buttons” not to push for the sake of better communication.

- “If it is to be, it is up to me.”
- Everyone should take responsibility for their own areas and the Council, as a whole, should take advantage of the various areas of expertise that are made available through the experience of the individual Council members and the contracted professionals.
- Repeating things over and over again tends to be a waste of time. (Example: Building Heights were revisited numerous times; he feels that was too much time to spend on one subject...but re-hashing things seems to occur on things the Council has already voted on. This happens often.
- If there are areas of disagreement, it should be worked out between the individuals, not in a public meeting. Words and intent can be misunderstood and mis-quoted.

Comments:

The Council generally agreed with the points made by Councilmember Brown.

Nelson Abbott: He added that the individual Councilmembers really do not know one another very well; and he agreed that if they knew each other better, there would be a higher level of respect.

Sean Roylance: He had been thinking of the points being made for the last couple of weeks.

- He agrees with the things that were said.
- He also feels that the members of the Council should get to know one another better; it is difficult to find the time and there are restrictions as to the number of Councilmembers that can get together at one time, legally.
- Goals: He agrees that goal writing is important.

*Councilmember Brown asked that the Councilmembers each write up a set of goals for the Council, submit them to Jan Davis and she can compile them for the Council.

The Mayor allowed Councilmember Brown to run this portion of the Meeting; he was asked not to be in attendance and he agreed. This gave the Council an opportunity to talk and to share perspectives; some of them about the Mayor.

The Mayor is the Administrator; but he should not “do all the work”; it is not his “job”...it isn’t fair. The Council needs to be responsible for their Departments and follow-up on assignments. “Everyone needs to do a little bit more...everybody.”

Councilmember Brown asked the Recorder for any comments:

City Recorder: Having worked with many Councils and Mayors, she knows that the nature of the job of an elected official is seldom a “popular” one. Decisions made will seldom, if ever, please everyone; and this can be difficult. She also has deep respect for anyone willing to serve our City in this way.

Raymond Brown: (Quoting a former Director of Human Relations of Eastern Airline) Councilmember Brown had asked him how to be successful, in that he was taking over his job...his response, "I don't know, but I can tell you how to fail; try to please everyone...I promise you, you will fail." Councilmember Brown compared this to Mayor Dunn, saying that if he could pick a fault in the Mayor, it would be that he tried to please everyone..."sometimes you have to take the hard line and say, 'No, you can't do that'. Sometimes that is not the most popular stand, but you've got to do it; either way, you're going to lose... you can't win. Just do the right thing."

*There was a video from Utah Local Governments Trust to play; however the speakers were not connected to the equipment and that was postponed.
Since there was some extra time, some of the items scheduled for the Regular Session were discussed:*

- Planning Commission Member Appointment: Jason Bullard has applied and has been interviewed by the Mayor to be a member of the Planning Commission (replacing Russ Adamson). He moved here from Indiana; he works with artists in setting up shows to show their art. He represents the local artist, Jon McNaughton. He is married with children and is a resident of Elk Ridge.
- Dates for Joint Work Session /Payson: Councilmember Brown brought up that Woodland Hills has some problems with such things as water, financial, snowplowing, etc. (The City Council would also like to meet with Woodland Hills' Council to discuss various issues and possibilities for joint agreements.) He was talking to Corbett Stephens about re-venuing water to Woodland Hills; it would be a win/win situation.
- Re-schedule Public Hearing on Impact Fees: The Public Hearing was cancelled because the code is going to have to be re-written regarding impact fees. Last time there was a change, it was done by resolution and the current code was not updated with the changes. So there were some complications. Amy Thatcher (Aqua) did notify the people involved about the cancellation and will re-notify them of the re-scheduled Public Hearing; the date she will use is April 14, 2009, at 6:00 PM. Raymond Brown: Road Impact Fees are specific to the particular road they were collected for or adjoining roads and the rights-of-way...nothing else, like trails. Most of the City's roads are interconnected. *It needs to be checked out if overlays are considered "repairs" or "new" and if impact fees can be used on overlays. Nelson Abbott: He would like to see the "dugway" improved and widened, if possible. There have been a number of cities that have adopted road impact fees.

