

**ELK RIDGE  
CITY COUNCIL MEETING  
November 10, 2009**

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6 TIME & PLACE  
7 OF MEETING

This Regularly Scheduled Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, November 10, 2009, at 7:00 PM**; this was preceded by a **City Council Work Session at 6:00 PM**; and a City Council **Closed Session at 8:35 PM**.  
The meetings were held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah.

10 Notice of the time, place and Agenda of these Meetings were provided to the Payson Chronicle,  
11 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on November 6, 2009; and an  
12 Amended Agenda on 11-9-09.

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14 **6:00 PM -**

**CITY COUNCIL WORK SESSION**

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16 ROLL

*Mayor: Dennis A. Dunn; City Council: Derrek Johnson, Julie Haskell, Raymond Brown; Sean Roylance & Nelson Abbott; City Council Candidates: Kenneth Lutes, & Weston Youd; Public: Rodger Hardy (Deseret News), Chris Salisbury, & Jeffery Waterman, Jared & Rachele Curtis, Tanner Smith, Tyrel Carter & Micah Purdy; and the City Recorder: Janice H. Davis*

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21 CANVASS ELECTION

**CANVASS ELECTION RETURNS**

The City Council, lead by Mayor Dunn, canvasses the General Election returns. There was a change in the totals on one of the Talley Sheets of one vote; reflecting one last Absent Voter ballot that came in on 11-9-09...the changes were made to all the other forms, but missed the one Talley Sheet. (The voting was as follows: Kenneth Lutes, Erin Clawson & Jason Bullard all received one last vote.)  
After review, the Council found all the election returns to be in order.

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28 CITY INSURANCE  
29 RENEWAL

The annual renewal is coming up and Councilmember Abbott was asked to review the proposals and various options available through PEHP.

Councilmember Haskell declared a conflict of interest, since she is married to Kent Haskell, one of the City employees affected by the insurance coverage.

*PEHP (Public Employee Health Plan)*

After reviewing the options and comparing the current coverage and rates to the new rates, Councilmember Abbott observed the following:

- Premiums are to increase by an average of 8.2% from 2009 to 2010; which, by comparison to other carriers, is lower than most, that average 10% to 20% increase per year.
- Summit 2 Option (Health Plan) & Preferred (Dental Plan): Dental stays the same...no change
- Total of Premiums for all employees per month:

A. Summit 2: (2009) \$3,222.80 to (2010) \$3,815

(Details) Deductible = \$500 (Single) & \$1,000 (family); \$20 co-pay; 80/20 split

B. Summit 3: \$3,059.50/month (Savings of about \$7,100 per year)

(Details) Deductible = \$1,000 (Single) & \$2,000 (family); \$35 co-pay; 70.30 split

- Annual premium = about \$38,000 (higher than it was before the last change by about \$8,000)

(There is an additional employee now) If the City stays with Summit Care 2, the overall budget for insurance premiums will go to about \$45,000. This is a good portion of the General Fund Budget.

- Recommendation: Switch to Summit Care 3 Plan

*Comments:*

Julie Haskell: This seemed conflicting to her, since the very best insurance is provided for the Fire Dept. volunteers, yet the suggestion is to cut the coverage for the employees.

Nelson Abbott: That \$8,000 savings could be put to use in other areas...perhaps to bring back employee bonuses for part of it. Something needs to be done.

Raymond Brown: He asked about other options that act as a sort of "savings" account.

Nelson Abbott: That plan would be even more cost effective for the City; however, the details on this plan do not make it an attractive alternative.

*Prescriptions:*

No change...both plans cover 80%.

Mayor Dunn: Some employers are providing certain coverage and if an employee wants a better plan, the employee makes up the difference in premiums.

Sean Roylance: It is hard to cut benefits; but most companies do not pay full benefits.

Nelson Abbott: There was also a summary of utilization (employees) and Elk Ridge is low with about 20% utilization.

Mayor Dunn: He would also favor using some of the savings toward bonuses, co-pays or deductibles for the employees.

City Recorder: Suggestion to add this to the Closed Session discussion prior to taking action, since the Discussion of Personnel is the topic in Closed Session. (*Mayor Dunn agreed.*)

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68 CITY OWNED  
69 PROPERTY

Mayor Dunn: Mayor Dunn sent out letters to the newly elected candidates regarding creating a "priority list" of ideas to address any future development of City-owned land.

