

**ELK RIDGE  
CITY COUNCIL MEETING  
February 27, 2007**

TIME & PLACE  
OF MEETING

This Regular Meeting of the Elk Ridge City Council, was scheduled for **Tuesday, February 27, 2007, at 7:00 PM.** It was preceded by two **Public Hearings: the first Public Hearing, at 6:00 PM,** was on a proposed Amendment to the Elk Ridge City Code regarding the collection of Park Impact Fees; **the second Public Hearing, scheduled for 6:15 PM,** was on a possible City Street Name Change. The **City Council Work Session was scheduled for 6:45 PM.** All interested persons were invited to be heard.  
The meetings were held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah.

Notice of the time, place and Agenda of the Scheduled Council Meetings & Public Hearing, was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on February 22, 2007; & an Amended Agenda on 2-26-07.

**6:00 PM**

**PUBLIC HEARING/PARK IMPACT FEES**

Public Hearing/A Proposed Amendment to the Elk Ridge City Code regarding the collection of Park Impact Fees

ROLL CALL

*Mayor:* Dennis A. Dunn; *City Council:* Alvin Harward, Nelson Abbott, Mary Rugg, & Raymond Brown (Absent: Mark Johnson); *Public:* Carissa J. Nosack & Cory Snyder; and *City Recorder:* Janice H. Davis

Mayor Dunn opened the Public Hearing at 6:00 PM.  
The Public Hearing was cancelled due to the Ordinance not being available. The City Attorney has not drafted it yet.

NON-AGENDA  
ITEM

Mayor Dunn: (Update on the Impact Fee Studies that are being conducted by Aqua Engineering)  
The Mayor met with Craig Neeley and Brent Arns (Aqua Engineering) on Thursday (2/27/07) in the afternoon until about 6:00 PM.  
Mr. Neeley has information on demographics from previous studies done by LEI Engineering and Mountainland Assoc. of Governments (MAG). (Elk Ridge's population is up to about 2,500.) These figures are needed for projections within the Impact Fee Studies. Aqua is working on an update on the Impact Fees, including Roads, Water & Sewer; MAG is working on an update for the Park Impact Fee Study.  
Aqua will be coming to address the Council on 3-13-07 regarding the proposed drafts; Mr. Neeley will have a draft to the Mayor by March 8<sup>th</sup>.  
The Road Impact Fees are a bit more complicated to estimate; some are performance-based and they could eventually be eliminated...they have a time limit associated with them. Some roads will experience higher traffic than others and will continue to do so.  
There were a couple of proposed trunk line size upgrades.  
Raymond Brown: Some cities have Storm Drain (Run-off) Impact Fees.  
The City may have to consider this in the future.

**6:15 PM**

**PUBLIC HEARING/STREET NAME CHANGE**

Public Hearing/Proposed City Street Name Change – N. Loafer Drive.

ROLL CALL

*Mayor:* Dennis A. Dunn; *City Council:* Alvin Harward, Nelson Abbott, Mary Rugg, Raymond Brown & Mark Johnson; *Planning Commission:* Shawn Eliot; *Public:* Carissa J. Nosack, Cory Snyder, Alan Eliason, Roger & Delores Knotts, Ray & Sandra Osburn, Griff Johnson, Lawrence Wiscombe, Tony Trane & Scout Austin Johnson; and *City Recorder:* Janice H. Davis

Mayor Dunn opened the Public Hearing at 6:15 PM.  
*Background: (Mayor Dunn):* About a year ago, one of the City's Planning Commissioners (Shawn Eliot), whose specialty at MAG is "transportation"; approached the City Council that there are streets with very similar names and the problems associated with this situation...most safety oriented. While this was going on, the problem with incorrect addresses also came up.  
The road under consideration this night is N. Loafer Drive, which is very similar to Loafer Canyon Road; and also runs parallel to one another.  
This is not a new topic with the City Council; other street names have already taken place.

One of the things that brought this issue to the surface again was when the Mayor spoke to one of the City's EMT's (long-time resident of Elk Ridge); the Mayor was talking about the issues with N. Loafer Drive and he asked her if she knew where that street is. She was unsure of the location and actually got it confused with Loafer Canyon Road. This confusion with similar sounding street names presents an issue with safety. There are 6 new homes being added to the street; all of these homes will be affected by a name change.

Alan Eliason: The person (EMT) that the Mayor spoke to is just one person; he has been living on the street for a number of years and has not had a problem with people not being able to locate his address; he simply tells them that it is the road on the ridge of the canyon. He does not feel that one person is enough to sway a decision like this.

