

ELK RIDGE
CITY COUNCIL MEETING
January 11, 2011

TIME & PLACE
OF MEETING

This Regularly Scheduled Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, January 11, 2011, 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 as well as an Amended 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 January 7, 2011.

6:00 PM –

CITY COUNCIL WORK SESSION AGENDA:

ROLL

Mayor: Kenneth O. Lutes; *City Council:* Sean Royslance, Weston Youd, Julie Haskell & Erin Clawson (Present Electronically for most of the Meeting) & (Absent: Derrek Johnson); *Building Official:* Corbett Stephens; *Sheriff:* Deputy Brent Butters; *City Planner:* Adam Castor; *Asst. Fire Chief:* Jon Hoschouer; *Public:* Eric Montegue & Tom Harris (Executech), Scot Bell, Lucretia Thayne, Nelson Abbott (Former City Council), & Maggie Abbott, Krisel Travis, Skyler & Patricia Aiken, Jamie Towse, Gordon Jones, Lee Gillie, Josh Mason, Hannah & Katherine Riley, June Apaui-Lane, Kelee Malan, Matt Cahoon, EMT Captain Shawn & Laura Loree, Devin Muhlestein, ShaMayne Mason, Garren Holman, Ronald & Sharon Dahlstrom, Weston Bonny, McKay Ash & Christina Trevino; and the *City Recorder:* Janice H. Davis.

SINGLE ACCESS
CODE AMENDMENT

Adam Castor (City Planner):
(*Staff Report from Planner to Council, dated 1-11-2011*)
“CODE AMENDMENT – SECONDARY ACCESS
REGULAR CITY COUNCIL MEETING
JANUARY 11, 2011

Applicant/Owner: N/A
Location: N/A
Land Area: N/A
Zones: Urban/Wildland Interface Area and HR-1 Hillside Residential 1 Zone
Adjacent Parcel Zones: Urban/Wildland Interface Area and HR-1 Hillside Residential 1 Zone
Proposed Land Use: N/A
Current Land Use: N/A
Adjacent Land Uses: N/A
Previous Meeting Dates: October 22, 2010 (TRC), October 28, 2010 (PC), and December 9, 2010 (PC)

DESCRIPTION:

This is a recommendation by LEI to amend Title 9, Chapter 3, Ordinance 9-3-4: Roads, and Title 10, Chapter 9, Article A: HR-1 Hillside Residential 1 Zone, Ordinance 10-9A-13-11 regarding secondary access and the maximum length of single access roads in the Urban/Wildland Interface Area and the HR-1 Hillside Residential 1 Zone. The code amendments are recommended to eliminate conflicting information in the Municipal Code, to support the General Plan, and to recognize the requirements of the International Fire Code, effective July 1, 2010. The code amendment recommendations are as follows:

1. 9-3-4: ROADS:

B. Exceptions: Where terrain features or other physical obstacles make provision of a secondary access impractical, a single access of not more than 750 feet in length, and which is in accordance with the provisions of the IFC, may be approved by the city council after obtaining the recommendations of the fire chief and the planning commission.

2. 10-9A-13-11: SECONDARY ACCESS:

~~Any development over sixteen (16) building lots must have a secondary public access street (Ord. 08-4, 2-26-2008)~~

All development in the urban/wildland interface area HR-1 Hillside Residential 1 Zone shall have more than one access route which provides simultaneous access for emergency equipment and civilian evacuation. The design of access routes shall take into consideration traffic circulation and provide for looping of roads as required to ensure at least two (2) access points. Looped roads with a single access are not allowed.

A. Exceptions: Where terrain features or other physical obstacles make provision of a secondary access impractical, a single access of not more than 750 feet in length, and which is in accordance with the provisions of the IFC, may be approved by the city council after obtaining the recommendations of the fire chief and the planning commission.

B. Specifications: All roads shall conform to the city development code, subsection 10-15C-2A of this code, streets and roads. (Ord. 69-12-10-10, 12-10-1996).

RECOMMENDATIONS:

The Technical Review Committee (TRC) has reviewed and discussed the code amendments made by LEI and on October 22, 2010 voted to recommend that the Planning Commission recommend approval of the code amendment as written by LEI.

The proposed code amendments and the TRC recommendation were presented to the Planning Commission during a Special Public Meeting on October 28, 2010. The Planning Commission discussed the code amendment recommendations and voted to recommend the City Council adopt the code amendment as written by LEI with the following addition, which would basically read:

1. 2C: Exceptions can be made on the length of the road through the normal application process.

However, because this item was not properly noticed as an “action item” on the agenda for the October 28, 2010 meeting, the motion and vote are null and void. The code amendment recommendations were again presented to the Planning Commission during a regularly scheduled meeting on December 9, 2010.

Planning Commission Recommendation:

On December 9, 2010 the proposed code amendment was presented to the Planning Commission, which voted to recommend approval of the code amendment as written by LEI, without further exceptions.

FINDINGS:

General Plan

The Transportation Element of the General Plan states that “Completing transportation connections within the City is a major priority to facilitate movement and to bring the two main areas of the City together.” In order to accomplish this, the Transportation Element includes the following as part of the overall Goals, Objectives, and Policies:

Goal 2:

Minimize impact to our natural environment by requiring placement of facilities in the most suitable, lowest impact locations.

