

**ELK RIDGE
CITY COUNCIL MEETING
March 9, 2010**

TIME & PLACE
OF MEETING

This Regularly Scheduled Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, March 9, 2010, at 7:00 PM**; this was preceded by a **City Council Work Session at 6:00 PM**, as well as a **City Council Closed Session at 8:05 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, UT, and to the members of the Governing Body, on March 3, 2010.

6:00 PM –

CITY COUNCIL WORK SESSION

ROLL

Mayor: Kenneth Lutes; *City Council:* Julie Haskell, Derrek Johnson, Weston Youd & Erin Clawson & Sean Roylance; *Building Official/Public Works:* Corbett Stephens; *City Planner:* Shawn Eliot; *Public:* Mickenna Belliston, Allison Huff, Kaitlin Clark, Jessica Lane, Megan Merrill, Bethany Pehrson, Bryanne Colver, Cynthia Peck & Ty Currie; *and the City Recorder:* Janice H. Davis

CITY COUNCIL
UPDATES –

Erin Clawson: The volunteer projects are continuing:

- Grouting for tile was done the previous week-end; grouting will be sealed in a few days
- Some Scout Troops will be clearing rocks from the Cloward field (west of the City park)
- J Spencer did some framing in the storage room
- Paul Squires donated an American Flag for the Council Room
- She is starting to work on her part of the City Web Site

Julie Haskell:

- There is a budget public hearing for the 911 Service District on 3/11. She will have approved figures after that.

Derrek Johnson: He discovered that there is an opportunity for a 50% Grant for Play Equipment (Game Time). There is a good chance the City will get the Grant. The application was due the next day.

Sean Roylance: He has met with various individuals regarding training to properly access the Web site; as more people are trained, we can better keep the contents fresh.

Weston Youd:

- Legislative Session: The Session has closed and he feels there is only one bill that will directly affect the City:
The bill would allow cities to meet and discuss the possible purchase of water rights in a Closed Session. There were two bills that passed regarding retirement.
- He is waiting to hear back from any developers that may be interested in water rights from SUVMWA through the City.

09:56

MAYOR'S UPDATE

Mayor Lutes:

- He attended the SESD Meeting that day: the cash flow is down for them, as everyone else.
- Roads: He and Mr. Stephens have been inspecting the City's roads for the level of repair needed. It appears the City will be able to afford to do some of the overlays and repairs that are needed.

FENCING –
FAIRWAY TANK AREA

The Mayor introduced Mr. Doug Folsom (Risk Manager for Utah Local Governments Trust – ULGT).

Mr. Folsom was asked to address the Council on his recommendations regarding potential fencing of the Fairway Tank area. He and another representative from ULGT accompanied Mayor Lutes to the Tank area earlier in the day.

Mayor Lutes asked each of the Council Members to comment on the Field Trip to the area in question; taken the previous Saturday.

Erin Clawson: She attended the Field Trip on Saturday; but also went with a group accompanied by Dan Steele on Friday. On Saturday, she spent most of her time speaking to the citizens also in attendance. All but two she talked to saw the need for fencing to better secure the area, whether it is for vandalism or the safety of children; even though they did not really want a fence.

She, personally, thinks that the top of the tank needs to be secured. She does not feel this situation can be compared to Provo or other places where tanks are either underground or the side of a mountain; so she thinks a fence is a good idea. She was undecided at that point whether the fencing should take in all or part of the area. She was anxious to hear what Mr. Folsom has to say about it.

Julie Haskell: She expressed her feelings that:

- The pump house should definitely be fenced
- She wants to keep the "footprint" fairly close around the tank, as well.
She wondered if the top of the tank is secured, would a fence be necessary. She was still open to discussion on that question.
- She would like to keep the open space as open as possible, including the trail.