Mayor Dunn: Would you place your life in the hands of this "one person"...if they are confused?

Sandra Osburn: (Resident of N. Loafer Drive) Acting as spokesperson for certain residents on the street, Mrs. Osburn presented a letter signed by the owners of four of the homes on the street: Ray & Sandra Osburn, Dennis & Carolyn Shirley, Alan & Barbara Eliason & Roger & Delores Knotts; and dated 2-26-07. The letter summed up the feelings of these home-owners:

- Owners have voiced opposition to the proposed name change at a Council Meeting in January, 2007.
- An informal meeting took place on 2/21 with affected residents to discuss the opinions of this possible change. They did not feel that renaming the street would result in any "significant clarification of the location of Loafer Drive".
- These residents are opposed to the proposed change; and that they feel there would be many more problems as a result of the change. The name has been the same for 27 years. They would like it to remain the same.
- Various problems were listed that are associated with changing the name of a street. Time and resources should be spent on more productive endeavors.
- Kamille Peterson (EMT in Elk Ridge) & Payson City's ambulance dept. both feel that this street name change is unnecessary; and efforts should, instead, be spent in correcting the confusing "grid system"
- Request of the Council to consider these concerns when voting on the issue.
- There is also confusion caused by the Loafer Canyon Drive sign placed by the City on Loafer Canyon Road....that needs to be changed right away.

Once the connecting road from N. Loafer Drive to E. Park Drive goes through, the street will be easier to locate.

Cory Snyder: (Building a home on N. Loafer Drive) Every person/contractor attempting to locate his home, has gotten lost in Loafer Canyon. He understands the perspective of the long-time resident not wanting to go through the inconvenience of changing their addresses; but he does not want a problem with emergency vehicles.

Carissa Nosack: (Developing 5 lots and the connecting section of street to E. Park Drive) She also understands the problems associated with changing the street name; but she is not, personally, willing to "gamble" her family's lives on the chance that there could be safety issues in locating the right road. She "is not willing to take that risk". She knows she is new to the area; but people not from this area could get confused and risk someone's life. Her mother is a nurse, and all it takes is that one or two minutes to jeopardize someone's life.

Mary Rugg: Agrees that the connecting road will help any confusion. None of the existing residents have a problem with the possible safety issues.

Alvin Harward: Directions can get confused in an emergency situation, though. There is a certain amount of panic involved.

Mayor Dunn: Explained the extent of emergency services the Elk Ridge EMT's are allowed to administer...they cannot transport; they can only stabilize. The ambulance comes from Payson. There have been ambulances lost on Salem Hills Drive. The concern is that the confusion will get worse with more homes coming onto that street. Some of the problem could be alleviated by the connecting road to Park Drive, he is not sure.

GPS Systems can get someone with the system within a couple of hundred feet of the location. The City's vehicles are not equipped with GPS Systems. Perhaps the Sheriffs' cars are equipped with the System.

\*He will ask how reliable they are.

Mary Rugg: No easy solution... not everyone will be happy with any decision made...there will be problems no matter which decision is made; but she does think there are some solutions under way that could be effective:

- Replace the sign on Loafer Canyon Road
- Install the street sign on the new connection to assist in locating the street.  
(Mrs. Nosack does not want traffic on the still unfinished street until there is asphalt and it is ready. There is still utility work to be done on both corners of Loafer Drive and Park Drive.

Before there are any changes, could this go through a trial period; and after a while, re -visit the issues?

Mrs. Osburn: This is a common problem all over Elk Ridge, with any of the streets.

Nelson Abbott: He agrees that the sign in the Canyon should be corrected and whatever steps need to be taken to solve the problem. After the changes are made, the situation needs to be reviewed after a while.

Raymond Brown: Showed a map to one of the emergency response team members and gave him a hypothetical emergency scenario to determine what his reaction would be: He said, “if there were a heart attack at 400 N. Loafer Drive, where is that at?” The individual looked on Loafer Canyon Road...this solidified the concern for him.

Mary Rugg: It is part of their job (to know addresses and how to locate them).

Mark Johnson: Confusion is also caused by dispatch and human error in calling out the correct name.