Objective B:

Dual access to areas in the higher hillside areas must be obtained.

Objective B, Policy 1:

New development must create multiple access points to Wildland/Urban Interface Area.

Implementation bullet point 5:

DO NOT ALLOW ANY DEVELOPMENT in the upper part of the city without dual access.

The Secondary Access code amendment as written by LEI fully supports the General Plan by requiring that any future development within the HR-1 Hillside Residential 1 Zone and the Urban/ Wildland Interface Area provide dual access roads, and enforces the need for multiple access points for city services and transportation to new growth areas, eliminating “leap-frog” development.

Elk Ridge Municipal Code

The Elk Ridge Municipal Code contains conflicting information regarding single access road lengths, secondary access road requirements, the number of allowable lots on a single access road, and application of the IFC. Staff believes that a code amendment is necessary to provide consistent secondary access requirements within the Urban/Wildland Interface Area and the HR-1 Hillside Residential 1 Zone and to recognize the International Fire Code.

The Secondary Access code amendment as written by LEI will eliminate the conflicting information contained within the different codes by creating a consistent secondary access requirement within the Urban/Wildland Interface Area and the HR-1 Hillside Residential 1 Zone, and will be consistent with the requirements of the IFC. The code amendment will also resolve the issue of the maximum number of allowable lots on a single access road by using the length of the road and the minimum lot frontage to determine the number of allowable lots.”

Mr. Castor explained that LEI was asked to review the Development Code, specifically in the area of *Single Access*; and to make some code amendment recommendations that would help clarify the conflicting information within the Code and would further support the Transportation Element of the City’s General Plan. He reviewed the staff report with the Council and those present.

1. 9-3-4: Roads: The proposed change follows the ordinance that states that “all developments within the Urban Interface area shall have more than one access route, which provides simultaneous access for emergency equipment and civilian evacuation. The design of access routes shall take into consideration traffic circulation and provide for looping of roads as required, insuring at least two access points. Looped roads with a single access are not allowed.”

2. 10-9A-13-11: Secondary Access: This would be to take the language from 9-3-4 and apply it to this section of the Development Code; so both sections in the Code would read the same.

The Hillside/Residential (HR-1) Zone makes up about 2/3 of the Urban Wildland Interface Zone. The information regarding secondary access is conflicting between these two codes; thus the recommendation to clarify and make them consistent; while allowing a single access of not more than 750’. It is felt that the amendments recommended for approval fully support the General Plan (he reviewed the goals and wording mentioned in the staff report regarding the objectives within the General Plan).

(Council Member Haskell asked for clarification as to the reason behind changing the length of the road from 1000' to 750'; and when that change was made.) Mr. Castor explained that there really was not a "change" since the proposed amendment was just now being presented; twice to the Planning Commission, as stated in the staff report, and to the Council.

He further explained that the 750' is to "recognize the International Fire Code"; which will not read exactly as the proposed City Code because the Fire Code does not take into consideration any zoning ordinances or minimum lot frontages. The Fire Code states that where there are 30 or more dwelling units on a single access road...and all units are equipped throughout with approved sprinkler systems; access from two directions shall not be required. This does not take into consideration that in the Hillside Residential zone, lot frontages are a minimum 150'. To apply the Fire Code would result in a road in excess of half a mile...this would be about 2,200' for a single access road.

(Council Member Roylance asked if there is not a difference in a single access road and a cul-de-sac.)

Mr. Castor replied that there is a difference, depending on how the road is designed:

- Cul-de-sacs are usually designed with a "bulb" at the end
- "Dead ends" (stub roads) are typically to property lines and provide temporary turn-arounds; depending on length.

Fire Code requires: anything after 750' to provide temporary turn-around provisions for fire apparatus.

(Council Member Roylance added that a single access could also have a stub road and then a cul-de-sac coming off of it...so it branches into multiple branches.)

Mr. Castor agreed that they could.

(Discussion about the requirement for sprinklers on a single access road; (was the fact that sprinklers are required in Elk Ridge considered in determining length?) :

Clarification:

- Over 30 homes on a single access road...without sprinklers...dual access is required
- Up to 30 units...with sprinklers...dual access would not be required

Mr. Castor said that it must be remembered that in order to get 30 lots on a single access road, (with 150' minimum frontages) the length will be 2,200 ft. In the Fire Code, anything beyond 750' requires special approval for cul-de-sacs.

The proposed code is requiring dual access to any new development in that hillside area.

(Council Member Roylance was simply trying to clarify what the International Fire Code says; he said that the Fire Code states the exception of allowing single access if there are over 30 units, if there are sprinklers.)

13:19

Mr. Castor agreed; but the proposed code is not attempting to apply the Fire Code exactly...due to the length of road which would result with 150' minimum frontages. The proposed code basically strikes the number of units...not basing the code on a certain number of units, rather the length of the road would determine the number of units on a single access road; "however, recognize that to support and implement the General Plan, you should and must provide dual access to any new development within those areas. The code, as it is written now, says that you can have up to 16 lots on a single access road; that is what we are recommending to amend.

The recommended 750' came from the IFC; that anything over 750' in length has to have special approval.

(Council Member Roylance stated that the Fire Code says that over 750' should require an approval; but what is being proposed requires special approval to get up to 750'.)

