

**ELK RIDGE
CITY COUNCIL MEETING
June 14, 2011**

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6 TIME & PLACE
7 OF MEETING

This Regularly Scheduled Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, June 14, 2011, at 7:00 PM**; this was preceded by a **Public Hearing at 6:00 PM** to consider the proposed Adoption of the Budget for the 2011/2012 Fiscal Year. The **City Council Work Session was scheduled to begin at 6:30 PM**. The meetings were held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah.

11 Notice of the time, place and Agenda of these Meetings were provided to the Payson Chronicle,
12 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on June 10, 2011.

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14 **6:00 PM –**

PUBLIC HEARING – SUGGESTED TAX RATE FOR 2011 TAX YEAR & APPROVED BUDGET FOR THE 2011/2012 FISCAL YEAR

16 Public Hearing/To consider the proposed adoption of the suggested Certified Tax Rate for 2011 & the
17 Approved Budget for the 2011/2012 Fiscal Year, for the operation of Elk Ridge City.

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19 ROLL

Mayor Pro-tempore: Erin Clawson; *City Council:* Weston Youd, Sean Royslance, Julie Haskell & James Mayfield; *Building Official:* Corbett Stephens; *Daily Herald:* Lana Creer-Harris; *Public:* Jamie Towse, James & Jan Bonny, & Scout Weston Bonny, Shawn Eliot; and the *City Recorder:* Janice H. Davis

23 Mayor Pro-tempore Erin Clawson opened the Public Hearing at 6:00 PM.

25 The City Recorder reviewed a few of the changes to the 2011/2012 Tentative Budget:
26 *(From the Memo to Council from Recorder, dated 6-14-2011)*

27 *"The draft of the Tentative Budget was discussed at the Meeting on May 24, 2011...this is the same budget*
28 *and must be adopted prior to June 22nd. The Property Tax Rate schedule (in packets) was received today*
29 *online...I will confirm with the County Assessor on Monday; but, as I interpret this chart (new last year), the*
30 *Property Tax for last year...thought budgeted at \$249,901 at the beginning of the year, was adjusted down*
31 *to \$238,818 (likely after appeals, etc.)*

32 *This tax year, it appears that the "suggested Certified Tax Rate (.002621) will generate only \$239,029...this*
33 *takes our Property Tax down from the projected \$250,000 at the time the Tentative Budget was adopted, to*
34 *\$239,029 (difference: \$10,971). The Council had already decided not to go through the Truth in Taxation*
35 *Hearing process to consider raising the property tax.*

37 Changes from Tentative Budget: The Council directed to take \$45,000 that was not spent in the current
38 fiscal year on Road Repairs and to increase the Revenue in the General Fund for 2011/2012 by that
39 amount...to be added to the Road Repair for next year. This is accomplished by budgeting "Reserved Class
40 C Road Funds" Acct. #10-39-500 (This way, the savings does not "get lost" in the overall General Fund
41 Balance for the year.)

42 There was also an increase in the amount of Expenditure for Road Repairs (Acct #10-62-380) by the same
43 amount (\$45,000) for next year.

44 This increased amount of money will allow more road work to be done...to be recommended by Corbett
45 Stephens and Council Member Mayfield."

46 Sewer Charges: Payson City has again raised their rates without letting us know ahead of time. (The
47 Council discussed that Elk Ridge needs to come to some understanding with Payson to notify us in time for
48 the Council to consider an increase in the City's charges to our citizens.)

49 *The contract with Payson needs to be checked to see if there is anything mentioned about notification and
50 whether any part of Elk Ridge's payments to Payson covers operations and maintenance. A formal letter
51 from Payson was requested and should be forth-coming. The agreement may need to be re-negotiated to
52 take operations into consideration.

53 The Sewer fee needs to be addressed by the Council; the City Finance Director advised last fall that the
54 Council should be considering a rate increase for 2011/2012.