Mayor Dunn: Even in the discussion in this meeting, there has been a non -intentional mix-up of the names of the streets. With the responsibility of being as elected official, his sense of awareness has heightened...safety is a major concern of his. H would hate to have a life jeopardized by an element of confusion. He asks that the residents to look carefully at the safety concerns...the bottom line is; “Are you willing to bet your life on it?” (The confusion surrounding this issue)

Mrs. Osburn: Problems have been caused by changing Salem Hills Drive to Canyon View Drive. It works both ways...change causes problems.

Mrs. Nosack: The street sign could go up now, but it would have to come back down because of the utility work in progress.

\*Mayor Dunn: This will be re-visited in October, 2007.

6:45 PM

**CITY COUNCIL WORK SESSION**

ROLL CALL

*Mayor*: Dennis A. Dunn; *City Council*: Alvin Harward, Nelson Abbott, Mary Rugg, Raymond Brown & Mark Johnson; *Planning Commission*: Shawn Eliot; *Public*: Carissa J. Nosack, Cory Snyder, Alan Eliason, Roger & Delores Knotts, Ray & Sandra Osburn, Griff Johnson, Lawrence Wiscombe, Tony Trane & Scout Austin Johnson; and *City Recorder*: Janice H. Davis

DURABILITY  
RETAINERS &  
TIERED INSPECTION  
RATES

Mayor Dunn: (RE: 6% Inspection Bond) Councilmember Harward and the Mayor is to met with developers of Phase 2 of the Elk Ridge Meadows PUD (Mr. Bob Peavely) and representatives of their bank. They have a large development with, funded by a construction loan, rather than the typical Performance Guarantees allowed by the City Code. Due to the amount of money involved, the developer would be paying a higher interest rate than he would earn in an escrow account. With the amount of money involved in this development, the 6% Inspection Bond is in the amount of over \$188,000. This will continue to be a problem with larger developments. The Code requires that the 20% Durability Bond and the 6% Inspection Bond be deposited into an interest-bearing escrow account. The 6% may be too high for larger developments; whereas smaller developments will probably need the entire amount bonded for.

It has been suggested and discussed with City Engineer to consider a “tiered rate structure ” for the 6% Bond.

*Comments:*

Nelson Abbott: Could this tiered rate be charged by the number of lots, perhaps on a lot -by-lot basis (like impact fees).

Alvin Harward: The problem would be with the smaller lots; they would likely use the entire 6%.

Raymond Brown: He thought that the Council had already discussed and decided that a tiered structure would be appropriate. The breakpoints were to be discussed with the City Engineer.

*Recommendation:*

- 1 to 10 lots.....6%
- 11 to 35 lots...5%
- 36 to 50 lots...4%
- 50 + lots.....3%

All of this plus an “Administration Fee” (percentage to be determined ...perhaps ½%)

\*This needs to be checked out with the Engineer.

Alvin Harward: If the City is covered and protected, it should not matter what form of bonding the developer uses. The payments have to be arranged so that the institutions must pay “on demand”, then the City is protected.

City Recorder: The current developers are bound by the current development bonding requirements and have signed and committed to do certain things...those requirements are not being met completely.

The City Recorder expressed concern regarding the planned meeting with Mr. Peavley (Elk Ridge Meadows PUD, Phase 2), his bank representatives, the Mayor and Councilmember Harward; in that the representatives of their bank seem to expect that the City will approve their lack of compliance.

Alvin Harward: That is not what the Mayor is going to inform them of. The City does need to make it work so that all three parties are protected. If the bank can shed some light on the City's understanding of the bonding process, then that will also be helpful.

Recorder: Then, should the City's direction to David Church be altered? Currently he is only drafting wording to address the 100% of the construction costs...not the 26% for Inspections and Durability Retainers.

Mayor Dunn: "Yes, we might have to do that"; in fact, the Mayor may drive up and meet with David Church rather than talk to him on the phone.

Alvin Harward: "In this case, they have signed that they will do that; and haven't done it...that is entirely different...they have to perform."

Mayor Dunn: "That will be pointed out to them"...that they have a commitment; and if they did not understand it...then the City wants them to understand. They need to have an idea of where the City is coming from, as well. The past can teach us how not to make the same mistakes again.

Alvin Harward: It has been mentioned that if the bonding agreements are only in the developer's name, then the developer can close it out...that is a problem. As long as the City is covered; that is what is important.

City Recorder: Currently, the City's name is not part of the construction loan issued to the developers of the Elk Ridge Meadows PUD, Phase 2.

Alvin Harward: The 26% is on the loan as a separate line item...payable "on demand"; and all three signatures (Developer, Engineer & City) are required for release of funds.

