

ELK RIDGE  
CITY COUNCIL MEETING  
March 8, 2011

TIME & PLACE  
OF MEETING

This Regularly Scheduled Meeting of the Elk Ridge City Council, was scheduled for Tuesday, March 8, 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 March 7, 2011.

6:00 PM –

CITY COUNCIL WORK SESSION AGENDA:

ROLL

*Mayor:* Kenneth O. Lutes; *City Council:* Sean Roylance, Weston Youd, Julie Haskell & Erin Clawson (Resigned: Derrek Johnson); *Building Official:* Corbett Stephens; *Sheriff:* Deputy Brent Butters; *Public:* F. Lucretia Thayne, Nelson Abbott (Former City Council), Jamie Towse, Kelly Liddiard (Planning Commission) & Melanie Liddiard, Brian Burke, Alvin L. Harward (Former Council Member), Bethany Hansen, Ammon Hansen, Kaydee Crook, Katelyn Burraston, Katie Ryan, Aaron Eliason, Ryan Lofthouse, Sam Lofthouse, Dallin Kimber, Mindy Mathews, Melanie Phillips, Rachel Fitzgerald, Stewart Spencer, Natalie Barker, Kaylee Ward, Nic Robertson, Chandler, Dalton, Harrison Ingram, Dakota Peterson, Jasen Dedrickson, Camila Reyes, Jordan Caplin, Shaun Merrill, Alison Reece, Eliza Berrett, Austin Peay, Tiffani Currie, Tyson Currie, Rebecca Newman, Ashley Moody; and the *City Recorder:* Janice H. Davis.

LOAFER CANYON  
WELL UPGRADES –  
ENGINEERING

Corbett Stephens: The Council has already approved the repairs on the Loafer Canyon Well. Mr. Stephens gave a brief history:

- Original Upgrade was to replace the same pump and motor in the ground
- Then the desire was to upgrade the pump to get more water out of the well; the bigger motor would have been above ground
- Loafer Canyon Recreation Association protested due to the agreement between the City and the Assoc. not to put anything above ground because of the noise factor
- We found we had to go to the State Drinking Water Board to put in a bigger, submersible pump and motor
- The well already tested at 1,100 gpm; so we do not need the State to re-approve the amount of water; we just need to submit stamped engineering drawings to the State for approval of the upgrades and improvements to the well (mechanical, civil & electrical engineering are needed).

Bids from Engineering Firms:

1. Aqua (Including engineering from SKM for electrical engineering) for \$6,500 (Aqua: \$4,500 + SKM: \$2,000)
2. Royal Engineering (like SKM for electrical): \$650 vs. SKM at \$2,000
3. LEI Engineering: \$3,400

Change-out: the pump would be a 75 horse submersible; changing out the 6" pump column to an 8" pump column.

Sean Roylance: He asked if the engineering costs would be in addition to the money already approved for the well upgrades (the previous estimate was approximately \$55,000). Will there be other changes in cost?

Corbett Stephens: The cost of the upgrades figure to be about \$65,000 + (not including engineering).

The Aqua bid includes electrical and LEI's does not; but the bids are lower.

Nickerson's is the low bid for the pump and column change-out; their calculations are at 975 gpm (pump capacity). The City has not gone over 810 gpm in one month; though the capacity will increase, we will still only pull what is needed to fill the tanks.

Mr. Stephens asked that the Council consider a bit of a "cushion" in case cleaning is required.

Nickerson's bid:

- Pump replacement: \$22,340
- Video inspection of the casing: \$500
- Cleaning could be in addition, if needed...it is not anticipated there will be a need to clean it.
- Bid from Delco Western (cleaning): \$3,000
- To pull existing pump & motor: \$4,479

(The list was not completed at that time, since the conversation went to the necessity of cleaning the well.)

\*For Information: The actual breakdown is listed below:

- LEI (Stamped Design) \$3,400
- Electrical Design: \$650
- Electrical Installation (+freight) \$16,849.20
- Elk Ridge City (Parts) \$5,000
- Nickerson \$27,319
- SESD \$5,000
- SKM (Telemetry) \$10,050

Julie Haskell: She preferred to approve the cleaning later, if it is decided that it is necessary.

09:15

Corbett Stephens: His concern with waiting is the possible need to turn on the Cloward Well; just to turn it on costs \$1,400 (demand charge). The City would not do anything that is not necessary.