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7:25 PM -

CITY COUNCIL MEETING – REGULAR SESSION AGENDA ITEMS

ROLL

Mayor: Dennis Dunn; *City Council*: Nelson Abbott, Julie Haskell, Sean Roylance & Derrek Johnson & Raymond Brown; *Public*: Scouts: Dallin Kimber, Spencer Weakley, Payton Kimber, McKay Simmons & Jonny Weakley; Rodger Hardy (Deseret News), *High School Students*: Kaitlyn Jones, Brianna Jones, Sara Callor, Nicole Bradley, Kevin Stringham, Howard Van Nostringam, George P. Ranks, Davey Jones, Eric Johansen, Marvin J. Pimp (sure), Smelty R. Hooglehof (?), M. Mitchell, Kurst Mackzie, Dean Christensen; Melanie Paxton; and the *City Recorder*: Janice H. Davis

OPENING REMARKS
& PLEDGE OF
ALLEGIANCE

An invocation was offered by Raymond Brown and Brianna Jones led those present in the Pledge of Allegiance, for those willing to participate.

AGENDA TIME
FRAME

**MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY JULIE HASKELL TO APPROVE THE AGENDA TIME FRAME
VOTE: YES (5) NO (0)**

PUBLIC FORUM

Melanie Paxton: Has the City ever considered a swimming pool?
Mayor Dunn: He answered, yes; however it is cost prohibitive, particularly in the present economy.

HORSE BOARDING RATES

Mayor Dunn: (Brief Summary of why this is an Agenda item) The Mayor has sent out a couple of letters to Kevin & Melanie Paxton regarding the boarding of the horses on City property. Kevin Paxton came in to speak to the Mayor and the proposed contract to board their horses. The contract was based on the decisions made by the City Council. Mr. Paxton gave the Mayor a bit of history that he passed onto the Council: Horses have been boarded in this location for 12 or 13 years and the price for the horses had been \$25 per horse. The Paxton's horses have been occasionally to the Haskell's property to graze. Mr. Paxton requested being allowed to approach the Council and ask them to reconsider the rate being charged per horse (the rate the Council decided on was \$40 per horse/month).

Melanie Paxton: They understand that the land is City property and they are willing to pay; but are hoping that the rate will be equal to what it has been in the past; the fencing that is up belongs to the Paxton's, which should count to bring the price down a bit. Moving everything is a lot of trouble; they would like to have their horse up here in Elk Ridge for as long as they live here and would appreciate this consideration.

Raymond Brown: The price was arrived at through contacting various people that board horses in the surrounding area. The rates varied from \$125 (with nice accommodations) to \$30 (building your own stalls); he also spoke to an owner in Salem who charged \$40/horse + \$100 deposit per horse (she does not want to board horses any longer); another person charged \$45/horse (just putting the horse on the land). Kent Haskell is running the land owned by his brother, Lee Haskell< while he and his wife are on a mission; he does not want to board horses.

Melanie Paxton: She actually spoke to Lee Haskell's son and he said that Lee was agreeable to boarding horses.

Raymond Brown: He spoke to Lee Haskell before he left on his mission and he said he was turning over the management of his property to Kent Haskell, and Kent does not want to get into boarding horses.

Nelson Abbott: He also looked into the charges by talking to owners who do board them as well as going onto KSL's Web site to see what was advertised...the rates go from \$30/horse up to \$125/horse, depending on the amenities and amount of space and number of horses included. He feels \$40/horse is a fair rate, based on location and his research.

Sean Roylance: He asked Mrs. Paxton if she had done any research on other possibilities.

Melanie Paxton: She spoke to Andrew Haskell to see if they would still be willing to rent out space; and he said they are, in fact another person is going to board horses this spring. (*Councilmember Haskell commented that he only owns a ¼ of that land and the corrals are full.*) They are willing to charge \$25/horse on their ground.

Mayor Dunn: He also spoke to Kevin about the possibility of the City putting in a "salt storage shed" and it may affect the area where the Paxton's horses are located.

Nelson Abbott: Though he is fine with the contract the way it is, the City should be aware that if a fee is collected, the State law requires that a sign be posted that reads: "The owners of this facility are not liable for accidents that may occur as a result of inherent risks associated with use of this facility; barn and/or arena for equine and/or livestock type activities, as per Utah State law, Section78-27B-101".

(Cost of the sign: \$20)

Sean Roylance: He appreciates the research done by Councilmembers Brown & Abbott; but he does not feel property values are any less than a couple of years ago and perhaps the price should be lowered a bit. He suggested at least dropping the cost by \$5.