Recorder: If this is the direction the City is going to go; then David Church needs to come up with the legal wording that will protect the City because this could be repeating itself a lot, as large subdivisions continue to come to the City.

*No further discussion at this time.*

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Notice of the time, place and Agenda of the Scheduled Council Meetings & Public Hearing, was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to the members of the Governing Body, on February 22, 2007; & an Amended Agenda on 2-26-07.

**7:25 PM**

**REGULAR CITY COUNCIL AGENDA ITEMS**

ROLL CALL

*Mayor:* Dennis A. Dunn; *City Council:* Alvin Harward, Nelson Abbott, Mary Rugg, & Raymond Brown & Mark Johnson; *Planning Commission:* Shawn Eliot; *Public:* Carissa J. Nosack, Cory Snyder, Alan Eliason, Roger & Delores Knotts, Ray & Sandra Osburn, Griff Johnson, Lawrence Wiscombe, Tony Trane & Scout Austin Johnson; and *City Recorder:* Janice H. Davis

OPENING REMARKS  
& PLEDGE OF  
ALLEGIANCE

An Invocation was offered by Mayor Dunn and Scout Austin Johnson led those present in the Pledge of Allegiance, for those willing to participate.

AGENDA TIME  
FRAME

**MOTION WAS MADE BY MARK JOHNSON AND SECONDED BY ALVIN HARWARD TO APPROVE THE AGENDA TIME FRAME, ADJUSTING THE START TIME TO 7:25 PM**  
**VOTE: YES (5) NO (0)**

**AN AMENDED MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY NELSON ABBOTT TO ADDRESS ITEM #9 TO THE BEGINNING OF THE MEETING**  
**VOTE: YES (5) NO (0)**

PUBLIC FORUM

Public Comments:

RESOLUTION –  
CITY SIDEWALK  
STANDARDS

*(Memo form Planner to the City Council, dated 2 -27-07)*

*“Background*

This item accompanies the request by the applicant to approve the Final for Die Hill Estates, Plat “A”. The Applicant seeks the ability to install 4 ft. sidewalks which are straight, instead of meandering, and have a 5 ft. park strip adjacent to it in the 9-foot easement area along the street.

In review, staff has found that this is a reasonable request, not only for this development, but for all developments in the City. A true meandering sidewalk will have enough space to meander at least the same width of the sidewalk itself. Plus, to allow for any sensible landscaping, for sufficient tree root space as well as for watering and maintenance purposes, the adjoining park strip should not have any less than a ft. width. These objectives cannot both be achieved in a 9-foot easement area.

Staff and Planning Commission recommend that the standards be amended so that meandering is an option, and that a straight sidewalk with a minimum of 4 -foot width be allowed adjacent to a 5-foot minimum planter strip. This would make much better use of the nar row 9-ft. easement area. A 5-ft. wide sidewalk is more common on larger, busier streets, whereas a 4-foot wide sidewalk is commonly used in less busy residential areas, which suits well the Elk Ridge community.

*Recommendation:*

It is recommended that the City Council approve the proposed amendments to the Elk Ridge City Development & Construction Standards regarding sidewalks.”

*Comments:*

Alvin Harward: This proposed change was the original intent of the Planning Commission; the recommendation and the motion simply got reversed. This is a correction.

Nelson Abbott: The original approval was for meandering; yet this gives the option of a straight sidewalk, as well. There are examples in other cities where the sidewalks do not line up well.

Raymond Brown: There are situations when a meandering sidewalk may not be appropriate.

Example: Randy Young’s PUD (Elk Ridge Drive): The straight sidewalk was more appropriate on that wide of a street.

Nelson Abbott: The choice is meandering or straight: the propose d “strike-out” would mean there would only be a 4-ft. section in which to meander.

After discussion, it was decided to change the third bullet on Page 1 to: “Planter strips shall be between three (3) & five (5) feet in width for a meandering sidewalk ; and five (5) feet for straight sidewalks”

**MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY MARK JOHNSON TO APPROVE THE RESOLUTION AMENDING THE DEVELOPMENT AND CONSTRUCTION STANDARDS FOR THE CONSTRUCTION OF SIDEWALKS; WITH THE FOLLOWING CHANGE:**

**Change the third bullet on Page 1 to: “Planter strips shall be between three (3) & five (5) feet in width for a meandering sidewalk; and five (5) feet for straight sidewalks”**

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

DOE HILL ESTATES – *(Memo from Planner to Council, dated 2 -27-07)*  
FINAL PLAT *“Background*

The Preliminary Plat was reviewed and approved earlier by the City Council on 12/12/06, and the applicant now desires approval of the Final Plat for this 58 -lot subdivision. Corrections/additions since the last City Council review include:

1. Type “b” curbing shown,
2. Access limitations or prohibitions for lots with frontage on Rocky Mountain Way & 11200 S.
3. Secondary water system lines shown,
4. Addresses for all lots shown.