15:24

(Council Member Clawson connected to the meeting via web cam electronics...the Planner updated her on the discussion to that point...the connection was sporadic throughout the meeting.)

Scot Bell: (Directed to Council Member Haskell) He addressed her question of the 1,000' length of road vs. 750': About 2 years ago, a developer wanted to run a road from Fairway Drive through to Salem Hills Drive.

The Planning Commission at the time was considering a 600' cul-de-sac; which they leaned toward rather than a through road. The ideas were not applied because the development was dropped; but that is when discussion began on the length of a cul-de-sac. (Council Member Haskell thanked Mr. Bell for his input.)

Sean Roylance: At the time referred to by Mr. Bell, other city codes were checked as well...this was considered a "middle of the road" approach. They learned that, in many cases, the recommendations were to have up to 20 to 25 units on a cul-de-sac...that is where the 1,000 ft. consideration came from.

Generally, in other towns...where the length of cul-de-sacs is an issue, there tends to be two situations where a longer cul-de-sac could be considered:

- If there are larger lots
- In a hillside area

Cul-de-sacs allow access to areas in a hillside community without having to create extensive road systems, like a dual access, which results in scarring and cutting of the hillside.

Weston Youd: He asked if this proposal was apart from the application from Developer Resources (Elk Haven, Plat E) and their petition for code change.

Adam Castor: They (LEI Engineering) was asked by the staff to review code and to address the inconsistencies as related to single access. They did review the code and compared it to the General Plan and their recommendation is based on support of the General Plan; which contains pretty strong language regarding dual access.

(He again filled Council Member Clawson in on the discussion, since her connection kept cutting out.)

Erin Clawson: She said she had read the staff report and had no questions.

Weston Youd: He asked the Planner if he had been working with the applicant's petition for code amendment.

He pointed out that both the City's proposal and the applicant's petition address the same issues. Their application was submitted prior to the City's proposal to amend the code. He wanted to know if an effort had been made to consolidate the two.

Adam Castor: He responded that he had not specifically. The City's proposal had started at the staff level when they (the Planner and the Planning Commission) were asked to address the code review. Consideration of the code was brought about through the code amendment request that was submitted by way of the proposed Elk Haven development; however that petition is still at the Planning Commission level...it was sent back to the Planning Commission by the City Council and has since been tabled pending discussion and decision on the code amendments being proposed. The petition was tabled, but is back on the agenda for the following Thursday's Planning Commission Meeting (1/13/11).

The Mayor called for further comments/questions:

23:46

Julie Haskell: She did not feel it made much sense to be addressing a possible code amendment at this meeting, when the Planning Commission would be discussing the same issue the following Thursday.

Adam Castor: He explained that it is a totally different request; though it does address the secondary access issue.

(Weston Youd clarified that the same code has had two different requests for modification...staff originated one and Developer Resources originated the other request some time ago; whereas the staff request was instigated in September, 2010?)

Mr. Castor agreed with Council Member Youd's statement...

Council Member Youd asked Mr. Castor about the TRC for the Applicant; Mr. Castor responded that the Planning Commission had not sent the Application back to the TRC and it is still at the Commission level.

Mayor Lutes: The previous meeting held was referred to as a TRC; however there were no minutes and it was not an official TRC.

Weston Youd: Though not an official TRC, there was a time when the application was discussed by the Fire Chief and the City Building Official.

Sean Roylance: He commented that the General Plan was drawn on for direction for the City's proposed code amendment; but he feels that everybody sees things "through their own glasses...about what different language means". He pointed out that there is an area in town that has over 80 homes on a single access; and previously there was a place that had over 100 homes on a single access until not long ago. From his perspective...as well as the perspective of others involved...he feels there has been a reaction to not wanting to repeat these huge single accesses that no one thought was a good idea. He said he never intended to say "no cul-de-sacs and no single access; but that it be done reasonably, as opposed to 80 and 110 or 115 lots on a single access. So the General Plan is definitely saying ...'Don't do that again!'"

Adam Castor: There must be zoning ordinances that support that perspective..."that is the only way you can do that".

(Erin Clawson: She asked Mr. Castor if it is not so that the City's General Plan counsels not to have cul-de-sacs...but to have dual access.)

Mr. Castor responded that it does not say anything specifically about "no cul-de-sacs" or "no single access"; but it does say that dual access must be maintained in the upper areas of the City; and it also says that the implementation strategy would not allow any new developments within the upper areas of the City that do not provide dual access.

(Council Member Clawson added that this was the General Plan that the Council all voted for unanimously.)

Weston Youd: He said he remembered helping to write that General Plan, as a Planning Commission Member... (He was interrupted)

Sean Roylance: "That was definitely a reaction...another thing there was a reaction to was that there was this big development that was proposed that went all the way across the top of the town that had 80 or 90...a bunch of lots...they did not want that to get 2/3 of the way through...or even 1/2 way through for that matter...without connecting...that needs to connect. Part of that, too...is that one side of that is feeding off of the 80 already on a single access...we don't want any more going in...and making that even more of a problem than it already is."

Weston Youd: He felt the one of the things that needed to be differentiated was the difference between a cul-de-sac and a stub road:

- Cul-de-sacs: "stop the general plan in creating through roads"...there will never be a through road
- Stub roads: allow for future extensions to "incrementally get there" and eventually have dual access to an area.