The next Council Meeting will begin with a Work Session to discuss future planning for the City property. The Mayor would like to lay out maps and look at parks, trails, a Public Works building and future City Center.

A list of priorities was requested from all Councilmembers (as in the list requested by Councilmember Brown previously); to include various concerns/suggestion with surplus properties and land that could be developed and sold (as in property in Loafer Canyon).

54:07 The Work Session was closed at 6:55 PM.

**ELK RIDGE  
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7:10 PM - **CITY COUNCIL MEETING - REGULAR SESSION AGENDA ITEMS**

ROLL *Mayor:* Dennis A. Dunn; *City Council:* Derrek Johnson, Julie Haskell, Raymond Brown; Sean Roylance & Nelson Abbott; *City Planner:* Shawn Eliot; *City Council Candidates:* Kenneth Lutes, Erin Clawson & Weston Youd; *Public:* Rodger Hardy (*Deseret News*), Chris Salisbury, Tom Henriod, Julia & Jeffery Waterman, Jared & Rachelle Curtis, Jamie Towse, Tanner Smith, Tyrel Carter & Micah Purdy; *and the City Recorder:* Janice H.

OPENING REMARKS & PLEDGE OF ALLEGIANCE Opening Remarks were offered by Councilmember Brown offering a prayer after comments honoring veterans. Scout Jeff Waterman led those present in the Pledge of Allegiance, for those willing to participate.

*Mayor Dunn commented on veterans and the debt we all owe to those who have given of their lives and, at times, have given their very lives, for our freedoms.*

AGENDA TIME FRAME **MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY NELSON ABBOTT TO APPROVE THE AGENDA TIME FRAME; ADJUSTING THE START TIME TO 7:10 PM; AND MOVING AGENDA ITEM #11 TO BETWEEN #4 AND #5**  
VOTE: YES (5) NO (0)

PUBLIC FORUM There were no comments.

2009 ELECTION RESULTS - ACCEPTANCE **MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY JULIE HASKELL TO:**  
**1. ACCEPT THE 2009 GENERAL ELECTION RETURNS FOR ELK RIDGE CITY, AS PRESENTED BY THE ELECTION OFFICER**  
**2. DECLARE ELECTED THOSE PERSONS WHO HAD THE HIGHEST NUMBER OF VOTES:**  
**MAYOR: KENNETH LUTES**  
**CITY COUNCIL:**  
**ERIN CLAWSON**  
**WESTON YOUD**  
**VOTE (POLL): DERREK JOHNSON-AYE, JULIE HASKELL-AYE, RAYMOND BROWN-AYE, NELSON ABBOTT-AYE & SEAN ROYLANCE-AYE NAY (0)**  
*Passed 5-0*

ELK RIDGE MEADOWS PUD, PHASES 1 & 2 – DEVELOPMENT AGREEMENT Shawn Eliot:  
1. Tom Henriod email Mr. Eliot a draft of the development agreement discussed and voted on at the previous Council Meeting. Mr. Eliot said he made minor changes. He feels the agreement for Phase 2 will be similar to There was no action taken at that meeting; so the Council was asked to review the draft and be prepared on 12-8-09 to vote on it and the agreement for Phase 2. On the agreement for Phase 2, there will be added information regarding the 3 lots formed from the east/west open space.  
The agreements must go to the City Attorney for review, as well.

2. Open Space: (Phase 1) At the last Council meeting, it was proposed to come up with a minimal maintenance plan. Mr. Eliot met with Corbett Stephens to discuss this. Mr. Eliot suggested rock and Mr. Stephens responded that rocks get weeds in them (true) and he felt grass would be easier to maintain than rocks; particularly with a new lawn mower.  
Mayor Dunn: There is a lawn mower that cuts 7 acres per hour; the cost is about \$10,000 and park impact fees or could be paid for with the bond money or the \$114,000 offered by the developer.  
Shawn Eliot: He discussed the points of xero-scaping vs. low-maintenance. He felt natural grasses would be less expensive to maintain than cutting grass.

Tom Henriod: He commented that he is agreeable to what the Council feels is good for the City. Mr. Salisbury agreed with Mr. Henriod.