Julie Haskell: If Nickerson's does not think cleaning is necessary and they are the professionals; she agrees. She feels the \$5,000 "cushion" is a lot to approve without the need being apparent and felt it was premature.

Sean Roylance: He asked that Mr. Stephens review the length of time it would take to realize the advantages of not turning the Cloward Well on; how long will it take to pay for the upgrades to the Loafer Well?

Corbett Stephens: If the City can get 800 gpm out of Loafer Canyon Well (increasing the output by 10 gpm) we could avoid turning the Cloward Well on (with associated high pumping costs). This past summer the Cloward Well cost the City \$13,000 for three months.

Julie Haskell: She pointed out that the City is also paying for the upgrades up-front; so that would have to be deducted from the savings. It is not a total savings.

Corbett Stephens: The changes also include insulating the buildings to save on costs having to do with freezing temperatures. Example: In December, 2010, alone, the City paid \$538 to heat the Cloward Well, at a temperature of about 40°. There are savings in heating costs.

- Changes also include keeping water out of the buildings (well houses). If there is water in the buildings, there must be heat. He explained the check-valve system.

- The Division of Drinking Water advised that the City that under our current circumstances, we don't need to have a check valve. If the check valve can be eliminated, there would be no need to heat the building. (Council Member Haskell asked if the integrity of the pipe should not be taken into consideration. Equipment still wears out.)

12:19

Mr. Stephens went on to explain: if there is nothing in it to freeze, then it would not make any difference. (Council Member Haskell still felt that the equipment could erode.)

The Division of Drinking Water has given approval that if the City can eliminate the check valve and eliminate the need to heat the building, and then perhaps more money could be saved each month.

Julie Haskell: There was no paperwork included in the packets from the Division of Drinking Water; she requested a copy of that letter/report.

\*Mr. Stephens said he would provide copies to the Council.

Erin Clawson: She commented that the Council had already committed to the upgrades on Loafer Canyon Well; and had recognized that there will be savings over a period of time.

(Council Member Haskell said that "things still wear out"; and the Council needs to determine if the cost of the upgrades are worth it...and there are no numbers provided as to the length of time it would take to recognize the savings, taking into consideration the wear on the equipment.) Council Member Clawson felt that it is worth it; and mentioned the time when the Council initially made the decision to approve the upgrades...it was because the numbers and length of time to recognize savings made sense to the Council at that time. She does not believe that has changed.

Sean Roylance: He asked how long the new pump would last.

Corbett Stephens: He responded that it is all based on use; the pump that is in the Well now has been up there 16 years. He further explained that it has a "hard start" on it...the "VFD" (soft-start) is easier on the bearings so that should contribute to the life of the pump. It would be difficult to predict exactly.

Sean Roylance: There will be wear and tear on whatever pump is running. He was calculating the cost vs. savings and figured roughly that it could take about 7 years to pay for the upgrades. He added that the investment on the upgrades to the Loafer Well would benefit the entire system...and that the costs vs. wear and tear would be going on elsewhere in the system...again, wherever the pumps are running.

Corbett Stephens: If nothing is done to the Loafer Canyon Well to upgrade it, what will the Council recommend? We cannot pump everything out of the Oak Lane Booster to the top of town. If we do not do anything with the Loafer Canyon Well, it will "die"...then the City would be pumping out of the Cloward Well (with high pumping costs); then the savings on pumping costs would have to be added back in.

Weston Youd: The investment in the Loafer Canyon Well has to be thought of as an investment into the overall water infrastructure.

Sean Roylance: He felt that that, over time, the costs for the upgrades would be less, taking into consideration all the projected savings.

16:51

CITY CELEBRATION -

Weston Youd: The Celebration is planned for June 24 & 25, 2011. There will be a meeting on March 17 at 7:00 PM; after the Youth City Council meets at 6:00 PM.

He hopes to accomplish the following at the Committee meeting on 3/17:

- Form Committee
- Select a Chair person
- Decide on a theme

He has made phone calls to the following:

- John Martin (Golf)
- Zack Lundberg (10 K and Mile Run)
- Connie Reece (Parade)
- Fire Chief (Breakfast); Council Member Youd has not spoken to him yet.

\*He will make a sign for the bulletin board.

Will the Council approve making the position of Chair person a paid position? If so, how much?