One additional correction needs to be shown: Valves for the pressurized irrigation lines. Other than the above, the technical Review Committee has no additional concerns.

*Special Request:*

One special request item was brought forward at the Planning Commission meeting of this plat on February 1, 2007: The meandering sidewalk requirement does not appear to be the best plan for use in this development with only a 9-foot easement within which to place the required 5-foot wide sidewalk. The applicant is requesting a modification to the sidewalk requirements, as found in the development standards.

Regarding the established sidewalk requirements found in the Development Standards, staff and the Planning Commission are recommending a permanent change (see staff report & resolution to amend the Development & Construction Standards.

*Recommendations:*

It is recommended that the City Council approve this plat, subject to the amendment of the Development Standards regarding sidewalks, and based upon the completion of all engineering requirements.”

The Council reviewed the required corrections:

Mark Johnson: Fire hydrants are shown at the ends of the cul-de-sacs...this is not something he, as a fire-fighter, approves of. He would rather see the hydrants at the opening of a cul-de-sac.

Tony Trane (Engineer for the Project): There must be a balance between providing a hydrant that is easily accessible and one that acts to clean out the end of the line. If that line gets contaminated, it is much easier to clean it out at the end of the line. Many of the water depts. In various cities prefer the hydrant located at the end of the line, for this purpose.

He sees the point of view that another location could utilize the hydrant more; but there is the other consideration to take into account.

Mark Johnson: Looking at Doe Hill Circle & Meadow Lark Lane: There is one fire hydrant right at the end of the circle that joins Meadow Lark Lane. A fire hose brought into the circle would block the entire intersection. (Mr. Trane will do what the City insists on.)

This was Councilmember Johnson's only concern.

It was asked if there is still a “development agreement”...there were concerns expressed by the Council at some of the terms of the proposed agreement. There is no development agreement accompanying the plat.

Raymond Brown: Asked about the sumps on page 3 of 15 of the plat package: Are 2 sumps enough to handle the run-off on Dee Run Loop?

(Mr. Trane felt that they are sufficient.)

Mayor Dunn: (Pg 3 of 15) Questioned the sewer on Rocky Mountain Way...He verified that the main would be shallow in front of lots 1, 2, & 3...

(Mr. Trane verified that the house on lot #1 would probably “sit high”...he added that he did not feel it would affect the sewer too significantly on those lots...the lots would probably sit up higher to accommodate the sewer. He felt it might be 6' in front of lot #1.)

One of the developers, Griff Johnson requested to speak to the Council:

Griff Johnson: Mr. Johnson expressed his concern about the requirement to install secondary water systems with new development. He feels it is a great expense if the City really has no plans to utilize the system. He is seeking approval to install only the casing (“crossings”) at this point; so the street would not have to be torn up if the City comes to a point that secondary water is a reality. To him, this option does not seem feasible for a City the size of Elk Ridge.

Alvin Harward: Though he understands where Mr. Johnson is coming from, there are plans to have a secondary system at least to the north part of the City. He does not see this happening; however, that is his opinion.

Mayor Dunn: The Code does provide for the system being installed at the time of development .

*Explanation of CUP Water:* CUP water was allocated for smaller communities. When it eventually comes down Spanish Fork Canyon, a treatment plant will have to be built to handle the water. It will be pressurized; but the pressure will only take the water coming to the City as high as the current City Hall. Providing a secondary system to the southern portions of the City will be much more difficult. Developers are being asked to install the lines so they will be in place when the water becomes available. It would be cost prohibitive for the City to provide all the lines and pay for the 80/20 split expected for CUP water.

The Mayor cannot predict how long this will take; but as long as he is in office, he will be looking for cost-effective ways to get this water to the City.

City Recorder: The original intent discussed in previous City Council, was to not only provide the residents with perhaps more cost effective water; but to also conserve the culinary water from the wells. In the recent drought experienced, one of the City's smaller wells dried up.

Mr. Johnson: Suggested possibly placing the money for the system in escrow for a number of years; after which, if the City abandons the idea of a secondary system, then they could get their money back.