Derrek Johnson:

- He was in favor of the "blue line" (shown on the map as surrounding much of the City-owned property). He does not feel one can put a "price tag" on protecting the water.
- Protecting the open space: The installation of the tank has already encroached on the open space; now The Council needs to deal with the fact that we have a water tank and the water system must be protected. (*Mayor Lutes passed out copies of the map of the area*)

Sean Roylance:

He felt it was “eye-opening” to watch Corbett Stephens access the tank so easily (Field Trip).

1. He agreed that direct access to the tank must be secured; perhaps with the planned “cage”.

(Mayor Lutes mentioned the options discussed to secure the top of the tank:

- Cage or steel box around the vent
- Use a temporary manhole ring (section) to sit right on the top

Mr. Folsom (ULGT) agreed with the vent area, “that is definitely better than nothing”.

Council Member Roylance is in favor of whatever is “simple and inexpensive”; if it is effective.

2. He agreed with fencing the pump house.

3. Fencing the open space area: He spoke to some of the residents of Cove Drive and there were several, he felt, that expressed concern about the upper retention basin...since it has had water in it on various occasions. The primary concern seemed to be with smaller children getting into the basin.

Suggestion: Install a 4’ fence around the upper basin...perhaps even down inside a foot or two, so as not to be as visible, but still effective for little children.

(Council Member Johnson asked about concern over keeping bigger kids out, as well. Council Member Roylance responded that he is not worried about it for a retention basin...his thought was that the pump house would have a taller, secure fence.)

Weston Youd:

- Fence the pump house
- Localized security of the vents on the top of the tank.
- (Regarding the retention basin) He feels that there are basins throughout the City...this is “just another one”. (He listed other locations.)

Mayor Lutes asked if he is okay with kids sliding down the steep slopes with stakes. Council Member Youd responded that he felt it would “be fun” and that their parents should take responsibility to teach their children not to do that.

Corbett Stephens: He said he does not like the liability; he was not sure of the lawyer’s advice. We know if there is an opportunity for someone to get hurt, and we don’t do something about it...that there would be liability. He has learned at water conferences that it doesn’t take much to contaminate the water; so he feels there is no question that it must be secured better than it is. They are working on that, but his concerns are with the “what if’s”.

“It only takes one kid getting hurt...it only takes one kid sliding down that hill and smacking into the other side of the retention basin to break his neck...how are we all going to feel if something like that happens? Yeah, you can say it is the parents’ fault for not teaching them better and for not watching them better; but if we could’ve done something about it...”

Mayor Lutes asked Mr. Folsom to comment:

Doug Folsom: (He handed out his card to the Council and to the Recorder) He wanted to speak of their (ULGT) recommendation as well as the reasoning behind the recommendations.

He spoke of the Trust as the largest municipal pool in the State (Utah); owned by the municipalities. They insure about 500 entities around Utah. They see a lot of these situations. They do on-site hazard analyses and inspections. There are certain “exposures that we have (we: the cities and the Trust working together) and we want to do whatever is “reasonably prudent” to safeguard. “Reasonably prudent” (legal term): it doesn’t mean you have to do everything...but what is “reasonable”, rather than whatever is “imaginable” to safeguard everybody from harm. Usually this will not be defined or determined until after something bad happens, which we do not want to have happen in the first place. “We don’t want to be everybody’s mother and turn off all fun in the world. That is something I am very careful of when I make recommendations to cities about maintenance in facilities and parks and things like that...we don’t want to just deny everybody access to fun because somebody could get hurt...nor are we liable, necessarily, because somebody may get hurt all the time. However, with the water system, like Derrek said, you need to make sure and protect that water; that’s a valuable resource. It is easily contaminated.”

- He spoke of “worse case scenario”: If someone was able to purposefully contaminate the water...it would not take much of the “right agent” into the water to make a lot of people sick or even kill people. There is a responsibility to do everything “reasonably prudent” to make sure that people can’t tamper with the system in a way that could introduce a toxin to the system. He felt all were in agreement with that.

- He also spoke of how “kids do things for no reason”. Young kids or young adults may tamper with “whatever they can get hold of, just out of curiosity”. Certain steps should be taken to address this or there could be damage that happens for “no good reason”.