The City Recorder suggested \$500 out of the Celebration budget could go to a Chair.

Council Member Youd will draft fliers to advertise the position and that it is paid.

\*The City Recorder will print these out and have them ready to be picked up. The Youth City Council will assist in handing out the fliers.

\*The City Recorder also volunteered to take care of ordering plaques for the Citizen of the Year.

Erin Clawson: She will be out of town on 3/17, so will be unavailable to attend the committee meeting. She will not be able to open the building for the Youth Council or the committee meeting.

\*Council Member Youd said he would come early to open the building at 6:00 PM; but he will need a key.

Various activities were suggested:

- Movie night in the park
- Square dance (This seemed to be a popular option)
- Band

Sean Roylance: He reminded the Council that the City Web Site could be used to advertise for a Committee Chair.

\*Any further approvals will be at the next City Council Meeting.

35:07

CITY COUNCIL  
ASSIGNMENTS

Mayor Lutes: He expressed his appreciation for the help offered by the Council in accepting the proposed assignments. He understood that some of the assignments needed further consideration. He realizes that people are “maxed-out” time-wise and he is just happy for any help he can get. There is much to do and hopes all can work together. He wondered if there is any further discussion regarding acceptance of proposed assignments.

1. Weston Youd: His job has been very demanding and he has found it difficult to find the time to further consider anything beyond that which he has already accepted. He has not met with Mr. Stephens and the Mayor to determine the expectations of the other proposed assignments. He still plans on doing that.

2. Erin Clawson: She received an email from Ray Brown with many suggestions on being able to fulfill her assignments. One suggestion was for Council Member Haskell to continue for the rest of her term of Office as the 911 Representative. He encouraged her to accept the Code Enforcement assignment. She has no problem working with Ray Brown; she has a problem with elected officials actually enforcing code. She wanted a bit more clarification as to her duties in this capacity.

Mayor Lutes: The assignment would perhaps include:

- Assisting Mr. Brown and deciding how he should go forward with the actual enforcement process
- Helping to establish an Administrative Court

*(Council Member Clawson asked if she would be reporting back to the Council about Mr. Brown’s activities...)*  
Yes.

Erin Clawson: She felt the most pressing issue coming up would be the landscaping code. She asked the Council if the position should be to enforce the code as is? If so, then the Code Enforcement Officer can simply do his job. If the Council wants to create an Administrative Court, then he can set it up when he returns. She understands that an Administrative Court would serve to enforce the code without classifying the citizens in violation as “criminals”. She strongly agrees with this concept. She feels that compassion can be shown while still enforce the code. If she acts as the liaison to the Council and the Enforcement Officer handles the action; she can agree to that.

Mayor Lutes: He agreed and confirmed that the Code Enforcement Officer has to have someone in authority to report to and then Council Member Clawson would interface with the Council. When Mr. Brown and the Mayor went out to Saratoga to visit their Court, they found that the judge and the attorney they use are willing to service Elk Ridge as well.

Erin Clawson: Mr. Brown will return in April; and he can then present this information to the Council.

Weston Youd: He wondered if partnering with Woodland Hills and Salem could be an option...it could be a regional court and the cost could be shared between the cities.

Erin Clawson: Mr. Brown could look into that, as well. She trusts his judgment. She will bring the information back to the Council...she accepted to do that much.

42:39

Sean Roylance: He likes the idea of an Administrative Court and that leniency would be involved. Prior to the court being established, the Council should also exercise leniency.

Erin Clawson: She agreed; and added that the Court allows for leniency while enforcing the code.

Julie Haskell: She could relate to not wanting to “police” the code. She was concerned with that in accepting her own assignments.

Weston Youd: He maintains that a legislative entity should not “enforce” the code it creates...that is for the executive or administrative branch of government.

45:02

3. Sean Roylance: As he has considered the outstanding assignments proposed to him (Rental Property & Collections), he feels he has accepted all he can handle at this point with his current work schedule.

Mayor Lutes: He commented that he understands and appreciates any assistance available.

House Numbers – Julie Haskell

Council Member Haskell reported to the Council:

1. She has a map of the City and will be starting on identifying houses with or without numbers the following week.

2. She has thought about talking to the Fire Chief to see if the fire fighters could be assigned a portion of this assignment as part of their drills.

3. She would like to offer the residents who are without the proper numbering: City-purchased numbers that would help in bringing them into compliance; these would not have to be expensive, but she felt it would be a good gesture to the citizens.