55 The problems in the Sewer Fund will multiply due to added concerns:

- 56 - Sewer back-ups (the last one was due to roots growing into the sewer main; there will likely be more)
- 57 - According to the City's Liability Insurance Company, the entire sewer system must be cleaned out every
58 year; rather than being on a rotation schedule...this will increase time spent and associated costs.

59 00:8:25

*Utah Local Gov. Trust (Liability broker) should be contacted to find out about the discrepancy between the
60 prior advice of a rotation schedule and the latest direction that the clean-out should be done every year.

61 *The Council may want to look into a possible rate change by the fall of this year.

62 The increase from Payson does not affect the Sewer Impact Fees right now.

63 *As Council Member Royslance noted, the O&M to Payson = about \$151,000 with a 1.2% increase which is
64 about \$2,000 to be added to Elk Ridge's budget.

65 The City Recorder mentioned that another insurance company had approached the City about providing
66 liability coverage; but they were told that it would be best to present any information to the Council when
67 Utah Local Gov't. Trust could also be present to answer any questions from their perspective.

Corbett Stephens:

- He reported another sewer back-up in the City (in the north section of the City – Elk Ridge Meadows, Phase 2). There were large rocks pulled out of the sewer main; the odd thing is that that entire pipe was video-inspected prior to being completed and accepted. No resident was affected; the new houses are required to have “back-water valves”, which helps.
- There is much that needs to be done in the Public Works Dept. Mr. Stephens brought up the subject of “overtime”. *(This is a subject that the Council was asked to consider in regards to the budget account “Salaries & Wages” in the General Fund. There has been no overtime for the Public Works Dept. in the previous year.)* Mr. Stephens feels that being able to approve overtime would enable the workers to get the planned work done.
(Typically, in the past about 5% was budgeted for overtime for the Public Works employees.)
Mr. Stephens discussed the possibility of 10-hour work days. This would use up the 5% quickly. He feels it is important to get to clean the sewer lines before there are additional issues with the system.

- Storm Drain: Sump and box clean-outs must also be included in the planned projects.
(Council Member Roylance figured roughly an added \$3,500 for one employee and doubled with two.)
The City has committed to take more work on in-house to save money; this creates more work than previous years.

Julie Haskell: She brought up the possibility of utilizing the excess money from that which was designated to be spent on SOS Services for temporary help. Perhaps the City could use temp. services to get some of these things done.

City Recorder: She suggested taking that idea and perhaps transferring any of the excess of that money and transferring it to the General Fund through the “Administrative Fee” to help cover the overtime.

00:23:55

**After further discussion, the Council agreed to this suggestion.*

(Weston Youd: He questioned if the Council has underestimated the budget for this type of situation...as well as the resources available.) The Recorder pointed out that there is sufficient money budgeted to cover any overtime worked over the next several months; perhaps this can be re-evaluated at the end of the 1st quarter of the new fiscal year to see what the actual figures are at that time. We really do not have enough information to know what additional time will be required for the planned projects.

The Council liked that idea.

Overtime is typically considered with “on-call” status. That would be added to the appropriate budget accounts.

00:39:19

James Mayfield: He wondered if enough assistance had been provided in the Public Works Dept. to take on the “in-house” projects. Has the City over-committed in deciding to do more of the work?

(Mr. Stephens responded that he would rather save the money and put in the extra time. The change in the requirement for cleaning the entire sewer system every year was unexpected; Mayor Pro-tempore added that the sewer back-ups were also unexpected.)

The pro’s and con’s of the productivity of working 4 ten-hour days vs. working regular eight hours days was discussed. Council Member Youd said that it is debatable if those last 2 hours in a ten hour day are as productive as the rest of the day. “There is a reason it is an 8-hour work day.” The cities and companies that have gone to four 10-hour days are beginning to go back to the regular work week.

00:42:14

Julie Haskell: She asked what the cost would be if Twin D did the clean-out of the sewer lines...what would the comparison be to added overtime, etc.?