- Another thing to be careful about: Obvious safety concerns. He mentioned the upper retention basin...it is obvious that a small child that wanders down to that area and stumbles into the basin could be injured badly or killed...it would not take much for the community to come in and complain that it was an “obvious concern...why didn’t the City do something about this?” He said that it is hard to fix things after the fact. “We can go in and try to keep it from happening again, but we really don’t want it to happen in the first place.”

Concerns:

- Hill being used as a sledding hill:
 - He would not permit the hill to be used for sledding; there is no way to control the hazards that exist on this slope...it is very steep and ends abruptly. This is a concern *if* sledding is a *regular occurrence...going on all the time*. If it is infrequent that some people do, there is not as much of a duty to act.

Recommendations:

1. To go with the “dark blue line”; which limits vehicular access to the tank...which means that anyone approaching the tank to do mischief would have to go through more to get there.
2. Pump House:
 - A. A physical hazard to anyone accessing it due to drop-off on one side
 - B. Tampering with the pump house should be controlled
3. Control access to the tank and any possible tampering
4. Control access to especially the upper detention basin

He feels the best way to accomplish this would be to have one fence that goes around the whole area.

He does not feel a fence around the lower portion would be that visible and obtrusive; and it would control all of the hazards. There are a series of hazards that need some control on them.

He added that if the Council decides not to take this recommendation, it would not affect insurance coverage. There is a clause that states that the “insured will comply with the risk management program”...which could be interpreted as their recommendations; but to date the Trust has never “flexed its muscles on that and denied anybody coverage on a claim”. He does not know what will happen in the future regarding enforcing that policy.

If there is a loss, the City can count on premiums going up...if it is a significant loss. They look at “loss ratios” when renewals come up and that has a lot to do with what kind of a risk the City is.

In a law suite, even if it were determined we are not liable for the loss, the defense alone could be high and costs could run up...this could affect premiums perhaps by double or even triple.

He prefers to worry about the “people” rather than the “money”; and do things *proactively* rather than *retroactively*.”

With the above recommendation, there is still plenty of open space available for recreation and trails while still controlling access to that vital infrastructure and asset...which is the City’s water.

Questions:

Weston Youd: He agrees that there is a risk and the Council needs to identify the potentiality of that risk and mitigate it to the appropriate extent. But there are a couple of questions he had:

1. What are the numbers of tanks within residential areas within the cities that the Trust serves?

(Mr. Folsom: He did not have an exact count; but answered that it is significant. He would say that at least ½ of the cities he has inspected have tanks that are at least close to residential areas. Very few tanks throughout the State, that he has inspected, do not have any controls on them at all. As far as access: most all tanks are fenced off...tanks and other facilities like pump houses. In fact, the Water Quality Division recommends fencing around these facilities...it is not “required” nor is it as “regulation”; but it is recommended by them; as does the Trust. He usually recommends a 6 ft. chain-link with at least a triple row of wire on top of that. The controls are not just physical like with gates and locks on vents etc.; especially in areas that are easily accessible to a lot of people...but often there is some type of automated system (like Scada systems) where someone would be called if there were any tampering. Council Member Youd responded that this type of system has already been approved.

Council Member Youd continued: “But there are cities that your organization services that do provide access to tanks...”

(Mr. Folsom: We don’t insure Provo, so he is not familiar with their facilities; but he has seen some tanks where there is access to the tank...his own neighborhood has a tank with a tennis court on top of it...but there is no access to the tank from the tennis court or if there is, it has a lot of safeguards. Being on the tank is not a problem...most of these tennis courts have the tennis court fence around it and no one will fall off of it. Off of the top of his head, he could only think of one city that he knows for sure has tanks that aren’t fenced and controlled; and that is Ephraim City...and those tanks are in very remote areas and have Scada systems on them.

Mayor Lutes: He asked Mr. Folsom if he had spoken to David Church about this situation.