Are there any other suggestions from the Council Members?

She has not located the actual code yet.

Mayor Lutes: He had looked up the code and read it to the Council. Approved numbers of a minimum of 5” in size are required to be place in such a position as to be “plainly visible and legible” from the road. The numbers must “contrast’ with the background and be suited for visibility in all seasons.

The idea is to be able to see the numbers from the street in all seasons.

Julie Haskell: Numbering on mailboxes and the placement of the mailboxes seems to be erratic; so there is no solution with that.

Perhaps numbers could also be purchased for those residents in non-compliance with address changes; or the City might be able to assist in the required changes. This is not her specific assignment; but it still concerns safety and that is a concern to her.

Mayor Lutes: He did not particularly want to stir up the address issues; but he did contact Dispatch and they are willing to place notations regarding certain homes that help in identifying these homes. He felt that was an easy solution to the problem.

Julie Haskell: She agrees that people should not be “bullied” into changing their addresses; but she would not want emergency services to have trouble locating these homes. As she is driving around, she will be listing addresses that are missing.

53:19

City Recorder: She asked if it would still be possible to refer residents needing address changes requiring cement work to a particular company; it was set up in the past through former Council Member Alvin Harward. Mr. Harward was present and indicated he could look into it, or supply the name of the company.

*The Council generally agreed that purchasing the numbers for the houses would be a good idea.*

Mayor Lutes: He suggested that making notations of any identifying markings of the homes with address issues could be accomplished at the same time that Council Member Haskell is out checking the addresses. The notations could be provided to Dispatch.

Communications – City Website – Sean Roylance

1. He estimates that 10% to 20% of the households in the City are represented with an email address in the City’s email database. He felt it would be good to make an effort to perhaps go door-to-door to solicit email addresses from the residents; allowing better communication through the website.

\*Assisting in this endeavor might be an appropriate activity for the City Youth Council.

\*Council Member Clawson is over the Youth Council; she will take this suggestion to Mrs. Towse and she would be willing to help them, as well.

2. He wanted to know what types of communication through the emails and website would be appropriate. What lines should be drawn regarding communications with residents?

He has spoken with some officials at other cities for their input. One of the common concerns seems to be that the Officials are not in favor of providing a place where elected officers contribute. The reasons:

- When the Elected Officials share their ideas, typically their opinions are strongly represented.
- If an elected Official desires to communicate an opinion, they usually have their own ways to get those opinions out to people; but utilizing the City’s modes of communication is where there needs to be care taken. “Editorial” types of comments should allow for other and differing opinions to be shared as well...this gets into varying motivations and controversy. What does the Council think about these concerns? Does Elk Ridge want to restrict the City communication mechanisms?

*(There was agreement voiced from the Council Members present.)*

Questions: What kinds of parameters should be place on City communications? Should the notices from specific Council Members be limited to their assigned areas? What is the defined process for posting notices? Does the Council wish to think about this and come back to discuss options at a later time?

Erin Clawson: She feels that the individual Council Members should not speak on behalf of one another. She also feels that comments from the Council should be held to facts, not opinion

Weston Youd: Anything that is “staff” related (like Deputy Butters’ articles or fees being adjusted...these are more fact oriented and are fine; but notices that are more “editorial” in nature should be avoided...”the City newsletter is not an editorial page”. Opinions being expressed should be checked.

*\*Between 3/8/11 and the next Council Meeting, Council Member Roylance can come up with some ideas on how to accomplish certain agreed-upon parameters. He will bring those ideas back to the Council for further consideration.*

1:02:39

PERSONNEL –  
PUBLIC WORKS –  
CONTINUED  
DISCUSSION

*This topic of discussion was to be on the City Council Agendas to continue reviewing any added information and attempting to come to some decisions.*

Erin Clawson: (Council Member assigned to Public Works) At the last City Council Meeting, she asked that the other Members of the Council review the job description; she said she was still unclear whether the Council is willing to proceed with the topic. She had emailed the current job description to the Council.

Weston Youd: He said he had received the email and that he owed her a job description in return.

Julie Haskell: She will check her email; but has had some trouble with a faulty address for her.

Erin Clawson: She felt that this meeting was a critical one in that the next meeting (3/22) is the designated deadline to have decisions made. Her opinion has not changed and remains that the City needs to hire an additional Public Works employee and that the Council should move forward.