Corbett Stephens: Twin D was \$15,000 to clean 1/3 of the City (sewer and storm drain).

Mayor Pro-tempore Clawson closed the Public Hearing at 6:50 PM.

00:42:51

6:50 PM -

CITY COUNCIL WORK SESSION AGENDA ITEMS:

ROLL

Mayor Pro-tempore: Erin Clawson; *City Council:* Weston Youd, Sean Roylance, Julie Haskell & James Mayfield; *Building Official:* Corbett Stephens; *Daily Herald:* Lana Creer-Harris; *Public:* Jamie Towse, James & Jan Bonny, & Scout Weston Bonny, Shawn Eliot; and the *City Recorder:* Janice H. Davis

CITY COUNCIL
ASSIGNMENTS –
REPORTS

1. Roads Dept: (James Mayfield)

The two bids that went out were under the expected amount to replace Escalante Drive. The suggestion for Escalante is to “grind up” the existing street, roll it over, form it properly and then lay 3” of asphalt on top...to include sump and curb & gutter. Just for the road portion (not curbing and sump) the estimate was about \$42,000 and \$46,000. He and Mr. Stephens felt these are good prices.

With the change in Mayors, the letters to resident regarding curbing had not gone out at that time; he expected they would in the following two or three weeks...this notification would be the next step.

Mayor Pro-tempore asked if Council Member Mayfield would write the letters (he accepted).

Incentives and a payment plan worked well in the past to get people to agree to the assessment for their frontage. Mr. Stephens does not feel it is appropriate to use tax money to install improvements for specific and targeted homes...it would be the responsibility of the particular home-owner.

Options:

- Pay all of the assessment up-front
- Offer to tie-in their driveways, at cost of materials (as an incentive)
- (If many not in agreement) SID...What are the legalities of this option?

The terms of an SID were discussed. B & C Road Funds can be used for this type of project; even though this was a good suggestion; however, precedence has been set with other homeowners that have paid for curb & gutter (and some driveways) in front of their homes...would they want a refund?
Mr. Mayfield said that many of the residents on Escalante have requested curb & gutter.
The lack of an edge to the road has sped up the deterioration of the asphalt.
*Council Member Mayfield will get the letters written and mailed out. He will also meet with the residents. He would like to have the residents in to a Council Meeting to discuss the project with them.

2. Parks: (James Mayfield)

There have been a couple of volunteer groups that have cleaned up the playground area; it looks much better. There are a lot of Park Impact Fees built up that the City can use to improve the park area.

- Playground area: He brought up past research that indicated there may need to be some “adjustments” to certain things in the playground portion of the park: he mentioned the wall that was installed as an eagle project...for insurance purposes, that may need to be altered to meet safety regulations.
- Lighting: The City has the lights; the wiring to the lights needs to be done, as well as the “shields” that keep the glare of the lighting down for the neighbors.
*The shields may need to be made in-house.
- Timers: There is code that dictates that the exterior lights are off by 11:00 PM in the park. The code may need to be re-evaluated as to the time.
Both types of timers may be considered: Motion sensitive and set to certain times.

3. Playground Equipment: (James Mayfield)

There is about 80,000 (+ Insurance money) budgeted from Park Impact Fees; this is not all of the accrued Park Impact Fees.

Options:

- A. Fix the existing equipment with new equipment replacing the destroyed part; perhaps install another piece of equipment where the volleyball court is.
- B. Tear down existing equipment completely and install brand new equipment at another time.
It was mentioned that Kevin Paxton takes care of the upkeep on the trail that leads from Mahogany Way to the Playground area. Suggestion: to put in an actual trail in that area.
- C. Fix up existing equipment and leave the volleyball court alone for now.

Weston Youd: He pointed out that Park Impact Fees can be used on Trails in the City, as well as improvements on the Park.

Julie Haskell: She favors option A.

Sean Roylance: He would like to see a “splash pad” go into the volleyball area.