Mayor Dunn: Question: if the money were put into an account, would that bond cover inflation? (Response: There would be added interest to the account; perhaps that could assist with inflation.)

Comment: (One of the developers...unknown)

What benefit could be stated in making the lots more marketable? If they could be helped in understanding that benefit with the added secondary system.

Alvin Harward: There are many options being looked into to make this feasible for the City.

Mayor Dunn: Reviewed some water conservation concerns with those present.

(There were further comments and suggestions made by Mr. Johnson regarding other alternatives besides a Secondary Water system, that will be costly to them, as developers.)

Mayor Dunn called for comments from the Council:

Mary Rugg: She understands the concerns stated; however, eventually CUP water will be here; and it is in the Code that these “dry-water” systems are to be installed...“that is the Code and it is your job to follow it, if you want to build here”. She also stated that she understands the expense, but they are costs that can be recouped in the selling of the lots.

Mayor Dunn: Salem City has been requiring this of developers and assessing homes for the future of CUP water in their City for over 10 years. He asked if this system would hold up over time, with no water in the lines...there is confidence that they will.

Raymond Brown: Water shortage in Utah has become an issue. If he were going to buy a home, he would like to know that the opportunity is there to take advantage of “gray water” for irrigation purposes.

Mr. Johnson: Expressed appreciation that there is confidence that there will be secondary water available in the future; he has not heard that confidence in the past.

Alvin Harward: The only way to receive approval from the Council tonight is to follow the Code that are in place; if an exception is to be granted, the developers would have to pursue that further...but, not in this meeting.

(The Developers responded that, Yes, they did want Final Approval that night. If anything changes in the City, they would rather put their money toward other benefits.)

**MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY RAYMOND BROWN TO GRANT FINAL APPROVAL TO THE DOE HILLS ESTATES, PLAT A, AS RECOMMENDED BY THE PLANNING COMMISSION**

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

NON-AGENDA  
ITEM

Tony Trane: A deed is coming to the Council regarding re-aligning Rocky Mountain Way with Gooseneck Drive: Burke Cloward deeded some property to the City at a time when the City was planning a different road plan; this is no longer the case and Mr. Cloward needs that piece back. \*This will be coming to the Council for the next Council Meeting, on 3/13/07.

ACTION ON

1. Code Amendment/Collection of Park Impact Fees:  
Postponed.

2. City Street name Change (n. Loafer Drive):

**MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY NELSON ABBOTT TO:**

**1. TABLE ANY DECISION ON THIS PROPOSED STREET NAME CHANGE FOR N. LOAFER DR. TO THE FIRST COUNCIL MEETING IN OCTOBER, 2007**

**2. TO TAKE THE FOLLOWING ACTIONS NOW:**

**A. CORRECT THE SIGN ON LOAFER CANYON ROAD (SOUTH END)**

**B. HAVE THE STREET SIGN INSTALLED AT THE INTERSECTION OF THE NEW SECTION OF N. LOAFER DRIVE AND E. PARK DRIVE (THE DEVELOPERS ARE RESPONSIBLE FOR THIS INSTALLATION; THEY ARE TO ACQUIRE THE COORDINATES)**

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

\*Shawn Eliot to bring the corrected sign in for the correction of the sign on Loafer Canyon Road.

\*Mayor Dunn to call Carissa Nosack for street sign.

ORDINANCE –  
STREETS & ROADS  
REGULATIONS IN  
THE CE-1, CE-2  
ZONES

(Memo from Planner to Council, dated 2-27-07)

*“Background:*

Following review of the grades on streets and roads in the City, and especially in the south hills (CE-1 Zone area), the Planning Commission recommended that an ordinance amendment be prepared for a public hearing, which would address the grades of streets, which have been included in the City’s Development Standards. Codifying these requirements will make them better understood. This is, in essence, a housekeeping amendment in that no new provisions are being added, except for an optional grade at intersections.

Adding “3% extending a minimum of 50 feet” as an option to the existing requirement of “4% extending a minimum of 100 feet on each leg of the intersection” allows flexibility when dealing with steep road grades. Either option is acceptable to Public Works and Engineering, as both options provide the same result for vehicles approaching an intersection.