Though Wayne Frandsen will be with the City for not quite two more years; she reviewed many of the projects with Mr. Stephens and three people would be preferable. She and Mr. Stephens prioritized the projects:

- Crack-fill (1<sup>st</sup> project to start, as weather permits)
- Sewer collars
- Storm Drain (any good weather day)

The longer the Council takes to decide on hiring an employee, the harder it will be to get these things done later. If the Council is going to proceed, that decision should be made; if not, then she sees no reason for further discussion.

Julie Haskell: There is no reason that some of the work cannot get done with the employees the City has currently. Money was approved for assistance through SOS Temp Services.

Erin Clawson: She did not mean to imply that no work is being done; but more work could be done with a third employee and training could also be accomplished at the same time, rather than just using temporary help...this would be an investment in the City.

Sean Roylance: He definitely wants to continue on the path; though he did not get Council Member Clawson his feed-back on the job description.

Erin Clawson: Her question was: did the Council want to proceed in just talking about the issues and wait until the next Council Meeting to make a decision? March 22 is the committed date when a decision would be made on the following: creating the position, wage range and job description.

Weston Youd: He fully intends to “go for a rate, job description and a position...or not; by next meeting”.

Sean Roylance: He agreed to act on the issues at the following meeting; he had been looking to what an appropriate rate would be and he would be more comfortable with waiting until the next meeting.

Julie Haskell: There is also the need to look at what other cities pay; which is difficult since most other cities are larger than Elk Ridge.

Erin Clawson: She appreciated the input and went on to add a point: as she understands the labor laws...if Mr. Stephens were to have another person under his direction and supervision, that would then qualify him with an “exempt” status and to legally be salaried. Currently, he should probably not fall under the “salaried” status; he would be paid an hourly wage + overtime. Based on hours worked (average: 67 hrs/week) last year, that would have been an additional \$50,000.

1:08:36

Julie Haskell: “Usually hourly doesn’t get paid as much as salaried either, so that would be an adjustment, as well.”

Erin Clawson: She responded that working overtime to get the work done...“that is the difference”. “So, if we don’t hire another person we need to be legally paying Corbett the hours that he is working”.

(*Council Member Roylance observed that, from what Council Member Clawson was saying that, “We need to hire somebody”.*) She went on to make the point that the money would be spent “one way or another”; but she felt that “it benefits the City if there is another person that we are training for the future”.

Julie Haskell: Working overtime has not carried over to the present (referring to Mr. Stephens).

Corbett Stephens: He added that he is still working overtime; though not to the extent he was; but still overtime.

Julie Haskell: She reminded Mr. Stephens that he is “getting paid a very good salary”.

Erin Clawson: It was Council Member Clawson (not Mr. Stephens) bringing up the point of where that money will be spent...either on one person being paid overtime and wearing that person out; or on another employee that would “build on our City’s future”.

(*Council Member Roylance added that he had not realized the City was in that position.*)

She knows that it can be a “big deal” with Human Resource people to make sure the qualifications are met for exempt employees.

*The Work Session was closed and there was a short break before the Regular Session.*

1:15:55

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OF MEETING

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7:23 PM –

**CITY COUNCIL REGULAR SESSION AGENDA ITEMS:**

ROLL

*Mayor*: Kenneth O. Lutes; *City Council*: Sean Roylance, Weston Youd, Julie Haskell & Erin Clawson (Resigned: Derrek Johnson); *Building Official*: Corbett Stephens; *Sheriff*: Deputy Brent Butters; *Public*: F. Lucretia Thayne, Nelson Abbott (Former City Council), Jamie Towse, Kelly (Planning Commission) & Melanie Liddiard, Brian Burke, Alvin L. Harward (Former Council Member), Bethany7 Hansen, Ammon Hansen, Kaydee Crook, Katelyn Burraston, Katie Ryan, Aaron Eliason, Ryan Lofthouse, Sam Lofthouse, Dallin Kimber, Mindy Mathews, Melanie Phillips, Rachel Fitzgerald, Stewart Spencer, Natalie Barker, Kaylee Ward, Nic Robertson, Chandler, Dalton, Harrison Ingram, Dakota Peterson, Jasen Detrickson, Camila Reyes, Jordan Caplin, Shaun Merrill, Alison Reece, Eliza Berrett, Austin Peay, Tiffani Currie, Tyson Currie, Rebecca Newman, Ashley Moody; and the *City Recorder*: Janice H. Davis.