Mr. Folsom: He said he has not spoken to David Church about this specifically; but he has spoken to him frequently about situations like this one in Elk Ridge. People are going to use open space for recreation and as a general rule, it is not something they get too concerned about unless it is a real common event, then steps should be taken to prevent problems.

What is the intended purpose? What are the obvious hazards and what is the frequency of those? As he said, he is not overly concerned about the rest of the open space area having to do with recreation:

- there is no specific purpose
- the City would have to tell him how heavy the use is

Derrek Johnson: He asked if these tennis courts on top of tanks are on top of older tanks; he imagined that new tanks would not allow that type of activity.

Mr. Folsom: He is not familiar with any new facilities; the only ones he could think of are at least 20 to 30 years old.

Derrek Johnson: He reiterated that one just cannot put a price tag on it (meaning the need for security).

Mr. Folsom: He said he is concerned about the over-sized vent on the tank: most tanks have smaller, multiple vents. On a tank of the same size, normally there would be two or three 8” vents rather than one that is big enough for someone to bodily enter. The problem is not only preventing someone from entering, but actually someone that would want to contaminate the tank. Smaller vents are easier to control, but that would be a more extensive and costly fix to the problem.

Mayor Lutes: He explained that one of the options being considered is a steel “cage” that would fit over the vent; with baffles and would be bolted down.

Mr. Folsom: He thought that is a good idea, if a bit bulky.

1 Sean Roylance: He listed the liabilities Mr. Folsom mentioned:

- 2 - Water in the retention basin
3 - Pump House (falling off)
4 - Sledding on the hill

5 He wanted to address sledding: He asked if there aren't many hills in many cities that people could get hurt
6 on?

7 Mr. Folsom: Usually they are in city parks. They usually do not have as steep a slope on them as the one by
8 the tank. They usually have a large flat area at the bottom of the hill where people can slow down...with hay
9 bails, etc. He is still unsure of the frequency of the use on the tank hill. He judged the tank hill to be much more
10 dangerous than what he would see on most sledding hills. When there is a recognized sledding hill, they
11 (ULGT) encourage the municipality to still control the hazards that exist there. Many times kids will build their
12 own ramps, get hurt on the ramps *they* built and then sue the city.

13 Weston Youd: Payson City attracts most of the sledding on their golf course.

14 Erin Clawson: She mentioned that there was an Eagle Scout Project wherein a scout planted 20+ trees by the
15 tank and there are not that many now; but she would like to see more trees planted there.

16 Mayor Lutes: He can see that area from his house and that hill is used for sledding; besides the hazard, this
17 activity is destroying the material on the hill to safeguard against erosion.

18 Mr. Folsom: Signs can be posted, but he said that signs are not that much of a protection...signs can also be
19 seen as an admission of a hazard. There is specific verbiage for signs posted on fences that basically state
20 that tampering with the water system is a federal offense...even if the area is not enclosed, signage is a good
21 idea as a warning. He also mentioned "no trespassing" signs.

22 *There were no further questions for Mr. Folsom; so the Mayor thanked him for coming.*

23 *After Mr. Folsom left the meeting, there was further discussion:*

24 Mayor Lutes: Even though the "blue line" (enclosing more of the property, including the retention basins) was
25 originally not his idea, he has gathered information that would support that option. He referred to Dan Steele, a
26 resident of Elk Ridge that is an expert in the field of security of water systems for cities (about 25 years
27 experience). He came in to volunteer his services and experience with telemetry systems and security. (It was
28 mentioned that he was also involved with security over the 2002 Olympics.)

29 The Mayor was not too happy when the tank went in, since that area was supposed to have been
30 "unbuildable" when he moved into the area; it was a beautiful area over-looking the golf course. The hole for
31 the golf course is now gone, there is a great deal of action with motorcycles and then the tank was installed
32 and resembles a "volcano". He does not particularly want to look at a fence; but on the other hand, he took an
33 oath of office to support the constitution which is supposed to take care of the welfare of the people. He feels
34 that mitigating the dangers for kids that could get hurt is a responsibility the Council needs to consider. It is not
35 a "natural" hazard; it was created by the City. He would rather look at a fence and secure the water supply and
36 mitigate the hazards.