This is one of the concerns he has with the General Plan; that there is no differentiation between cul-de-sacs and stub roads.

(Council Member Clawson excused herself for a few minutes.)

The Mayor called for any comments from the audience:

30:20

Scot Bell: He recalled in 1996 (he was then a member of the Planning Commission) when there was a recommendation that the Circulation Element be amended for the south side of town. He was in a joint Planning Commission / City Council Work Session where there were concerns expressed over a growing problem of single access roads. Both bodies realized the problem and said they were not willing to perpetuate the problem; but that it needed to be mitigated. They wanted to amend the Circulation Element to "fix the problem". He remembered when the Public Works Director at the time (Kent Haskell) addressed both bodies about what the values were from the perspective of maintenance and snow removal...and that we should eliminate these dead ends. He recalled when the former Fire Marshall came in to address the issue of pressure problems with stub roads. Example: There was a fire in Elk Ridge that was at the end of such a stub road (High Sierra). Payson responded and they tried to pull water off of the top hydrant and they cavitated the water line because there was not enough pressure coming back up hill; because the City never finished what the original developer promised he would do...to loop the system and tie the roads back together to create positive pressure coming back down. "We have so much to be gained and learned by the wisdom of our former Fire Chief and our current Fire Chief...we have a lot to learn from our former Maintenance

Superintendent, as well as our current Superintendent.” Mr. Bell went back and pulled some old documents that read that there should not be so much as one building permit issued until the entire road is completed. This information dates back to 1996...this was the vision that was embraced by our Planning Commission and our City Council. He hopes we do not lose track of the wisdom of the people who saw these things and wanted to mitigate, not exacerbate, the problems.

Sean Roylance: “I completely agree. You can look at the place where we still have the single access with 80 + homes...we should not be building any more there because it just exacerbates that problem...just like Scot described.” If another location in the City were considered...“if you are to say that you can't build a single lot where there are looped roads already in place...then we would basically be saying that there are no more cul-de-sacs”. He said that is the position the City could take...but where we already have single access and we are already beyond a reasonable number of people on a single access...“we clearly should not be building on top of that...until there is a secondary access put in...I agree”.

Krisel Travis: “We think that since we are on the Planning Commission Agenda for Thursday...like Mrs. Haskell pointed out...it seems like a waste of the City Council's time to entertain both of us when it deals with the exact same piece of code...asking for almost the same thing; so if this can be tabled for this evening and we can get through Planning Commission and we can work...

We do feel like it was the same application; and whether the City had it or we had it...those discrepancies wouldn't have come up if our application hadn't been in to look at this issue. So we really feel like we've been dealt with unfairly because we were in the initial Planning Commission Meeting when both of these two issues came up...when there was a problem with the notification, (which I am still trying to understand)...we weren't noticed for the next meeting. It was not our application, but it does deal with the same code and I had an active application in. We feel that possibly could be a breach of an agreement.”

Mayor Lutes: “He said that the City apologizes for anything that might be wrong; but that the meeting needed to move on. He did not feel there was time to take any further comments. He asked of the Council felt comfortable in moving on to the next item and this would be re-visited in the Regular Session.

The Council agreed.

36:36

EXECUTECH

Eric Montegue (Owner) and Tom Harris (sales), representing Executech, were present to address the City Council regarding IT services for the City's network of PC's and server.

They are an “outsource management service”. Businesses and cities that do not have the demand or capacity in the budget to allow for a full time, in house computer technician would outsource those responsibilities to them. They started business in 1999 and have built a respectable track record for maintaining business computer networks since then. They have been recognized as the best state company, a Utah 100 growth company, among other types of recognition for the quality of their work.

They came up with the idea of a co-op among smaller cities and towns to propose service for less through the co-op arrangement. This IT Co-op proposes to extend to the members of the co-op better rates than the usual quote to business-type clients; it hinges on being able to create a sizable enough co-op to be profitable for them while being able to provide top-notch service to be attractive to the members involved. They have about 15 clients on the Co-op currently; but they run about 538 networks in Utah.

They have been in to look at the Elk Ridge network; and based on that review, they have put together a proposal:

- They would come in two hours every other week to maintain the network
- Rate: \$62.50/hour
- They would take a proactive approach to maintain the IT, rather than simply reacting to some issue that comes up
 - o Their goal in being more proactive would be to try to avoid the interruption of the regular work week when everything is busy by coming in to fix an existing problem
- The Co-op would be treated differently than regular clients: They would bill for 3 months in advance for the regular routine maintenance
- At the end of the quarter, they would review the hours and make adjustments to add or reduce the hours spent
- If issues outside of the regular maintenance come up, they have the capability to immediately deploy a technician to handle the issue (billed at \$85.00/hour)
- They would also be able to handle issues over the phone
 - o 5 minute (or so) fix: no charge
 - o If they have to “remote in”: that is billed at 15 minute increments vs. having to deploy someone where they have to bill an hour minimum, then bill at 15 minute increments.

They have tried to structure a flexible service while addressing the applicable issues:

- o Virus protection
- o Repairs outside of regular maintenance (hopefully this will be mitigated through regular preventative care)

Questions as to the kind of support:

- Complete IT support; not segregated strictly into network support

Eric Montegue: Typically when a technician arrives, he would meet with the person they interface with (the “Administrator”) to get a “punch list of anything the City feels should be addressed...covering software to hardware; anything related to IT work. The punch list items would be addressed as well as the proactive maintenance.