OPENING REMARKS  
PLEDGE OF  
ALLEGIANCE

An invocation was offered by former City Council Member Nelson Abbott; and Scout Josh Dalton led those present in the Pledge of Allegiance, for those willing to participate.

AGENDA TIME  
FRAME

**WESTON YOUD MOVED, SECONDED BY ERIN CLAWSON, TO APPROVE THE AGENDA TIME FRAME, ADJUSTING THE START TIME TO 7:23 PM**  
**VOTE: YES (4) NO (0)**

PUBLIC FORUM

There were no comments.

1  
2  
3 MOUNTAINLAND  
4 ASSOCIATION OF  
5 GOVERNMENTS –  
6 UTA LETTER

(Memo from City Recorder to Council, dated 3-8-2011)  
“As per the letter from MAG, Elk Ridge is one of the cities that has not specifically joined the County by signing the provided letter of authorization for the UTA Service District. To join would allow some input on the Board of Trustees for UTA.  
Currently the citizens of Elk Ridge pay this added sales tax when we shop outside of Elk Ridge.  
This tax will impact Elk Ridge specifically through Home Businesses that charge sales tax...(not food) This tax will increase by .0025 (one quarter of one percent...or ¼ of a penny for every \$1.00 of sales...or \$.25 for every \$100 of sales.

- Two options to change the current status:
- Agree to be annexed into the transit service district (We will likely not be getting busses up here in Elk Ridge) and impose the sales tax by a general vote (on a ballot...expensive)
  - Legislature that allows for counties where a set majority of the cities are members...to automatically be brought in as a full county entity

Basically, whether we sign or not, we will be included via the 2<sup>nd</sup> method; which legislature is already in the works.  
The hesitancy the Mayor feels is that he would rather not officially sign something that results in higher taxes. (I think Cedar Fort’s Mayor is not going to sign the letter.)

It is up to the Council whether to have the Mayor sign the letter or not.”

Mayor Lutes: (He referred to the summary in the packets from the City recorder.) This is about the UTA Tax...“they would just like to have everyone sign on”. The legislation that is being presented now will include all of the cities anyway. He explained that MAG would like all of the cities in Utah County to sign the letter committing to the UTA Tax. Cedar Fort is not signing; others may not. Though it does not really seem to matter, he sees no reason to sign the letter; which would officially agree to the tax.

Weston Youd: He commented that signing will not ensure service; “it does not mean the bus will come up here”.

The Council agreed with the Mayor; their direction to the Mayor was to not sign the letter.

29 1:20:49  
30 RESOLUTION -  
31 CITY FEE SCHEDULE  
32 - IMPACT FEES

(Memo) When we amended the City Fee Schedule, the fact that the Water & Sewer Impact fees were left off the schedule was not noted. This changes nothing...it simply adds the already established fees to the schedule.

**JULIE HASKELL MOVED, SECONDED BY ERIN CLAWSON, TO ADOPT THE CITY FEE SCHEDULE; ADDING THE ALREADY ESTABLISHED WATER AND SEWER IMPACT FEES TO THE SCHEDULE**  
**VOTE: YES (4) NO (0)**

37 CITY CELEBRATION –

Weston Youd: He announced to those present that there would be a meeting for the City Celebration Committee on March 17, 2011, at 7:00 PM...at City Hall; and welcomed all who are interested in assisting to come.

The possibility of a “movie night” was again discussed.

\*Council Member Youd will look into it.

Sean Roylance: He will be available during the dates of the Celebration; (as will Council Member Clawson).

1) Committee Chairperson:

**WESTON YOUD MOVED, SECONDED BY ERIN CLAWSON, TO APPROVE \$500 FOR COMPENSATION FOR THE CITY CELEBRATION CHAIR; TO BE SELECTED ON MARCH 17, 2011**  
**VOTE (POLL): JULIE HASKELL-AYE, SEAN ROYLANCE-AYE, ERIN CLAWSON-AYE & WESTON YOUD-AYE (4) NAY (0)**

Passed 4-0

49 1:25:33  
50 CITY COUNCIL  
51 ASSIGNMENTS

Council Member Clawson had accepted Code Enforcement as one of her assignments.