37 He described the process that the City would have to go through if the water supply were contaminated even
38 by something like a squirrel in the tank. When there has been risk established, the City would be required to
39 chlorinate the water...either for a time or permanently.

40 Corbett Stephens: He explained the chlorination process. He feels the risk is huge. This would be very costly
41 to the City, not only initially, but the maintenance would also be costly.

42 (David Church and his opinion regarding possible causes for required chlorination were referred to.)

43 There was some concern expressed that all the Members of the Council were not included or informed of a
44 meeting with David Church. It was explained that he had come to the City for a meeting about the Elk Ridge
45 Meadows PUD; since he was here, the Mayor asked him if he would accompany him to the site of the tank
46 and pump house to view the area with him.

47 Shawn Elliot: He observed that everyone seemed to agree that the tank and water system should be secured;
48 it is ultimately which option to adopt:

- 49 • The orange line would secure the entire site (all of the City property)
- 50 • The blue line would secure all of the risks mentioned

51 In the end, what level of risks does the Council want to secure?

52 Sean Roylance: He still had a couple of questions:

- 53 1. Water: If the manhole cover is purchased and put on the tank, or whatever is decided on for the tank itself;
54 does a fence add anything to that? Is there a need for the fence...what does it accomplish?

55 (*Council Member Johnson responded that it would keep people away. The tanks up Payson Canyon have
56 enormous fences around them.*)

57 Would a fence like that keep teens out? Probably. Would it keep out anyone very determined to get in?
58 Probably not. A fence would be easier to get through than whatever security devices will be on the tank
59 itself.

60 Weston Youd: He asked what the "top cap" depth is on the tank. (*Eight inches.*) So, if someone wanted to get
61 to the tank, through the fence...what would stop someone? So, if someone really wanted to get through all of
62 the security measures taken, they could. What good would the fence do?

63 Erin Clawson: The neighbors would be alerted if someone drove past the fence toward the tank. How could
64 anyone be alerted if any car can drive up to the tank? If there is a fence around it, it is obvious that no one is to
65 be past that point.

66 Weston Youd: He described a fence as a "paper dragon"; compared to the localized security of the vent and
67 the access to the tank itself.

00:48:01

1 Derrek Johnson: He felt that whatever the Council deals with, “it is always good to call in the experts”. He
 2 pointed out that none of the Council is an expert in this field. He values the opinions of the risk management
 3 agent for ULGT and the opinion of Dan Steele.

4 Weston Youd; He added that he also values their opinions.

5 Sean Roylance: If they have an answer to his question as to the value of adding a fence to the other security
 6 measures, he would like to know the answer. He fails to see what additional security a fence would add.

7 Weston Youd: He brought up considering the equations involved: “the amount that a fence would provide is X
 8 amount...now think the impact of a big fence restricting access to this road, which would be a trail and is
 9 utilized by citizens as a trail. So your benefit of a fence vs. the cost of taking that access away...measure or
 10 weigh the two together and determine...is that nominal amount of protection that a fence would provide of
 11 greater value than taking that access and this open space and the use of it away from the citizens?”

12 Derrek Johnson: “That road was not put in for a trail access by the City; it was put in for the access to the
 13 water tank.” Though people might use it as a trail, it was not put in for that reason.

14 Weston Youd: His question is, do they use it and do you want to take that use away?

15 00:54:28

16 Mayor Lutes: He does not believe that use would be taken away; if the fence were placed up against the edge
 17 of the road, they could still have a trail up there.

18 Weston Youd; He explained that the other trail would be taken away.

19 Derrek Johnson: He responded that it was never given to them.

20 Weston Youd: It is open space...

21 Derrek Johnson: It was open space until the water tank was installed.

22 Weston Youd: That area is zoned as “open space”.

23 Derrek Johnson: But now the issue must be dealt with.

24 Weston Youd: “I agree completely.” That is why he asked if a fence provides the additional security that out-
 25 weighs the impact to the citizenry, including their ability to use that road as they have in the past?