Mayor Pro-tempore Clawson: The volleyball court has had some vandalism where the nets have been constantly slashed or stolen. Typically, people come in and set up nets down in the field area where there is grass.

Weston Youd: He reported that there would be a big clean-up effort on the part of Elk Ridge 1st and 3rd Wards (LDS Church), in preparation for the City Celebration. Is there a “task list” that could be used?

Mayor Pro-tempore Clawson: Last year: weeds were pulled, there was roto-tilling, cleaning under the scrub oak, mowing, weed-eating...etc. The people brought their own tools last year. The Council should provide guidance so flowers are not pulled along with the weeds.

*She said she could come and assist.

She would also like for the volunteers to be tracked so thank you letters can be sent to them; and perhaps the Wards involved.

James Mayfield: There was some mulch put down last year; but it was not enough. Perhaps more could be put down this year. Street sweeping has also been done.

Weston Youd: The volunteers will be coming after the Emergency Preparedness drill (about 9:30 am).

Mayor Pro-tempore Clawson: She said that Mr. Stephens would like to have the trees trimmed back along the road up in the Loafer Canyon Recreation area. When the snowplows go up there in the winter, the branches get in the way. (President Tervort should be contacted as he makes assignments for service from the Stake.) Planting flowers in the Park could be done.

The playground area needs to have a certain type of “certified” bark for safety reasons.

After discussion, it was decided:

1. Get bark (10 yards) for the flowers beds and utilize the volunteers on Saturday to spread it (matching what is already there)
2. Pull weeds in the flower beds on Saturday
3. Generally clean the Park

This will be funded through “Special Projects” in the Parks Dept. There is currently no budget; but \$1,000 is to be added to this year’s budget; as well as to the 2011/2012 budget.

Flowers: Council Member Mayfield suggested having the flowers delivered.

4. Sewer: (Corbett Stephens)

He reported another back-up in the sewer system. He again mentioned being able to work the public works employees (if willing) to work overtime when needed; to be able to get “on top” of the work to be done. We need to find out what responsibility Payson has with operations.

Request: To purchase a root-cutter (\$950 for root cutter & \$90 for the hose = \$1,040)

This would be for the current fiscal year.

5. Other Depts.

Sean Roylance: Council Member Mayfield touched on a topic that Council Member Roylance wanted to address: Is there enough manpower to accomplish all that there is to be done? Just after hiring an additional employee for public works, all the additional work came about in the sewer. He advised keeping an eye on how well the current number of employees is working out; there may be a need to hire yet another person.

Corbett Stephens: He would rather wait to see how much work is needed for all the Projects and how well we do with the current number of workers. The work needs to be prioritized.

Make sure that the employees stay busy and if there is time to do it all, great; but if not, do the most important things. He felt the priority now is getting the sewer cleaned out.

Julie Haskell: She agreed; and added that if we are going to do Escalante, that needs to move forward, as well.

City Recorder: What roads are being considered for repairs? Over \$200,000 is budgeted for road work for 2011/2012, it should be used.

- Corbett Stephens:
- He asked for bids on the following:
- North end of Canyon View Drive: install the road between Sunset Ave. and Canyon View and Bridger (new road...impact fees could be used on this)
 - Fairway Drive: Pulverize and replace
 - Escalante Drive (South of Park Drive): Pulverize and replace with curb, gutter & sump
 - Alpine Drive: Overlay

Mayor Pro-tempore Clawson cautioned that the budgeted money should not be wasted.
Julie Haskell: Another option to consider for assistance is the "Work Diversion Program" to work on roads. (This is when the Sheriff's Dept. brings out laborers that will work for free.)

Weston Youd: The "Citizen of the Year" would rather not have a public presentation and would like to be kept anonymous. Council Member Youd will present the plaque in person.