**ERIN CLAWSON MOVED, SECONDED BY JULIE HASKELL, TO INCLUDE CODE ENFORCEMENT AS ONE OF HER CITY COUNCIL ASSIGNMENTS**  
**VOTE: (4) NO (0)**

54 1:26:32  
55 PERSONNEL –  
56 PUBLIC WORKS

Erin Clawson: She wanted it to be clear that decisions would be made at the following City Council Meeting on March 22, 2011; without further delay.

57 1:27:24  
58 MINUTES

1. City Council Minutes of 2-22-2011:

**JULIE HASKELL MOVED, SECONDED BY WESTON YOUD, TO APPROVE THE CITY COUNCIL MINUTES OF 2-22-2011, AS PRESENTED**  
**VOTE (YES (4) NO (0)**

62 1:27:54  
63 EXPENDITURES:

General: None

A. Check Registers and Payroll for February, 2011:

Comments:

Erin Clawson: As one of Council Member Clawson’s assignments is the Planning Commission, she asked for itemized lists of the associated expenditures; to check to see that all charges and hours are accounted for. After review of the invoices, she only had one question: On 12-7-2010, there was a charge from LEI Engineering for a conversation with Scot Bell for one hour. She wanted to know if that charge was correct; and if so, why the City would pay to have LEI talk to a private citizen.

Mayor Lutes: He was providing LEI information regarding background on the proposed Elk Haven, Plat E development. (Council Member Clawson asked if that included City Council and Planning Commission minutes, as noted on the breakdown of the invoice from LEI.) The Mayor explained that Mr. Bell offered to assist in gathering past history (as a former Planning Commission member and assisted by the City Recorder to provide requested minutes); this effort helped get LEI “up to speed” on the background of the issues...without LEI having to do all the research.

The Mayor added that if there is a problem with this charge, he could ask LEI to adjust it. He explained that we try to avoid a lot of extra time (and charges) for research on the part of LEI; this was a great deal of time spent on the part of Mr. Bell to gather this information.

Weston Youd: He questioned if there was a packet of information available with this information.

Mayor Lutes: He replied that, yes there is a packet of previous minutes that was provided to the City Planner.

Sean Roylance: (Suggestion) He felt that the Council should have a copy of the packet of information for review. Mr. Bell came to Council Member Roylance with a packet of information that was biased in certain respects. Council Member Roylance did not feel the packet was complete. If this was the packet delivered to LEI (the Planner); then he would be concerned as to the completeness of the information received.

*\*The Mayor thought that information could be available for the Council.*

Erin Clawson: Though the offered assistance from a citizen was appreciated; in the future, she felt another member of the City Staff should meet with them...and that action should be approved by the City Council...so that the contents of that information is known ahead of time. (Mayor Lutes agreed to this.)

There are many appropriate people that could meet with professionals.

*No further comments.*

**WESTON YOUD MOVED, SECONDED BY JULIE HASKELL, TO APPROVE THE CHECK REGISTER AND PAYROLL REGISTER FOR FEBRUARY, 2011, AS PRESENTED**

**VOTE: YES (4) NO (0)**

1:32:52

*B. Loafer Canyon Well Repairs:*

Corbett Stephens: The difference between the previously approved estimate and the current needs is about \$15,000, including:

- \$65,219 vs. prior approval based on a different design = \$60,000 (bids were at \$55,000)

- Engineering (\$4,050)

- Cleaning...if approved, it could save time to approve the money now as opposed to being in the middle of the project... (+ \$3,015 from Delco Western); however Mr. Stephens requested a “cushion” of \$5,000. (The cleaning may not be needed; if it is not needed, it will not happen...based on Nickerson’s recommendation.)

Julie Haskell: Since Nickerson’s felt it would likely not need cleaning, she felt approval of the money is premature. She feels the approval should come at the time it becomes necessary...and through the Council.

Erin Clawson: If it needs to be done, then she is sure it will be done for the cheapest price...so the extra amount would be just in case it is needed; approval would not need to come back to the Council at that point.

Council Member Clawson felt comfortable with approving the extra money now; she has a lot of trust and confidence in Mr. Stephens, that he will save money for the City wherever possible, as he typically does.

Sean Roylance: Is \$15,000 extra sufficient to cover all the unexpected costs? He pointed out that the money to be saved by the planned upgrades to the well would probably make up for the initial cost in 2 to 3 years; this makes this project a very “attractive option”.