26 Mayor Lutes: What kind of a value do you put on using a trail for a few feet?

27 Weston Youd: He believes there are more than a “few feet”. The General Plan includes trails and rights-of-
 28 ways for the citizens.

29 Erin Clawson: She asked if that is why the trail was installed; or was it placed there for the water tank?

30 Weston Youd: It was placed there for the tank; but what is it used for?

31 Derrek Johnson: (Referring to the summary of the meeting on Saturday and the minutes) He wanted to know if
 32 the minutes had been read regarding the comments of the citizens in attendance...at least those citizens who
 33 cared enough to come out and take a look at it.

34 Sean Roylance: The citizens he spoke to (Kyle Houghten, Garren Holman, Jim Spencer and Mr. Scribner) all
 35 told him that they are concerned about the pump house and security; but those four said they are more in
 36 favor of the localized security around the tank and pump house, rather than a fence all the way around.

37 Weston Youd: That is the same opinion he received while attending that meeting.

38 Erin Clawson: Then there are AJ Christensen, Paul Eddy, Bill Linn and others that did not “want” the fence all
 39 the way around, but felt it is necessary.

40 Sean Roylance: His question is still: what does a fence add to what we are already going to do?

41 Corbett Stephens: If all it does is provide a “deterrent” to keep someone from driving to the top or parking at
 42 the top in a parking lot that was built for the tank and its maintenance...If it is access for residents, then blaze
 43 a trail up and around and take it down into Fairway Drive. If it is a trail you want to provide, then give people a
 44 trail that takes them through the open space instead of through the construction site.

45 Sean Roylance: Right; but “I don’t think that if someone wants to poison the well that driving up or walking up
 46 is a noticeable difference.”

47 Erin Clawson: “It is not just poisoning, it is a liability if they are driving up and go off the side on their ATV or if
 48 they are sledding. I work in the medical field and I can tell you that if people are sledding down that, they are
 49 going to get hurt...because they don’t have a long way to stop and there are barriers there...so it is liability on
 50 City property.

51 Sean Roylance: That is different...”so if we want to talk about that...I have some additional questions about
 52 that; but the water...his question is from a poisoning standpoint...does the fence accomplish anything? So far,
 53 I have not heard a reasonable explanation that I can understand where the fence actually accomplishes
 54 anything.”

55 Mayor Lutes: “Why wouldn’t we want to err on the side of conservatism; instead of danger? If we really don’t
 56 know and we can’t get answers; why wouldn’t we just say, ‘let’s just be safe’? Why would we want to teeter on
 57 the edge and say, ‘well, it might not happen’?”

58 Sean Roylance: Here are the reasons:

- 59 1. It is a wide open easier trail/access as it is right now
- 60 2. Without the fence, you have a lower visual impact for the people living right next to it as well as all those
 61 who drive by.
- 62 3. The cost: \$20,000 to \$30,000 to do this
- 63 4. The neighbors right on Cove Drive all have the same opinion: as in “Man, you are killing me already, now
 64 you are talking about a fence.” They all said if we could minimize that, it would be great.

65 Because of all these reasons, he wants a good reason to ignore all those and put up a big fence.

66 Mayor Lutes asked for any further comments:

67 Corbett Stephens: “It is your water...your residents.”
 68

Derrek Johnson: He felt the risk management individual said it best: “Once an accident happens, then everyone is going to come to you and say, ‘why didn’t you do this?’”

Corbett Stephens: He (risk management for ULGT) made a comment (the day before): If you do have a claim, and you do end up paying out and it ends up being a considerable sum...he said the premiums could go from \$20,000/year to \$120,000/year.

Weston Youd: He would have liked to have been a part of that meeting (Council Member Haskell agreed).