*This will be on the agenda for action on December 8, 2009.*

Tom Henriod: There will be separate documents for Phases 1 & 2. There will also be separate open space dedications...there will be 5 documents:

1. CC&R amendments
2. 2 development agreements (Phases 1 & 2)
3. 2 Plat dedications for open space (Phases 1 & 2)

David Church was agreeable to everything they are doing.

1:17:26  
CURB & GUTTER  
UPDATE

*415 Columbus Lane:*

Mayor Dunn: Doug Jarvie (415 Columbus Lane) contacted the Mayor to inform him that he has changed his mind to be in favor of curb & gutter being installed on his lot. He also asked if the City could assist him financially because he lives on a corner and there are 2 frontages rather than 1. The Mayor said he would take his request to the Council. (He changed his response on the letter sent to him and initialed that change, as Mayor Dunn witnessed him.)

Raymond Brown: His neighbors to the south of him do not have curb & gutter and do not want it; and that fact has impacted his property on the Oak Ridge side to where it has become a safety hazard. The neighbor's water and debris washes into his yard. He does not feel it is quite fair to have to fix this side where there are issues not caused by him. *(Throughout the rest of this discussion, Councilmember Brown continued to express his concern with the safety issue involved with this lot.)*

Nelson Abbott: He commented that in the past, he thinks the policy used to be for the City to cover the cost for one side on a corner lot.

Mayor Dunn: This will likely be deferred until spring due to weather.

Derrek Johnson: The question would be: What are the associated costs and where does the City get the money? The City does not have money to keep spending.

Mayor Dunn: Every other citizen having curb & gutter installed is paying for it and Mr. Jarvie will pay for his portion, depending on what the Council decides.

Nelson Abbott: Mr. Abbott is also on a corner; whatever decision the Council makes will impact him, as well...this could create a precedent.

Sean Roylance: If the City creates this policy, the Weeks should be considered because of the "problem" side of their corner lot.

Derrek Johnson: The Council must know what the costs are. Is it possible to keep there expenses in the Storm Drain Fund, not the General Fund.

Raymond Brown: There are also 4 areas where sumps are needed.

Mayor Dunn: Action:

- Get costs and discover where the money will come from
- Will this set precedence?

1:32:02  
ELK RIDGE MEADOWS  
PUD – SURETY  
BOND CHANGE

*Ratify polled vote to approve the change in the offer from the Insurance Company:*

Nelson Abbott: The adjuster with the insurance company was only authorized up to a certain level; if the City chose not to accept his offer, his supervisor would have to review the offer and there was always the chance that the offer could go down due to the park not being included in the durability retainer agreement. The bid from Noel Hiatt will still be good in the spring.

**MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY NELSON ABBOTT TO RATIFY THE POLLED VOTE TO APPROVE THE CHANGE IN THE OFFER FROM THE SURETY BOND COMPANY FROM \$250,000 TO \$240,000**

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

*Passes 5-0*

1:35:11  
CITY EMPLOYEE  
INSURANCE RENEWAL

Mayor Dunn: Options available:

1. Stay with Summit 2
2. Change to Summit 3 (\$163.30/month savings)

The suggestion was to postpone action until after the Closed Session.

**MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY NELSON ABBOTT TO MOVE ACTION ON THIS AN OTHER PERSONNEL TOPICS UNTIL AFTER THE CLOSED SESSION, TO ITEM #13**

**VOTE: YES (5) NO (0)**

1:36:32  
EMPLOYEE BENEFITS  
- PTO

Raymond Brown: He feels that parts of the personnel issues are imbalanced regarding PTO (Paid Time Off). Currently, the full-time employees receive 5 days off for what used to be considered "vacation time"...for up to 5 years of employment; this goes up to 10 days off after the 5<sup>th</sup> year...and stays at that point. He proposed: After 10 years employment, there would be 1 day earned for every year employed by the City. There could be a "cap", as well.

Sean Roylance: There are also 12 days added onto that (previously known as "sick days"). This is actually 17 days going to 22 days.

Mayor Dunn: The “sick” time and the “vacation” time has all been changed to “PTO”. He discussed the “carry-over” policy at the end of the calendar year...the employees should not be penalized for not taking time off during the year.

Derrek Johnson: This is not how businesses look at employee benefits and the City needs to be run like a business.

Raymond Brown: He feels in the long run that the City saves money because they have to earn the days off year by year. This is “win/win”.