Corbett Stephens: It is \$10,000 more than the \$65,000 cost of the installation itself.

**SEAN ROYLANCE MOVED, SECONDED BY ERIN CLAWSON, TO APPROVE AN ADDITIONAL \$12,500, BEYOND THE PREVIOUS APPROVAL OF \$60,000 FOR THE LOAFER CANYON WELL UPGRADES**

**VOTE (POLL): SEAN ROYLANCE-AYE, ERIN CLAWSON-AYE & WESTON YOUD-AYE (3)**

**NAY (1) JULIE HASKELL**

1:39:09

*C. Public Works – Emergency Expenditures:*

Erin Clawson: Council Member Clawson met with Mr. Stephens during the past week, since she has been assigned Public Works. She wanted to find out any details she should be aware of and how things work in that Department (she even assisted in riding in the plow during the last snowstorm). She was surprised about how much goes into just plowing a road.

She also consulted with former Mayor Dunn to see what arrangement had been done in the past with the Public Works Superintendent regarding spending money. Since Mayor Lutes has been in Office, she understands that there has been no spending of City funds without the consent of the Mayor; while in the past, up to \$500 could be spent per episode. She asked if that was correct.

*(\*The City Recorder thought the Dept. Heads could approve a certain amount...\$500? She will check on the amount.)*

She continued with the point she was addressing: She felt that Mr. Stephens has “proven time and time again to be a good, faithful employee...to save us money or make us money”. She requested that either she or Mr. Stephens have some kind of leniency in case of emergency occurrences...to not have to either go through the Mayor or the Council when an emergency expense comes up.

City Recorder: She used the Fire Dept. as an example: the Fire Chief. Has this type of leniency within his own Department’s budget...he “juggles” those figures around; as long as he stays within the budgeted amount for the Dept. He calls Council Member Haskell for approvals.

Erin Clawson: If something breaks in the middle of the night, Mr. Stephens will go fix it and inform Council Member Clawson, and she would then inform the Council after the fact. She simply does not want Mr. Stephens to have to wait for Council or Mayoral approval when an emergency comes up She has enough trust that this is the direction she would suggest and wanted the Council's approval...she feels that Mr. Stephens can be trusted.

*Discussion of the amount, if an amount would be applicable.*

Julie Haskell: She felt that the Council can "poll vote" in these cases.

Erin Clawson: She maintained that Mr. Stephens should be given some latitude when an emergency fix is needed. Polled votes take time. She trusts Mr. Stephens to make the judgment call on whether a situation needs to be dealt with on an emergency basis.

Sean Roylance: He agreed with Council Member Clawson. He did not think a \$500 cap would be wise.

Julie Haskell: The situation would have to be a "dire" emergency.

Corbett Stephens: (He was asked to tell what happened over Thanksgiving): On Thanksgiving Eve, the Loafer Canyon Well "died" and needed to be repaired. Through several contacts, he and the Mayor were able to obtain parts at about 11:00 PM...just the meter was \$1,400. No one knew because it was fixed; but had they not, the residents would have awakened Thanksgiving morning to no water.

Erin Clawson: In an emergency like this, a polled vote would be "yes"...so why not allow the decision to be made and then to inform the Council as soon as possible?

*(Weston Youd felt that there should be the authorization to spend what is needed to fix the problem.)*  
Council Member Clawson said she would take responsibility for the decisions made by Mr. Stephens.

**SEAN ROYLANCE MOVED, SECONDED BY ERIN CLAWSON, TO AUTHORIZE THE PUBLIC WORKS DIRECTOR, IN CASE OF EMERGENCY, TO SPEND WHAT IS NEEDED TO RECTIFY THE EMERGENCY WITH INFORMATION GOING TO THE COUNCIL AT THE EARLIEST POSSIBLE TIME**

*Discussion:*

Sean Roylance: The checks and balances are such that the incident would have to come back to the Council; and if Mr. Stephens took advantage of this authorization, his job would be on the line...so it is not going to happen.

**VOTE (POLL): SEAN ROYLANCE-AYE, JULIE HASKELL-AYE, ERIN CLAWSON-AYE AND WESTON YOUD-AYE (4) NAY (0)**

*Passed 4-0.*

1:52:31

ADJOURNMENT

The Mayor adjourned the City Council Meeting at 8:00 PM.

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City Recorder