Sean Roylance: (In an attempt to summarize)

1. Everyone agrees that there is liability with the pump house
2. The water liability: The measure that will be taken to secure the tank itself should be taken care of
3. Retention Basin: He still thinks a 4’ fence could be placed around the basin to keep smaller children out of danger.
4. Sledding: This still concerns him a bit. He added that kids sled down the golf course as well as the back hills...these are man-made, yet are not fenced off. He cannot think of a hill being fenced off due to sledding.

Derrek Johnson: He asked about controlling erosion on the tank hill.

Mayor Lutes: there are new bid amounts for the fencing...even with the vinyl coating would be about \$16,000; which is much less.

Sean Roylance: When asked by Council Member Johnson about the erosion; he responded that he would be happy if a good purpose was found for that hill.

Mayor Lutes: (Regarding “visibility”) If a 7’ fence is placed around the pump house, it would be much more visible than if the fence were lower and obscured by trees.

Sean Roylance: He feels that is a good point; but his thoughts are that if the pump house if fenced, then the reason for the fencing is clear...but it will be seen.

Mayor Lutes: He asked if the Council wants to table any action on this issue when it comes up in the Regular Session until there are more answers to questions.

Sean Roylance: If we think there is an answer to why a fence would add extra needed security; then he would want to hear that answer...because he has not heard that yet. If the fence is not built now, it can always be built later, if answers come later.

Mayor Lutes asked *what the recommendation is.*

Sean Roylance;

- Fence around the pump house
 - 4 foot fence around the upper retention basin (He is the only one suggesting this at this point)
- He suggested placing it just inside the top

Julie Haskell: She is also in favor of the 4’ fence to keep small children out.

Mayor Lutes: He thought installation could be a problem on the inside of the basin. (*Discussion of placement of a 4’ fence...inside vs. outside of the basin.*)

- Secure the top of the tank
- Put up signs that says “no sledding”

Derrek Johnson: He did not feel Payson’s signs were much of a deterrent to sledding.

Weston Youd: He said he could be “swayed” into agreeing with a low profile fence around the retention basin. He felt that would be a compromise he could live with.

Mayor Lutes: He asked if there was concern about little children crawling through a 15” to 16” pipe that goes between the upper and lower basins. Grates are not recommended because you want the water to come out and not get backed up.

Sean Roylance: That has not been thought about, but there must be a solution to that type of problem...as with culverts.

There was no further discussion at this point. The Mayor called for a brief break before the Regular Session.

1:12:00

**ELK RIDGE
CITY COUNCIL MEETING
March 9, 2010**

TIME & PLACE
OF MEETING

This Regularly Scheduled Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, March 9, 2010, at 7:00 PM**; this was preceded by a **City Council Work Session at 6:00 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, UT, and to the members of the Governing Body, on March 3, 2010.

7:22 PM -

CITY COUNCIL MEETING – REGULAR SESSION AGENDA ITEMS

1 ROLL *Mayor: Kenneth Lutes; City Council: Julie Haskell, Derrek Johnson, Weston Youd & Erin Clawson & Sean*
2 *Royslance; Building Official/Public Works: Corbett Stephens; City Planner: Shawn Eliot; Public: Mickenna*
3 *Belliston, Allison Huff, Kaitlin Clark, Jessica Lane, Megan Merrill, Bethany Pehrson, Bryanne Colver, Cynthia*
4 *Peck & Ty Currie; and the City Recorder: Janice H. Davis*
5

6 OPENING REMARKS An invocation was offered by Mayor Lutes; and Ty Currie led those present in the Pledge of
7 & PLEDGE OF Allegiance, for those willing to participate.
8 ALLEGIANCE
9

10 AGENDA TIME **DERREK JOHNSON MOVED, SECONDED BY SEAN ROYLANCE TO APPROVE THE AGENDA TIME**
11 FRAME **FRAME, ADJUSTING THE START TIME TO 7:22 PM**
12 **VOTE: YES (5) NO (0)**
13