Tom Harris: They can back out of the regular visit time any special work that is done; to try to keep the cost down.

42:29

- Executech is a “value partner” with Caselle. They have a tight partnership with them; Caselle will forward issues on to Executech.

(This was pleasing to the Council.)

City Recorder: She compared the proposal from Harland Technology to this proposal; Harland' proposal covered much of the administrative work discussed tonight; but were priced higher.

Weston Youd: He asked if things like time clock management (“key swiped”) would be covered.

Mr. Montegue: They cover anything IT on an hourly basis. If there were no issues to take care of, they could work on back-up issues, anti-virus scans, “red-flag” security protocols, etc. The time can always be scaled down if not needed. This is not a contractual agreement; things can be changed and adjusted.

The total for maintenance would be \$812.50.quarter for two hours every other week.

Sean Roylance: He liked the fact that rather than a “retainer” they would be active in coming out to address the issues.

The current agreement with Harland Technology includes replacing hardware periodically; it appears this proposal does not. Council Member Roylance personally likes the proposal because it gives a bit more flexibility in replacing the City’s own hardware when it actually needs to be replaced.

There were no further comments/questions.

The Mayor mentioned that there would be another proposal coming in for IT services from another company; so no action would be taken later in the Regular Session.

50:28

RESOLUTION –
STREET NUMBER
CHANGES – SOUTH
MAHOGANY WAY

(Memo from Recorder to Council, dated 1-11-11) – Oak Hill Estates, Plat D:

“There are currently no houses on the lots contained within Plat D; however, one property owner is in the process of submitting plans for a home. It was him asking to verify the lot number and address that brought to our attention that the addresses recorded with the Plat (mylar) at the County did not match those assigned on our City address map. When the grid system is applied, the addresses on the address map make sense...while those recorded with the Plat are not in keeping with the established grid system. It is proposed that the City change the addresses on S. Mahogany Way.

When Corbett spoke to the County Assessors office, the woman he spoke to indicated that we would need to do a resolution and send the corrected addresses and serial numbers for each of the lots. It would be good to do this prior to any houses being affected.”

There were no questions or concerns. It was mentioned that there are currently no houses affected at this point, so it is a good time for the change.

50:49

LOAFER CANYON
WELL REPAIRS –
UPDATES

Corbett Stephens: The Council has already approved the repairs on the Loafer Canyon Well. Mr. Stephens contacted the Loafer Recreation Association to inform them of what the City had planned. The Assoc. produced a copy of the original agreement between the City and the Assoc. regarding the terms for the installation of the Well. In the agreement, the City committed to only utilize submersible pumps in the Loafer Well; which negates the City’s plans to try to get more water. The pump is limited by the casing in the ground. The “door is still not slammed shut; they are still willing to talk. It is in our court to come back to them with a proposal of what we want to do.” The agreement has no expiration date.

They are at least listening. Mr. Stephens and the Mayor went to one of their Board Meetings to try to mend some bridges and to try to get along.

If the City cannot install the pump we wanted to, then all we can do is replace the pump and motor with the pump and motor that are up there.

Weston Youd: He knows that one of the issues the Assoc. has is the upkeep of Loafer Canyon Road.

Corbett Stephens: The feeling that they got at the Board Meeting was that they simply expect the upkeep anyway; he did not feel it would be a bargaining tool.

Mayor Lutes added that they also expect the area around the Well to be re-vegetated again.

Mr. Stephens said he had gone back to Nickerson and Widdison for a different proposal; it must be decided if the City wants to go that direction.

Break before the Regular Session.

**ELK RIDGE
CITY COUNCIL MEETING
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TIME & PLACE
OF MEETING

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Notice of the time, place and Agenda as well as an Amended 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 January 7, 2011.

7:10 PM –

CITY COUNCIL REGULAR SESSION AGENDA ITEMS:

ROLL

Mayor: Kenneth O. Lutes; *City Council:* Sean Roylance, Weston Youd, Julie Haskell & Erin Clawson (Present Electronically for most of the Meeting) & (Absent: Derrek Johnson); *Building Official:* Corbett Stephens; *Sheriff:* Deputy Brent Butters; *City Planner:* Adam Castor; *Asst. Fire Chief:* Jon Hoschouer; *Public:* Eric Montegue & Tom Harris (Executech), Scot Bell, Lucretia Thayne, Nelson Abbott (Former City Council), & Maggie Abbott, Krisel Travis, Skyler & Patricia Aiken, Jamie Towse, Gordon Jones, Lee Gillie, Josh Mason, Hannah & Katherine Riley, June Apau-Lane, Kelee Malan, Matt Cahoon, EMT Captain Shawn & Laura Loree, Devin Muhlestein, ShaMayne Mason, Garren Holman, Ronald & Sharon Dahlstrom, Weston Bonny, McKay Ash & Christina Trevino; and the *City Recorder:* Janice H. Davis.

OPENING REMARKS
PLEDGE OF
ALLEGIANCE

An invocation was offered by Lucretia Thayne; and Mrs. Jamie Towse led those present in the Pledge of Allegiance, for those willing to participate.