(*Councilmember Brown mentioned that the availability of horse rental property has dwindled in the general area for some reason.*)

Mayor Dunn asked the Council if the contract should be altered or left the way it is.

Julie Haskell: Given the research, the rate seems fair.

Derrek Johnson: He is okay with the rate as is.

Raymond Brown: He feels it should be left at \$40/horse; he feels it is fair.

Sean Roylance: He said that he would be more comfortable if the rate were dropped by \$5.

(*Melanie Paxton added that they do pay their own water through Gooseneck Water, as well.*)

Mayor Dunn: He reminded those present that the City did not collect any money in the past year; and at \$40/horse the City lost \$1,920 in revenue...at \$25/horse it would have been a \$1,200 loss to the City. So, basically there is a discount involved due to the year's worth of boarding at no charge.

When the City purchased the property, the Mayor was told by the former owner that the horses would be removed within three months...and they did not say who the owners are.

(*Mrs. Paxton was not informed of this by the former owners.*)

The Council chose to waive any back-charges, so that could be seen as a discount. The City is trying to be fair.

(*Mrs. Paxton said she understands that.*)

Raymond Brown: He suggested staying with the contract as it is and then to review it annually.

MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY NELSON ABBOTT TO STAY WITH THE ORIGINAL DRAFT OF THE CONTRACT, AT A BOARDING RATE OF \$40/HORSE PER MONTH; WITH THE POSTING OF THE LIABILITY SIGN ON THE CITY PROPERTY, WITH THE CITY COVERING THE COST OF THE SIGN

VOTE: YES (5)

NO (0)

A copy of the contract was given to Mrs. Paxton to consider with her husband.

PLANNING COMMISSION MEMBER APPOINTMENT

(*Jason Bullard was not present because he was at Planning Commission training.*)

The Mayor told of his interview with Mr. Bullard, who lives on Elk Ridge Drive by the brown chapel.

Mr. Bullard was a policeman in Indiana, where he ran for Mayor (unsuccessfully) and currently works with Jon McNaughton (local artist). He is anxious to serve our Community.

MOTION WAS MADE BY JULIE HASKELL AND SECONDED BY RAYMOND BROWN TO RATIFY THE POLLED VOTE TAKEN TO APPOINT JASON BULLARD AS A MEMBER OF THE ELK RIDGE CITY PLANNING COMMISSION, REPLACING RUSS ADAMSON
VOTE (POLL): DERREK JOHNSON-AYE, JULIE-AYE, RAYMOND BROWN-AYE, NELSON ABBOTT-AYE & SEAN ROYLANCE-AYE (5) NAY (0)
Passes 5-0

10 JOINT CITY COUNCIL
11 WORK SESSION WITH
12 PAYSON CITY
13 COUNCIL – DATES

Mayor Dunn: He has talked to both Payson City and Woodland Hills about getting together with them to discuss possible joint agreements/ventures. Jill Spencer is the Assistant Planner for Payson City, emailed the Mayor about a week prior to the meeting asking for some dates to choose from. And she would take them before their Council. Their Council Meetings are on Wednesdays.
Raymond Brown: An agenda for items to discuss needs to be decided on prior to meeting with their Council.
Mayor Dunn: Things to consider:
- They have 1.8 acres of Hole #7 left. They have offered it to Elk Ridge at the price we suggested some time 1 ½ ago.
- Annexation of Haskellville area and concerns associated with that
Raymond Brown: Some research would be wise to determine some of the deals cut with Payson City when they acquired the land for the Golf Course; perhaps it could be given back. The Council needs to “do our homework” and be prepared with good information.
Mayor Dunn: Closed Sessions can be used to negotiate land acquisitions.

The Council discussed dates.
Tuesdays or Wednesdays are fine with the Councilmembers; preferably Tuesdays.
April 21 or May 5 were the dates decided on.
*The Council is to discuss the Agenda items to take to Payson at the Council Meeting on April 14.