The proposal includes section on Streets and Roads, aligning them with the Development Standards, so that all would include the following verbiage:

*“Grade: No major collector / arterial street shall have a grade of more than 8% and no local street shall have a grade of more than 10%, except that the City Council may approve up to an additional 2% grade for short stretches of roadway where, in its opinion, the 8/10% standard would result in undesirable extra earthwork or circuitous routes that the proposed steep grade section will not result in the establishment of a hazardous condition. It is the responsibility of the developer to present evidence that the additional allowance in grade is desirable. The City Engineer shall provide recommendation regarding hazardous conditions and any other concerns on the proposed steep grade sections.*

1. *Roads that cross slopes greater than thirty percent (30%) must be reviewed by the Planning Commission and the City Engineer; they must conclude that such streets or roads will not have significant adverse visual, environmental, or safety impacts.*
2. *Streets and roads proposed to cross slopes greater than (10%) are allowed, subject to the following:*
  - a. *Proof that such street and/or road will be built with minimum environmental damage and within acceptable public safety parameters.*
  - b. *Such street and road design follows contour lines to preserve the natural character of the land, and are screened with trees or vegetation.*
3. *Cutting and filling is minimized and must be stabilized and re-vegetated to a natural state within 1 year. A stabilization and re-vegetation plan must be approved by the Planning Commission and the City Engineer.*

*Intersection Grade: The maximum grade of intersecting roads shall be either 4% extending a minimum of 100 feet on each leg of the intersection, or 3% extending a minimum of 50 feet on each leg of the intersection. The grade shall be measured from the edge of the asphalt of the intersecting roadway to the nearest grade break/vertical curve.*

*Slope: No street providing access to a lot shall be constructed in a location or in such a manner which results in the creation of a slope arch exceeding the critical angle of repose of a disturbed cross section which exceeds the cut and fill slope standards for streets in the City. Any driveway providing access to a buildable area shall have a slope of not more than 12% and shall not result in any cut or fill slopes greater than 7 feet. Any cut or fill between 5 feet and 7 feet shall be subject to Planning Commission approval.”*

Some of the above text exists currently in various parts of the identified Code sections to be amended. The above shows that following approval, all of these Code sections will include this information. For exact amendments to each section, please see attached proposed ordinance.

*Recommendation:*

It is recommended that the Planning Commission recommend that the City Council approve these proposed Code amendments.”

*Comments:*

Mary Rugg: Some of the terms in the City’s ordinances seem somewhat unclear and ambiguous; for example, “minimum environmental damage”...the meaning is not clear. The developers’ interpretation of this could be very different than its original intent.

Raymond Brown: Is there some type of universally accepted standard for re-vegetation or to protect the environment when roads are installed.

*(Perhaps environmental impact studies.)*

Nelson Abbott: Detailed re-vegetation plans are required as part of the development process stated in this proposed ordinance; and the performance guarantees must include the costs for these re-vegetation plans.

Alvin Harward: Question on Page 2: Under section 10-9B-10 (C) This statement seems to be incorrect.

Shawn Eliot: (Discussed this paragraph) 10-9B-10 (C)

The main paragraph is incorrect. The 15% grade is from the old Code. Replace (C) on page 2 with (C) on page 1. (That section has already been approved with the 8% & 10% grades.

(1) This was passed last summer as a development Standard. This was to be implemented in the Code, as well; it simply has not until now; it is a “housecleaning” issue.

(2) The same thing applies...this was passed last summer as a change to the standard; but was not put into the Code...this corrects this non-action.

(3) This was also passed as a Standard amendment; but not codified.

(D) Intersection Grades: Either 4% extending a minimum of 100’ on each leg of the intersection; or 3% extending a minimum of 50’ on each leg of the intersection...that was something that the developers south of the City asked of the City, to give them flexibility; this has been before the Council before, but denied...the Planner wanted this before the Council again, without the rest of the previous ordinance that was denied.

This is the only thing that is really new.

*Discussion of intersections.*

Nelson Abbott: Several times it is mentioned to re-vegetate with one year...one year from what? After further discussion, it was decided to change this to “within the first year of the two -year Durability Time”. (Item 3 on the sections.)

Shawn Eliot: All of these changes could be applied to the CE-2 Code as well; if the Council wanted to make this as part of the motion.