1:27:02

SETTLEMENT
AGREEMENT –
ELK RIDGE MEADOWS,
PHASE 2

Mayor Pro-tempore Clawson:
Brief History:

She and the City Recorder brought some points up after a TRC meeting where one of the City Engineers & the City Planner were and got an opinion from them on a couple of concerns. The Packets also contained communications between David Church and Mr. Millheim's attorney; as well as a draft of an agreement for the Council to consider. Mr. Church summarized the history of Phase 2 and the Surety Bond Company (held the durability retainer in the form of a surety bond).

He also advised the Council of the benefits and the downsides of the proposed agreement:

"Benefits of accepting Proposal:
If the City accepts the proposal, then it will not have to expend any money pursuing the law suit against the surety. Some amount of recovery will be a sure thing since there is already some money being held by the City for reimbursement. The City will not have to continue to collect for the account to Millheim under the reimbursement agreement and may potentially recover more under the reimbursement agreement than it is entitled to from the surety.

Downside of accepting the Proposal:
The money will come in slowly through the impact fees rather than all at once and there is some small risk that there may be other claimants to the proceeds of the reimbursement agreement. This small risk can be ameliorated by good due diligence up front and with a good settlement agreement with Millheim wherein he makes disclosures about other potential claimants and holds the city harmless from those claims."

Concerns with the proposed agreement:

Proposed Agreement:
#2: Assignment of Reimbursement Rights:
it states that "all such water impact fees already collected and/or held by the City and all such future water impact fees to be collected or received by the City"...that Elk Ridge Managers will "fully and forever transfer and assign to the City all of ERM's rights and claims under that certain Water Impact Fee Reimbursement Agreement – Phase 2"...

Concern: Does this include all the reimbursement already refunded directly to ERM prior to Centennial Bank taking over? Or is this a mistake...the correction of which would be in favor of ERM.

#4: Reliance:
This basically says that if there are inaccuracies or problems with any of the warranties made..."the innocent party shall have the right to rescind this Agreement, in which event the parties shall be restored to their same positions that existed prior to the execution of this Agreement;..."

- Concerns:
- David Church advised (Summary "Downside of accepting the Proposal")
 - Millheim should make disclosures about other potential claims
 - ERM should hold the city harmless from any claims...
 - Are there any other claims? Where is the proof? (Do we need any beside the release from the FDIC?)

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- If there is a breach of this contractual agreement, and the parties are “restored to their same positions that existed prior to the execution of this Agreement”...would the City then have to pay back all the Impact Fee reimbursements collected? This would be a hardship on the City if the money had been spent or even partially spent.

1:27:58

The City Planner and Craig Neeley (Aqua) were not overly concerned about any “outstanding claims” because they felt that anyone that would have had a claim would have come forward when Centennial Bank took over; when the FDIC stepped in, they felt those claims would have been in the past and the Bank would have no further claim. The FDIC did write the release to Elk Ridge Managers relieving them of further obligation. Mr. Neeley did feel the wording could be changed in section #4.

Discussion:

James Mayfield: It has been his experience with legal documents that whomever writes the document seems to be in control of the situation. (*It may be that Mr. Church did take part in drafting the proposed agreement.*) He agreed that #2 should be clarified and that the wording in #4 should either be adjusted or deleted altogether. He felt the agreement should go back to Mr. Church. Those who write legal documents are great at putting in additional wording to cover liability; the other party does not have to accept it...and everything is negotiable. The question to Mr. Church would be if the City would lose anything by eliminated #4?

Weston Youd: There may be a need to keep part of #4 for the listing of any penalties involved in any breach of contract.

Julie Haskell: She agreed that the proposed agreement should go back to Mr. Church.

Sean Roylance : He also agreed.

*Mayor Pro-tempore Clawson: She will take the Council’s concerns back to David Church.

The Work Session was closed and there was a brief break.

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TIME & PLACE
OF MEETING

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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 June 10, 2011.

