

Eagle Mountain City Council Minutes 2017, Part 2

Dates of City Council Meetings:

- July 18, 2017
- August 1, 2017
- August 14, 2017
- September 5, 2017
- September 19, 2017
- October 3, 2017
- October 17, 2017
- November 21, 2017
- December 5, 2017
- December 12, 2017



EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

July 18, 2017

Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

4:00 P.M. WORK SESSION – CITY COUNCIL CHAMBERS

ELECTED OFFICIALS PRESENT: Mayor Chris Pengra, Councilmembers Adam Bradley, Colby Curtis, Stephanie Gricius, and Tom Westmoreland. Benjamin Reaves was excused.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Chief Deputy City Recorder; David Mortensen, City Treasurer; Evan Berrett, Management Analyst; Linda Peterson, Communications and Community Relations Director; Steve Mumford, Community Development Director; Tayler Jensen, City Planner; Chris Trusty, City Engineer; Brad Hickman, Parks and Recreation Director; Zac Hilton, Streets and Storm Drain Manager; Mack Straw, Public Utilities Director; Ross Fowlks, Fire Chief; Eric McDowell, Chief Sheriff's Deputy.

Mayor Pengra called the meeting to order at 4:05 p.m.

1. **CITY ADMINISTRATOR INFORMATION ITEMS** – This is an opportunity for the City Administrator to provide information to the City Council. These items are for information only and do not require action by the City Council.

None.

2. **AGENDA REVIEW** – The City Council will review items on the Consent Agenda and Policy Session Agenda.
 11. **ORDINANCE** – An Ordinance of Eagle Mountain City, Utah, Amending Chapters 17.75.120 and 17.10 of the Eagle Mountain City Municipal Code.

City Planner Tayler Jensen stated this ordinance would add definitions and safety standards for recreational water facilities: swimming pools, hot tubs and spas. Most of the standards were already found in the International Building Code. Placing them in the Municipal Code would make them easier for residents to find. The amendments were designed to protect the health and safety of residents, without being overly restrictive.

Councilmember Curtis asked about the Planning Commission discussion regarding whether swimming pool fences should be four or five feet tall. Mr. Jensen responded the International Building Code (Spa and Pool Code) only requires 4' fences, but most of the commissioners felt 5' would increase safety. Mr. Mumford stated several local cities require 6' fences, so 5' foot was a reasonable moderation.

Councilmember Bradley asked if there was a setback from the home as well as from the property line. Mr. Jensen said there was no setback specified from the home.

Mr. Mumford said the ordinance referred only to pool fencing, not to the pool's relation to the home.

12. MOTION – Clearview Estates Preliminary Plat Phase A, Amended.

Mr. Jensen stated this amendment was due to the Utah Dept. of Transportation's (UDOT) purchase of a large piece of property along the south edge of the plat for the expansion of Wride Memorial Highway.

The Planning Commission recommended three conditions of approval:

1. A revised water model for the entire subdivision that demonstrates the effect on existing residents.
2. A stream alteration permit from the State for changes to West Wash.
3. Acceleration lanes and left-hand turn lanes on Wride Memorial Highway (SR 73), as required in the master development agreement.

Councilmember Curtis asked for a description of the alteration that would be made to Tickville Wash. Mr. Jensen said the water would be redirected to a culvert under the highway.

Mayor Pengra asked City Engineer Chris Trusty if he felt the redirection was an improvement. Mr. Trusty said it definitely was. It will alleviate problems of flooding on the highway.

Councilmember Bradley asked why the design of the project was improved so much more than City standards required. Mr. Jensen said UDOT's purchase of property made it necessary for the project to be redesigned.

Councilmember Bradley asked what would be done with the land north of the project. Mr. Jensen said an access road was being extended between Clearview Estates and Arrival. The road would be expanded as additional projects were built out.

Mr. Mumford pointed out that one of the accesses to the highway was removed in the new design; having fewer access points would be safer.

Mayor Pengra stated the developers had final plat approval, and were going to renew it when the issue of the UDOT purchase came up. Mayor Pengra contacted the landowner and let him know about the corridor that would have to be preserved for the highway expansion. He had been working with all of the property owners along the highway corridor, asking them to contact UDOT. UDOT said neither they nor the Mountainland Association of Governments (MAG) had funds available for corridor preservation. Mayor Pengra asked the landowner of Clearview Estates if he would be willing to discuss the possibility of not building on the property that was going to be part of the corridor. After several months of those discussions, UDOT acquired the funding necessary to purchase the land for the corridor. Mayor Pengra then suggested the landowner work with UDOT, which he did.