29 SCHEDULE PUBLIC
30 HEARING – IMPACT
31 FEES

MOTION WAS MADE BY NELSON ABBOTT AND SECONDED BY RAYMOND BROWN TO SCHEDULE A PUBLIC HEARING FOR APRIL 14, 2009, AT 6:00 PM; TO CONSIDER A PROPOSED ORDINANCE ADOPTING WATER, SEWER AND ROAD IMPACT FEES
VOTE: YES (5) NO (0)

34 CITY CELEBRATION

Derek Johnson: The Celebration will be coming up at the end of June. He has some concerns. Last year, the Parks Department went over budget for the Celebration; we have to pay for everything upfront, regardless of how many people from the Community show up for the Celebration.
Due to economic difficulties, he proposed some possible changes:
➢ He checked with Party Land: Most “inflatables” have stayed pretty constant in price, but the toys (prizes) have gone up considerably.
➢ He is concerned about going ahead with the Carnival portion of the Celebration (due to cost)
➢ He suggested just doing the Parade and the Mayor’s Dinner
➢ Open to suggestions

Raymond Brown: He wondered if there would still be concessions where things like hog dogs, popcorn, soda would be sold. *(That would be the Mayor’s Dinner.)*
Suggestions:
➢ Various types of tosses with water balloons (we have the boards)...using other types of prizes
➢ Dunk Tank (with the Mayor)

Julie Haskell: She suggested having the Bike Fair at that time.
Nelson Abbott: Matching the prize to the cost of the tickets might help. *(There cost of the tickets is already high for what they are getting.)*
Councilmember Abbott continued that what the City provides for the families is better than comparisons with other celebrations. There is a good feeling here, where the kids can run and have fun.
He feels there is still value associated with the event where people would be willing to pay a bit more.
- Perhaps cold beverages could be sold out on the field where the games are going on...it is hot and we might sell more.
- Assign more Eagle projects to make more games.

Derrek Johnson: The prizes will still cost, even with home-made games. Last year there were complaints about the price of the tickets for the inflatables...but they are the most popular things with the kids.
Mayor Dunn: He brought up just getting a bunch a plastic and soap on the lawn for a sliding contest...see who could slide the farthest.
Nelson Abbott: Councilmember Roylance mentioned this last year: how about providing commercial space for booths for non-competing businesses.
Raymond Brown: He added that a craft fair could bring in revenue by charging a fee for the space.
Mayor Dunn: He thought of a “Silent Auction”...he would donate some of his art and he could talk to other artists...as well as other crafts people. The Sheriff would want a booth there.
Nelson Abbott: He knows a resident that might be willing to head something liker that up; Councilmember Johnson can contact him for the name and number.
Mayor Dunn: The Firefighters’ Breakfast needs to be successful...
Nelson Abbott: He added that if there is not enough going on for the day that could negatively impact the attendance at the Breakfast.

Sean Roylance: The charge for the craft booths as well as the Silent Auction could off-set the cost of the inflatables.

Julie Haskell: Services could also be auctioned off...yard work, baby sitting, etc.

*These were all good suggestions and Councilmember Johnson will follow up on these and “get going”.

*Councilmember Abbott and Mayor Dunn will look into the Silent Auction.

*Sean Roylance knows a woman that might run a quilting booth.

EXPENDITURES:

General:

1. The axle broke on the older “Bobtail” truck; the cost of repair is not known at this point.
2. There was a flat tire on the backhoe that will need to be fixed.
3. There was a water line break on Highland Circle.
4. The telemetry on the upper tank failed.
5. Councilmember Brown had jackets, hats and shirts made for the Public Works Dept. and the cost of the purchase and the embroidery will be coming through.

Check Registers & Payroll Registers:

MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY JULIE HASKELL TO APPROVE THE CHECK AND PAYROLL REGISTERS FOR JANUARY AND FEBRUARY, 2009

VOTE (POLL) SEAN ROYLANCE-AYE, NELSON ABBOTT-AYE, RAYMOND BROWN-AYE, JULIE HASKELL-AYE & DERREK JOHNSON-AYE (5) NAY (0)

Passes 5-0

CITY COUNCIL MINUTES

City Council Minutes of 1-27-09:

MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY JULIE HASKELL TO APPROVE THE CITY COUNCIL MINUTES OF 1-27-09, AS AMENDED

VOTE: YES (5) NO (0)

A. City Council Meeting 1-13-09:

MOTION WAS MADE BY JULIE HASKELL AND SECONDED BY RAYMOND BROWN TO APPROVE THE CITY COUNCIL MINUTES OF 1-13-09

VOTE: YES (5) NO (0)

ADJOURNMENT

At 8:10 PM, the Mayor adjourned the Meeting.

City Recorder