7:50 PM -

CITY COUNCIL REGULAR SESSION AGENDA ITEMS:

ROLL

Mayor Pro-tempore: Erin Clawson; *City Council*: Weston Youd, Sean Roylance, Julie Haskell & James Mayfield; *Building Official*: Corbett Stephens; *Daily Herald*: Lana Creer-Harris; *Public*: Jamie Towse, James & Jan Bonny, & Scout Weston Bonny, Shawn Eliot; and the *City Recorder*: Janice H. Davis

OPENING REMARKS &
PLEDGE OF
ALLEGIANCE

An invocation was offered by Corbett Stephens and Scout Weston Bonny led those present in the Pledge of Allegiance, for those willing to participate.

AGENDA TIME
FRAME

WESTON YOUD MOVED, SECONDED BY JULIE HASKELL, TO APPROVE THE AGENDA TIME FRAME AND TO ADJUST THE START TIME TO 7:50 PM
VOTE: YES (5) NO (0)

CITIZEN FO THE
YEAR PRESENTATION

Weston Youd: The person selected for Citizen of the Year wished to remain anonymous; so Council Member Youd will present the plaque to this person privately.

EAGLE PROJECT –
WESTON BONNY

Mayor Pro-tempore Clawson: This was going to be brought up later in the Meeting under “Other Council Business”; but she requested that the item be moved up to this point in the Meeting.
WESTON YOUD MOVED, SECONDED BY JAMES MAYFIELD, TO MOVE THE EAGLE PRESENTATION BY WESTON BONNY FORWARD IN THE MEETING TO THIS POINT OF THE AGENDA
VOTE: YES (5) NO (0)

1:41:25

Weston Bonny: Scout Bonny was well prepared with a power point presentation to introduce his proposed Project. He requested to paint “Stop Bars” (stop lines) at some of the intersection in the City. He reviewed safety studies proving how stop lines improve safety by encouraging traffic to stop at or before more stop signs. He would like to do 30 or 40 stop signs.

- Options for locations:
- Busiest intersections; or
 - In a certain section of the City

Regulations and specifications governing “Stop Bars” were reviewed; he also showed photos.
How?

- He plans on using about 20 scouts and leaders to accomplish his Project; including the delegation of the work
- He will use safety cones
- Safety - There will be workers monitoring traffic
- Review of the procedure

Supplies:

Some of the supplies will be provided by the Scout; request from the City:

- Approval of the Project
- Recommendations (locations and choice of paint)
- Traffic cones and vests
- Map of City stop signs
- Possible donation (He had no idea of the cost)

When? 2 or 3 Saturdays from 7:00 am to 10 am (lighter traffic)

Discussion:

The Council felt this sounded like a great project.

Shawn Eliot: A few years ago, there was a project to paint arrows on the street by fire hydrants; they have faded. His suggestion is to keep the lines up and re-paint them occasionally.

The Council suggested using a more durable paint, even if it is more expensive; likely an oil-based paint.

Location:

Corbett Stephens: Several scouts have contacted him for suggestion for Eagle Projects; perhaps do the work in sections would facilitate other projects doing other sections.

James Mayfield: The Scout Board will likely want a fund raiser as well as any donation from the City.

JAMES MAYFIELD MOVED, SECONDED BY SEAN ROYLANCE, TO APPROVE THE PROPOSED EAGLE PROJECT FOR WESTON BONNY; AND TO ALSO APPROVE UP TO \$100 AT THIS TIME TO PLACE STOP LINES AT CERTAIN INTERSECTIONS, ACCORDING TO HIGH TRAFFIC AREAS. SCOUT BONNY IS TO ALSO CONTACT DEPUTY BUTTERS FOR ASSISTANCE IN GATHERING INFORMATION ON THE BEST PLACEMENT

VOTE: YES (5) NO (0)

2:00:37

PUBLIC FORUM

No one wished to speak.