*Action postponed until after the Closed Session.*

1:44:51

EXPENDITURES

*General:*

1. *Purchase of a snow-blower:*

A snow-blower was purchased for the City Hall for \$499.00; approved by Mayor Dunn.

2. *Computer purchase:*

Kent Haskell’s computer crashed; it will be replaced by the computer that Marissa Bassir uses and a new one will be purchased for her work station at a cost of \$549.00.

- \$500: approved by Mayor Dunn

- 49.00: approved by Kent Haskell (since he will benefit from the purchase)

1:49:15

MINUTES OF CITY COUNCIL MEETINGS

1. *City Council Minutes of 10-13-09:*

**MOTION WAS MADE BY NELSON ABBOTT AND SECONDED BY RAYMOND BROWN TO APPROVE THE CITY COUNCIL MINUTES OF 10-13-09, WITH CORRECTIONS**

**VOTE: YES (5)**

**NO (0)**

1:50:17

WATER DEPT. AMEND CODE RE: STATEMENT OF CHARGES & DELINQUENCY

Mayor Dunn: There is a current policy to wait to actually shut off the meters of those that are delinquent; the policy has allowed too much time to elapse (3 months) before people hit the “shut-off list”. Those delinquent 90 days receive a call warning them that they will be shut-off.

The complaint was that the code should change that would be more enforceable. After researching the code, the Mayor discovered that the current code states that residents are considered delinquent if someone does not pay after one month...and they are subject to being shut off and the deposit can be applied to the delinquent bill; they would also have to sign up and pay an additional deposit. The code is tougher than thought. He warned residents via the City Newsletter that the City would no longer be “carrying” accounts that are 30, 60 & 90 days out.

The proposed amendment is simply to clarify the code to make it easier to understand, not to change the intent.

A public hearing is needed to make this change in code.

*David Church is to review this proposed amendment.*

Julie Haskell: Suggestion: Include in the new code that people that have had their water shut off will not be turned back on until the next business day; they get calls on the week-end to turn people back on. (*Perhaps shut-offs should not be done on Fridays.*)

Mayor Dunn: The current policy for shut-off: call the person or go to the door to warn them...just prior to turning them off.

Sean Roylance: He suggested checking out the State Code on this matter; there may be a requirement on the process that is dictated by the State.

He feels that 45 days is pretty aggressive compared with most billing processes.

*\*Mayor Dunn will check this out.*

**MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY SEAN ROYLANCE TO MOVE TO A CLOSED SESSION**

**VOTE: YES (5)**

**NO (0)**

8:05 PM -

**CITY COUNCIL CLOSED SESSION**

ROLL

*Mayor*: Dennis A. Dunn; *City Council*: Derrek Johnson, Julie Haskell, Raymond Brown; Sean Roylance & Nelson Abbott

Discussion of Personnel

**CITY COUNCIL MEETING - REGULAR SESSION AGENDA ITEMS (CONT.)**

ACTION ON CLOSED SESSION

1. *City Insurance:*

**MOTION WAS MADE BY DERREK JOHNSON AND SECONDED BY NELSON ABBOTT TO CHANGE THE PEPH HEALTH INSURANCE TO THE SUMMIT CARE / OPTION 3**

**VOTE (POLL): SEAN ROYLANCE-AYE, NELSON ABBOTT-AYE, RAYMOND BROWN-AYE & DERREK JOHNSON-AYE NAY (1) JULIE HASKELL**

*Passed 4-1*

2. *PTO for Employees:*

**MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY DERREK JOHNSON THAT; FROM THIS DATE (11-10-09); APPLICABLE TO ALL NEW EMPLOYEES HIRED BY THE CITY:**

- **THERE WILL BE A ONE-YEAR PROBATION PERIOD AFTER HIRED BY THE CITY**
- **PTO (PAID TIME OFF) WILL ACCRUE AS FOLLOWS:**
  - 0-1 YEAR: 3 PTO DAYS**
  - 1-5 YEARS: 10 PTO DAY**
  - 6 YEARS ON: 1 DAY PER YEAR UP TO A MAXIMUM OF 22 DAYS OF PTO**

**VOTE: YES (5) NO (0)**

ADJOURNMENT

The Meeting was adjourned.

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City Recorder – Elk Ridge City