AGENDA TIME
FRAME

WESTON YOUD MOVED, SECONDED BY JULIE HASKEL, TO APPROVE THE AGENDA TIME FRAME, ADJUSTING THE START TIME TO 7:13 PM

VOTE: YES (3) NO (0) ABSENT (2) ERIN CLAWSON (FROM THE VOTE) & DERREK JOHNSON

PUBLIC FORUM

1. Nelson Abbott: He understood that the City had been reimbursed by insurance money for the fire damage to the playground equipment. He wanted to know when the equipment would be replaced for use.

Mayor Lutes responded that it is being considered and the issue would be back on the Council agenda for consideration and a decision as to the timing. The Council anticipates action in the spring.

2. Lucretia Thayne: (Single Access Code) She expressed concern that the issues associated with this subject of dual vs. single access have been before the current as well as previous Councils. She feels the comments that have been made are very pertinent. She knows that many of the citizens are concerned, not that they are anti-development; but about the conditions in the hillside area and the possible impact on the City without having the access road all the way through...and having all conditions met so as not to end up with the problems experienced in the past with single access roads.

1:03:18

(Council Member Clawson connected back into the Meeting.)

She felt it has been dragging on for too long; and she encouraged the Council to act on the proposed code and to make a decision and not postpone it again.

Though she tends to be a "property rights" person...that people should be able to do what they want with their property; there is a potential for a negative impact in the City by allowing pre-mature development without having all matters addressed in the proper order...the potential problems affect all of the citizens.

1:05:08

ACTION – SINGLE
ACCESS CODE

Proposed Amendment to the Elk Ridge Development Code:

Mayor Lutes called for any further discussion:

(Adam Castor was asked to reiterate the direction from the Planning Commission, as discussed in the Work Session; which he did by reviewing the two Code Amendment recommendations, as stated in the Staff Report to the City Council and the above written minutes of the Council Work Session. He added that he felt the proposed amendments would fully support the General Plan and eliminate the conflicting information within the current Code.)

Julie Haskell: She stated that she agreed with the need to clarify; but she also felt that the item should be tabled until after the Planning Commission Meeting...then it could be brought before the Council at that time for action.

(Adam Castor reminded her that this proposal had been before the Planning Commission and that they do recommend approval.)

Council Member Haskell continued that there is a Planning Commission Meeting scheduled for the following Thursday (1/13).

Mayor Lutes: He replied that the Planning Commission was not going to discuss this proposal at that meeting.

Weston Youd: He added that the discussion would be concerned with the same code.

Adam Castor: He went on to explain that the Planning Commission would be considering a request from a developer regarding the code...and that the proposal before the Council was by recommendation from the City's consultant...and that they are two separate items.

Weston Youd: There could be an additional code change request later...

Mayor Lutes: He commented that "we do not know what they are going to do". *(Council Member Youd agreed.)*

Erin Clawson: She observed that they (the Council) have both the Planning Commission's and LEI Engineering's recommendations to approve the proposed code amendment; based on that:

ERIN CLAWSON MOVED, BASED ON THE PLANNING COMMISSION RECOMMENDATION AND THE RECOMMENDATION OF THE CITY PLANNER AND LEI ENGINEERING, TO APPROVE THE PROPOSED CODE AMENDMENT REGARDING THE SINGLE ACCESS CODE

The motion died due to a lack of a second.

1:08:38

JULIE HASKELL MOVED TO TABLE THE ACTION ON SINGLE ACCESS CODE UNTIL THE NEXT CITY COUNCIL MEETING

Discussion:

Erin Clawson: She asked for an explanation.

Sean Roylance: He recommended that Mrs. Haskell change her motion to state, "until after the Planning Commission looks at the other code...the other petition regarding the same code".

(Council Member Haskell agreed to change her motion.)

City Recorder: To clarify, the City Recorder read the re-phrased motion...and Council Member Roylance agreed with the phrasing...then Council Member Haskell agreed as well and made her motion accordingly:

JULIE HASKELL MOVED TO TABLE THE ACTION ON THE PROPOSED SINGLE ACCESS CODE AMENDMENT UNTIL AFTER THE PLANNING COMMISSION CONSIDERS THE APPLICATION FOR CODE CHANGE SUBMITTED BY THE PROPOSED ELK HAVEN SUBDIVISION, PLAT E

Discussion:

Council Member Clawson was asked if she could hear the motion...she responded in the affirmative.

Sean Roylance: He desired to make a further comment on the motion: He felt it would be good for the Planning Commission to "come to a little bit more of a conclusion as well; because they did one thing and then another...and it wasn't all the same people at each of the two meetings...so I'd like for them to hopefully have an opportunity to sort out amongst themselves a little bit more, as well. But, one other thing for me personally...I'd like to say: I don't see the single access and the cul-de-sac as being the same thing. I hope that we treat them as being different ...since they are different".

Mayor Lutes called for a second to the motion:

WESTON YOUD SECONDED THE MOTION

VOTE: YES (3) NO (1) ERIN CLAWSON ABSENT (1) DERREK JOHNSON

Motion carried to table the action.

1:10:55

EXECUTECH –
IT SERVICES

The Council wanted to get the other pending proposal and more information.