2011 TAX RATE &
2011/2012 BUDGET

1. Tax Rate for 2011:

WESTON YOUD MOVED, SECONDED BY ERIN CLAWSON, TO ADOPT THE SUGGESTED CERTIFIED TAX RATE FOR THE 2011 TAX YEAR AT.002621

VOTE: YES (5) NO (0)

2. 2011/2012 Fiscal Year Budget – Adoption:

The City Recorder reviewed the points to be included in the motion, as discussed in the previous Work Session:

- *Overtime – to be decided by the Council; then added to the budget, if approved*
- *Adding \$2,000 to O & M in the Sewer (to Payson)*
- *Insurance refund in Parks – move into 2011/2012 budget*
- *\$1,000 in Special Projects (Parks in both years)*
- *Excess money from Water (fencing budget) to transfer into the General Fund via Administrative Fee (good suggestion)*

Discussion:

Overtime:

Sean Roylance: He is still of the opinion that overtime should be approved and added to the budget; but he wanted input from the rest of the Council. The question remains of whom to apply it to.

James Mayfield: He agreed that 5% of the annual wages should be added to public works employees to start out with.

City Recorder: Suggestion: to just consider this for the first quarter, then review where things are. Perhaps an amount is not necessary now; there is money in the budget...see what has been use after the first quarter and proceed from there with the amended budget (*Council Member Youd agreed*).

Further discussion:

WESTON YOUD MOVED, SECONDED BY SEAN ROYLANCE, TO APPROVE THE USE OF OVERTIME; TO BE REVIEWED AT THE END OF SEPTEMBER, 2011

VOTE: YES (5) NO (0)

2011/2012 Budget:

SEAN ROYLANCE MOVED, SECONDED BY JAMES MAYFIELD, TO APPROVE THE 2011/2012 FISCAL YEAR BUDGET FOR THE OPERATION OF ELK RIDGE CITY; WITH THE FOLLOWING ADJUSTMENTS:

- **Adding \$2,000 to O & M in the Sewer (to Payson**
- **Insurance refund in Parks – move into 2011/2011 budget**
- **\$1,000 in Special Projects (Parks)**
- **Excess money from Water (fencing budget) to transfer into the General Fund via Administrative Fee (good suggestion)**

VOTE (POLL): MAYOR PRO-TEMPORE CLAWSON-AYE, JULIE HASKELL-AYE, SEAN ROYLANCE-AYE, JAMES MAYFIELD-AYE & WESTON YOUD-AYE (5) NO (0)

Passed 5-0

2:13:42

CITY COUNCIL ASSIGNMENTS

1. *Purchasing Policy:*

Mayor Pro-tempore Clawson:

In years past, Department Heads could approve up to \$500 on any given expenditure; the object is to declare the Council Members “Dept. Heads”.

Brief explanation from the City Recorder.

As Mayor Pro-tempore, she would like to reinstate this policy.

2. *Appointment to SESD Board of Directors:*

Mayor Pro-tempore Clawson: She recommended appointing Julie Haskell as the City’s representative; former Mayor Lutes did fill this position, but with his resignation, the position is open. Julie Haskell was contacted and she agreed to the appointment.

WESTON YOUD MOVED, SECONDED BY JAMES MAYFIELD, TO APPOINT JULIE HASKELL TO BE ELK RIDGE CITY’S REPRESENTATIVE TO THE SESD BOARD OF DIRECTORS

VOTE: YES (5) NO (0)

3. *Parks:*

- Bark will be purchased for the flower beds
 - Council Member Mayfield will contact Mr. Stephens to let him know what kind of bark.
 - The bark will be delivered to the City
 - Council Member Mayfield is to call to arrange the delivery
- Council Member Youd will direct the volunteers on Saturday
- Flowers: (annuals)
 - Council Member Mayfield said he would call to arrange the flowers.