14 PUBLIC FORUM No one approached the Council.
15 *1:13:60*
16 CITY COUNCIL
17 MINUTES *A. City Council Meeting 2-23-10:*
18 *Correction made to page 3.*
19 **SEAN ROYLANCE MOVED, SECONDED BY DERREK JOHNSON, TO APPROVE THE CITY COUNCIL**
20 **MINUTES OF 2-23-2010, WITH CORRECTIONS**
21 **VOTE: YES (5) NO (0)**
22 *B. City Council Minutes 3-6-10:*
23 *No corrections.*
24 **DERREK JOHNSON MOVED, SECONDED BY ERIN CLAWSON, TO APPROVE THE CITY COUNCIL**
25 **MINUTES OF 3-6-2010, AS PRESENTED**
26 **VOTE: YES (5) NO (0)**

27 ACTION – **WESTON YOUD MOVED, SECONDED BY DERREK JOHNSON, TO TABLE ANY DECISION ON THE**
28 **FROM FIELD TRIP PROPOSED FENCING MEASURES TO BE TAKEN AROUND THE FAIRWAY TANK AND PUMP HOUSE**
29 **TO FAIRWAY TANK AREA UNTIL A LATER DATE**
30 **VOTE: YES (5) NO (0)**
31

32 **AMENDED 2009/2010** City Recorder: The only difference in the budget since the Public Hearing was that the Fund Balance was
33 **BUDGET** transferred out of the General Fund to balance the budget to “0”.
34 There was a bit of discussion that the Sales Tax may not come in as high as anticipated; but that will have to
35 be followed further.
36 **SEAN ROYLANCE MOVED, SECONDED BY JULIE HASKELL, TO ADOPT THE AMENDED 2009/2010**
37 **FISCAL YEAR BUDGET FOR THE OPERATION OF ELK RIDGE CITY**
38 **VOTE: YES (5) NO (0)**
39

40 **PRELIMINARY** The City recorder provided copies of a rough draft of the General Fund for 2010/2011. The Tentative Budget
41 **BUDGET** will be adopted in May, 2010. This gives the Council a chance to review the draft and solidify any figures for
42 **DISCUSSION** their particular areas of responsibility. The Recorder explained that the balance at the end of the General Fund
43 **2010/2011** does not reflect the amounts for salaries and wages for the City employees since it has not been decided if
44 there will continue to be a wage freeze or if there will be any cost of living adjustments (COLA) for next year.
45 That will need to be discussed in a Council Closed Session; however not the one scheduled for that night,
46 since the topic is not listed.
47 The cost of road repairs was discussed and a rough figure of \$200,000 put into the budget worksheet.
48 Various locations were also discussed.
49

50 EXPENDITURES: General: None
51 *1. Check Registers & Payroll for January, 2010:*
52 Council Member Haskell did not have all of the pages of the document in her packet to review.
53 **SEAN ROYLANCE MOVED, SECONDED BY ERIN CLAWSON, TO TABLE APPROVAL OF THE CHECK**
54 **REGISTER AND PAYROLL REGISTER FOR FEBRUARY, 2010 UNTIL THE NEXT CITY COUNCIL**
55 **MEETING TO GIVE ALL AN OPPORTUNITY TO REVIEW THE DOCUMENTS**
56 **VOTE: YES (5) NO (0)**
57

58 OTHER BUSINESS There was no “Other Business”.
59

60 ADJOURNMENT Mayor Lutes adjourned the Council Meeting at 8:05 PM; and the Council moved into Closed Session
61
62
63
64
65
66
67 **CITY COUNCIL CLOSED SESSION**
68

1
2
3
4
5
6
7
8

ROLL
Mayor: Kenneth Lutes; City Council: Julie Haskell, Derrek Johnson, Weston Youd & Erin Clawson & Sean Roylance; Building Official/Public Works: Corbett Stephens; City Planner: Shawn Eliot; & the City Recorder: Janice

Pending Litigation & Development Negotiations

City Recorder