SEAN ROYLANCE MOVED, SECONDED BY JULIE HASKELL, TO TABLE ANY ACTION ON EXECUTECH'S PROPOSAL UNTIL MORE INFORMATION IS AVAILABLE

VOTE: YES (4) NO (0) ABSENT (1) DERREK JOHNSON

Discussion:

Sean Roylance: He agreed that another proposal from a different company would be advisable. He did prefer Executech's offer over the agreement presented by Harland in the past.

1:12:20

OAK BRUSH COVE
SUBDIVISION –
RESCIND
PRELIMINARY & FINAL
APPROVALS

(Memo from Recorder to the Council, dated 1-11-11)

"This was on the agenda for the last Council Meeting; however, due to illness (Mr. Holman), it was postponed.

Issue: Two of the property owners have requested in writing that they be removed from the mylar plat. The Recorder's office at the County said to take this back to the Council for this action. This results in the proposed subdivision being null & void. This is not a City issue...these are issues between the property owners. The Council's approvals do not create the subdivision, it is the recording of the plat that creates the subdivision ...the approvals simply give the go ahead to record...once everything is in order. The final approval is good for 6 months...if the plat is not recorder, it is void anyway."

As far as the Recorder knows, nothing has changed since that time.

The property owners requesting to be removed: Dan Steele & Matt Cahoon.

Mr. Holman and Mr. Cahoon were present and were asked if they had anything to add; they did not.

JULIE HASKELL MOVED, SECONDED BY SEAN ROYLANCE, TO RESCIND THE PREVIOUS PRELIMINARY AND FINAL APPROVALS FOR THE OAK BRUSH COVE SUBDIVISION

VOTE: YES (3) NO (0) ABSENT (2) ERIN CLAWSON (FROM THE VOTE) & DERREK JOHNSON

1:15:54

RESOLUTION- STREET
NUMBER CHANGES –
ACTION

There were no further comments.

WESTON YOUD MOVED, SECONDED BY SEAN ROYLANCE, TO APPROVE THE STREET NUMBER CHANGES FOR S. MAHOGANY WAY IN THE OAK HILL ESTATES SUBDIVISION, PLAT D, TO MATCH THE ESTABLISHED ADDRESS MAP

VOTE: YES (3) NO (0) ABSENT (2) ERIN CLAWSON (FROM THE VOTE) & DERREK JOHNSON

1:16:41

SEWER RATES –
ACTION

Proposed increase to Elk Ridge residents from \$22/connection to \$22.88/ connection; to match Payson City's increase, as per recommendation from the City's Finance Director.

The Council will discuss any further increase in conjunction with the 2011/2012 Budget.

Sean Roylance: He agreed with the idea of communicating to the residents, through the Newsletter, about the increase and why it was necessary for now and why it may be inevitable in the future

SEAN ROYLANCE MOVED, SECONDED BY JULIE HASKELL, TO INCREASE THE SEWER RATES FROM \$22.00/CONNECTION TO \$22.88/CONNECTION; IN ORDER TO COVER THE RATE INCREASE FROM PAYSON CITY TO ELK RIDGE CITY

VOTE: YES (3) NO (0) ABSENT (2) ERIN CLAWSON (FROM THE VOTE) & DERREK JOHNSON

1 1:18:39

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3 SCHEDULE CITY
4 COUNCIL MEETINGS
5 FOR 2011

WESTON YOUD MOVED, SECONDED BY SEAN ROYLANCE, TO APPROVE THE SECOND AND FOURTH TUESDAYS OF EACH MONTH IN 2011; WITH THE EXCEPTION OF NOVEMBER & DECEMBER, WHEN THE COUNCIL WILL ONLY MEET ON THE 2ND TUESDAY DUE TO THE HOLIDAYS
VOTE: YES (4) NO (0) ABSENT (1) DERREK JOHNSON

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7 1:20:13

8 APPOINTMENTS –
9 CITY RECORDER &
10 CITY TREASURER

Annual appointments:
Mayor Lutes recommended that the following positions remain filled by the current staff:
- City Recorder: Janice Davis
- City Treasurer: Linda Cooper

JULIE HASKELL MOVED, SECONDED BY SEAN ROYLANCE, TO RE-APPOINT JANICE DAVIS AS THE CITY RECORDER AND LINDA COOPER AS THE CITY TREASURER; AS RECOMMENDED BY MAYOR LUTES
VOTE: YES (4) NO (0) ABSENT (1) DERREK JOHNSON

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17 UTAH VALLEY
18 DISPATCH SPECIAL
19 SERVICE DISTRICT –
20 APPOINTMENT TO
21 BOARD (911)

Mayor Lutes: Council Member Haskell's term of office as a member of the Board of Trustees, representing Elk Ridge, expired on December 31, 2010. The City received a letter requesting that the Council appoint another representative for the term beginning January 1, 2011 through December 31, 2014. It is to be in the form of a resolution. Mayor Lutes complimented Council Member Haskell on a job well done and recommended Council Member Erin Clawson to fill the position. Council Member Clawson agreed.

WESTON YOUD MOVED, SECONDED BY JULIE HASKELL, TO APPOINT ERIN CLAWSON AS THE ELK RIDGE REPRESENTATIVE TO THE UTAH VALLEY DISPATCH SPECIAL SERVICE DISTRICT BOARD OF TRUSTEES
VOTE: YES (4) NO (0) ABSENT (1) DERREK JOHNSON

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30 EXPENDITURES:

**(Council Member Clawson had to excuse herself from the rest of the meeting.)*
General: None
A. Check Registers and Payroll for December, 2010:
No comments.