**MOTION WAS MADE BY RAYMOND BROWN AND SECONDED BY NELSON ABBOTT TO ACCEPT THE PLANNING COMMISSION RECOMMENDATION TO APPROVE AN ORDINANCE AMENDING THE ELK RIDGE CITY CODE PROVIDING FOR STREETS AND ROADS REGULATIONS IN THE CE-1, CE-2 ZONE AND SUBDIVISION CODES, CODIFICATION, INCLUSION IN THE CODE, CORRECTION OF SCRIVENER’S ERRORS, SEVERABILITY AND PROVIDING AN EFFECTIVE DATE; WITH THE FOLLOWING CHANGES TO THE PROPOSED ORDINANCE:**

1. PGS 1, 3 & 5 [SECTIONS: 10-9A-6 (3), 10-9B-10 (3) & 10-15C-2 (F-3)]

“within the first year of the two-year Durability Time”. (Item 3 on the sections.)

2. PG 2 (SECTION 10-9B-10 (C) REPLACE THIS WHOLE PARAGRAPH WITH (C) ON PAGE ONE

3. PG 2 (SECTION 10-9B-10 (C) (2-a): Add at the end of sentence, “Refer to 10-9B-10 (F)”  
(This will refer to minimum standard)

**VOTE (POLL): RAYMOND BROWN-AYE, MARK JOHNSON-AYE, ALVIN HARWARD-AYE, MARY RUGG-AYE, NELSON ABBOTT-AYE**

*Passes 5-0*

PARKS  
MAINTENANCE

Mary Rugg: (Memo from Councilmember Rugg to Council, dated 2 -27-07)

“Concern has been expressed by Kris Bluth (park employee hired to care for building & outdoor bathrooms) about the neglect of pavilion bathrooms.

When sports programs are taking place, the referees are responsible to unlock and lock bathro oms. When a problem has arisen in this area, it has been addressed and resolved. A problem still occurs during winter months(when no sports are taking place) and the maintenance crew is unlocking the bathrooms. They are neglecting to lock them when they leave for the day. Kris has spoken with Kent and Wayne, regarding this issue, but the problem keeps occurring.

Kris has told me that her job description is strictly to care for the building and to care for the pavilion bathrooms, when the pavilion is being occupied by a reservation. She does not feel that she should be responsible for others’ neglect and care of the outside restrooms. She has reached her point of frustration. Her solution (I feel is a good one) is to have the summer help maintain and ke ep clean the pavilion bathrooms. What do you think?

She also has a suggestion/request about the way that she is being informed about the pavilion rentals. Currently, Kris has told me that she finds out about the rentals only when she comes in to check the list. Sometimes that leaves her with only an afternoon’s notice. She wonders if it would be possible to be informed by the office staff immediately following the booking. She has offered her email address as a way of communicating this information.”

Action:

(Taking the suggestions)

1. Closer check on keeping bathroom doors locked and have large messes cleaned by Public Works
2. Staff to email updates on Pavilion rentals to Kris.
3. Summer help to assist in upkeep of the outdoor bathrooms.

*\*Councilmember Johnson suggested getting new doors for the bathrooms.*

*\*Get Kris's email address.*

*\*Mayor Dunn to speak to Public Works*

ACTION –  
DURABILITY  
RETAINER FOR  
DEVELOPMENT &  
TIERED RATES  
FOR INSPECTION  
BOND

\*Mayor Dunn to speak to Craig Neeley regarding tiered rates for the 6% bond; specifically about appropriate cut-off points for the percentages to change.

PLANNING  
COMMISSION  
APPOINTMENT

(Ratify Polled Vote)

**MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY RAYMOND BROWN TO RATIFY THE POLLED VOTE TO APPOINT THE FOLLOWING TO BE MEMBERS OF THE PLANNING COMMISSION:**

1. KELLY LIDDIARD TO REPLACE ROBERT WRIGHT
2. SEAN ROYLANCE AS AN ALTERNATE MEMBER

**VOTE: YES (5)**

**NO (0)**

MINUTES

*1. City Council Minutes of 1-23-07:*

**MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY MARK JOHNSON TO APPROVE THE CITY COUNCIL MINUTES OF 1-23-07, AS WRITTEN**

**VOTE: YES (5)**

**NO (0)**

EXPENDITURES:

General: None

SCHEDULE PUBLIC  
HEARING –  
HEARING EXAMINER

**MOTION WAS MADE BY ALVIN HARWARD AND SECONDED BY NELSON ABBOTT TO SCHEDULE A PUBLIC HEARING FOR MARCH 27, 2007, AT 6:20 PM; TO CONSIDER A HEARING EXAMINER FOR ELK RIDGE CITY**

**VOTE: YES (5)**

**NO (0)**

ADJOURNMENT

Mayor Dunn adjourned the Meeting at 9:15 PM.

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City Recorder