4. *Sewer:*

Purchase of a Root-cutter:

- Root-cutter = \$995
 - Hose = $\frac{90}{\$1,085}$

SEAN ROYLANCE MOVED, SECONDED BY WESTON YOUD, TO PUCHASE A ROOT-CUTTER AND HOSE; THE COST SHALL NOT EXCEED \$1,200

VOTE (POLL): MAYOR PRO-TEMPORE CLAWSON-AYE, JULIE HASKELL-AYE, SEAN ROYLANCE-AYE, JAMES MAYFIELD-AYE & WESTON YOUD-AYE (5) NO (0)

Passed 5-0

2:19:01

5. *Other Depts.*

City Celebration:

Council Member Youd felt all was prepared for the up-coming Celebration. 10K Race. (Deputy Butters informs Zack that if he had not contacted the County, he would need to do so to clear using County roads.)

*Council Member Youd will follow up with Zack.

The Council will ride in the Parade.

2:24:24

CITY COUNCIL MINUTES

A. *City Council Minutes of 6-7-2011:*

WESTON YOUD MOVED, SECONDED BY ERIN CLAWSON, TO APPROVE THE CITY COUNCIL MINUTES OF 6-7-2011; AS PRESENTED

VOTE: YES (5) NO (0)

EXPENDITURES:

General: None

City Recorder:

Craig Neeley (Aqua Engineering) emailed the City with the following information: There are two of the City Water Rights out of several that have been placed in a “non-use” status with the State. It needs to be decided if the City wants to re-submit these to a non-use status or not. Tony Fuller needs to meet with Elk Ridge Officials to discuss the non-use status; he also needs to research 2010 diversion records. The request is for up to 8 hours of work for Mr. Fuller.

The Recorder spoke to Mr. Fuller and asked for a summary of what he expects to accomplish. The response is in the form of a letter from Mr. Fuller, dated 6-14-2011 (included in the Council packets).

Mr. Fuller advised that reason the rights were originally place in a non-use status was due to the law at the time that stated that "...Proof of resumption of use or another nonuse application MUST be submitted on or before the proof-due date. FAILURE TO COMPLY SHALL RESULT IN YOUR WATER RIGHT BEING FORFEITED."

Mr. Fuller went on to say that the 2009 legislature passed legislation which basically says that the non-use status is not needed any longer. He feels he can safely advise that the two rights can be allowed to expire with no replacement application being required.

So the request comes down to approval for up to 8 hours to research the 2010 diversion records, including the installation of the upgrades on the Loafer Canyon Well.

WESTON YOUD MOVED, SECONDED BY SEAN ROYLANCE, TO APPROVE UP TO 8 HOURS AT \$85/HOUR FOR WORK TO BE PERFORMED BY TONY FULLER ON THE CITY'S WATER RIGHTS REGARDING:

- 1. EXPIRATION OF WATER RIGHTS: 51-6189 & 51-6900
- 2. RESEARCH, REVIEW AND UPDATE OF 2010 DIVERSION RECORDS

VOTE (POLL): MAYOR PRO-TEMPORE CLAWSON-AYE, JULIE HASKELL-AYE, SEAN ROYLANCE-AYE, JAMES MAYFIELD-AYE & WESTON YOUD-AYE (5) NO (0)

The Council agreed that they would take Mr. Fuller's advice regarding the non-use status of the City's water rights.

EXPENDITURES

General: None
 1. *Check Register and Payroll for May, 2011:*
JULIE HASKELL MOVED, SECONDED BY ERIN CLAWSON, TO APPROVE THE CHECK REGISTER AND PAYROLL FOR MAY, 2011.
VOTE (POLL): MAYOR PRO-TEMPORE CLAWSON-AYE, JULIE HASKELL-AYE, SEAN ROYLANCE-AYE, JAMES MAYFIELD-AYE & WESTON YOUD-AYE (5) NO (0)

OTHER CITY COUNCIL BUSINESS

- 1. Weston Youd:
 - He requested a receipt for Apple Valley Dentistry for their donation of \$75
 - Tax exempt form for Walmart
- 2. Sean Roylance: He needs to have on the June 28th agenda: Allied Waste to send a representative to the Council Meeting to address the Council regarding the contract.

ADJOURNMENT

At 8:45 PM, the Mayor Pro-tempore adjourned the Meeting.

City Recorder