WESTON YOUD MOVED, SECONDED BY JULIE HASKELL, TO APPROVE THE CHECK REGISTERS AND PAYROLL REGISTER FOR DECEMBER, 2010
VOTE: YES (3) NO (0) ABSENT (2) ERIN CLAWSON & DERREK JOHNSON

B. Loafer Canyon Well Repairs: Nothing to approve at this point.

C. Purchase of Snowplow Blades:

Corbett Stephens: (A memo of explanation from Mr. Stephens was in the Council packets.)

The Mayor asked Mr. Stephens to explain the reason for re-visiting this agenda item. He explained that the previous request for replacement blades for the snowplows was a bit premature in that he later found out that the blades he asked for were "carbide" blades and they only last about a year. The MHL blade is what is on both plows currently and they have a longer life. The current blades have two to three years of wear on them and still have a fair amount left. The better blades, from what he hears from other cities, are worth the extra money.

- Regular carbide blade (from H&E Equipment): \$1,085.07 per blade (approved)
- MHL Blade (same as current blades) from the MHL representative: \$1,530.76 per blade

The request is for the Council to approve two MHL Blades (to have on hand as replacements in case of emergency) at a total cost of \$3,061.52.

*Note: the MHL Blades come with a guarantee: if they break...if the carbide casting comes out...they replace the whole blade, not just the section.

He proposed building up the old blades when they wear out, rather than continuing to buy more blades...this would save money.

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Julie Haskell: (Directed to Mr. Stephens) They were told the blades on the snowplows now would last five years.

Corbett Stephens: The current blades are the MHL Blades:

- On the newer truck, the "casting" is almost worn down (in its 3rd year this year)
- The other truck: the blades are only 2 years old and it is obvious there is not as much wear on it

Sean Roylance: Whether it is 3 or 5 years, if we want that life on the blades, we have to go with this option (MHL Blades).

No further comments/questions.

SEAN ROYLANCE MOVED, SECONDED BY WESTON YOUD, TO APPROVE THE REQUEST TO PURCHASE TWO MHL BLADES AT A PRICE OF \$1,530.76 PER BLADE; OR SLIGHTLY MORE, IF NEEDED

VOTE (POLL): SEAN ROYLANCE-AYE, WESTON YOUD-AYE (2) JULIE HASKELL-NAY (1) ABSENT (2) ERIN CLAWSON & DERREK JOHNSON

Discussion:

Julie Haskell: She felt the blades are unnecessary at this time to just have on hand; with the current blades having a life of five years. She felt the Council should hold off on the purchase until they are needed. She felt there is no where to store them.

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3 Corbett Stephens: He expressed his concern that the blades could break...example: two Saturdays ago a
4 section of the older plow was lost; the bolts broke off for some reason. If a manhole or a section of gutter is to
5 blame...when that happens, "you are done". Luckily, that piece was found and welded back on...that is
6 unusual. If that happens in the middle of snow season, does the Council want to wait two weeks while another
7 blade is ordered and put back on? He was not suggesting replacing the blades that are on the plows now; he
8 simply wants to be prepared with spare blades if needed. If in the middle of a storm, what would they
9 do...simply shut down? That is the Council's decision to make, but the blades will not last forever and he feels
10 it is wise to have extras on hand.

11 Mayor Lutes: It was an odd occurrence that the section of blade that broke was found; typically, it would not
12 be. He asked if the Council wanted to reconsider. He reminded them that the approval to purchase the other,
13 less durable blades still stood; there was no agenda item to rescind the previous approval. So, the purchase
14 would be for the cheaper, non-MHL blades; is that what the Council wants?

15 Julie Haskell: She maintained that she felt it unnecessary to just have them on hand..."we don't have the
16 storage for it...we don't have a need for it...they are guaranteed for five years".

17 Corbett Stephens: He corrected the statement: "They are not *guaranteed*, they are *warranted*. They estimate
18 they will last five years, but...again, you can walk out and look at them to see how much wear is left on them."

19 Mayor Lutes: So it was his understanding that Mr. Stephens is to purchase the non-MHL blades that had
20 already been approved. They just won't last as long. He asked if that is the direction from the Council.

21 *Council Member Youd reminded the Mayor that he had voted for the MHL Blades.*

22 Sean Roylance: He suggested buying one of the MHL Blades for now with the money that had been approved.

23 Weston Youd: Since the motion did not specify the type of blade to be purchased, there is \$2,200 with which
24 to buy a blade or blades...he could buy one of the expensive blades or two of the other blades.

25 Corbett Stephens: He was not sure the blades are "universal"; if not, it would be difficult to choose which plow
26 to buy the blade for. He will check.

28 MINUTES

City Council Minutes of December 14, 2010:

29 **WESTON YOUD MOVED, SECONDED BY SEAN ROYLANCE, TO APPROVE THE CITY COUNCIL**
30 **MINUTES OF 12-14-2010, AS WRITTEN**

31 **VOTE: YES (3) NO (0) ABSENT (2) ERIN CLAWSON & DERREK JOHNSON**

32
33 ADJOURNMENT

The Mayor adjourned the City Council Meeting at 8:45 PM.