Mayor Pengra pointed out that the landowner didn't have to do any of this. He could have built houses on all of the land in the approved final plat. Instead, he waited, sold the land to UDOT, and made it much less likely that homes on the other side of the highway would be demolished to make way for the highway expansion.

13. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Amending the Eagle Mountain City Consolidated Fee Schedule.

Parks and Recreation Director Brad Hickman said three new parks with pavilions were constructed in the last 18 months, and three more came under the City's supervision with the dissolution of The Ranches HOA. Users have not been charged for reserving those parks because they were not listed on the Consolidated Fee Schedule. The price of pavilion rentals was not increased and fees for residents and nonresidents would still be different. The only other change was the blocks of time for pavilion rentals were changed to 8:00 a.m. – 2:00 p.m. and 3:00 p.m. – 9:00 p.m.

Assistant City Administrator/Finance Director Paul Jerome stated the changes to the storm water and solid waste fees reflected what was approved in the fiscal year 2018 budget. The storm water fee would increase from \$4/month to \$5/month. The solid waste fee for the first or only trash container would be reduced from \$10 to \$9.50 per month.

Councilmember Bradley asked why the storm water fee was being increased. Mr. Jerome responded it has been difficult for the Storm Water Fund to accommodate population growth and maintain natural washes and streams, which were part of the storm drain system, at the existing fee rate. The solid waste fee reflected the change in the landfill used by the City, which charged less than the previous landfill.

Councilmember Bradley pointed out that needs increased with growth, but so did revenue. He asked how long it had been since the storm water fee was raised. Mr. Jerome said it had been several years. Eagle Mountain storm water fees were among the lower ones in the area.

City Recorder Fionnuala Kofoed reported that the last time the storm water fee was raised was in 2014.

14. MOTION – Appointment of Poll Workers for the 2017 Primary & General Municipal Elections in Eagle Mountain City.

Ms. Kofoed stated this item needed to be removed from the agenda, as the Utah County Elections Office had just notified the City that the County Commission will appoint all of the poll workers since the City was contracted with the County for the 2017 vote by mail election. The County Elections Office will also train all of the poll workers.

Councilmember Curtis asked how it was verified that poll workers weren't related to any of the candidates. Ms. Kofoed explained she selects poll workers for each election, most of whom have worked for Eagle Mountain for years. Should additional poll workers be needed, notices are sent out. As part of the appointment process, they take an oath to follow all election laws. Ms. Kofoed has had to deny poll worker applications due to their relatives

running for office, but no poll worker has been found, after the fact, to be related to a candidate.

15. MOTION – Pony Express Plaza Site Plan.

City Planner Tayler Jensen said this application was for a five-suite, 15,701 sq. ft. professional office building, located on 1.35 acres at the intersection of Pony Express Parkway and Ranches Parkway, adjacent to the Willow Springs condo development. The Village Core zoning of the parcel required a conditional use permit for professional offices.

The location of the project was ideal for a pedestrian plaza, which the developers have included at the request of the Planning Commission and City staff. Since the original submittal, the developers have worked with City staff to bring the design elements into compliance with the Municipal Code.

Councilmember Curtis felt, since some of the landscaping was being installed on City property, it would be appropriate for Eagle Mountain to provide some benefit in return. He also wanted to know whether the developer or the City would maintain the landscaping.

Mr. Mumford said other developments have landscaped property all the way to the curb as part of the project. The developers of this project told him they would landscape it for \$30,000, payable by the City.

City Attorney Jeremy Cook stated the City has no requirement that commercial developers improve City open space adjacent to their property. It could be negotiated during the development approval process.

Councilmember Bradley felt if the City didn't like the way its property looked, then the City should improve it. He said holding the project to the design standards, calling for improved elevations on the street side of the building, would be an adequate solution.

Mr. Mumford said if the parking lot side was to be the main entrance, as planned, the street side should have more detail and articulation to comply with City standards.

Councilmember Westmoreland said he and Councilmember Curtis spoke with the developers after Planning Commission meeting. He suggested the street side staff entrance and landscaping be more detailed, as a compromise between their position and the City's.

Mayor Pengra felt the design standards were meant to be a guideline to direct the developers' vision towards the City's vision. While he agreed with Councilmember Bradley's idea that the City shouldn't ask for more than was required, this was a prominent corner with the potential to improve or degrade the look of that area. He suggested that whenever the City asked for more than was required, it could choose to pay for the additional improvements or to waive some soft costs.

Mr. Jensen stated the Code indicated commercial buildings should incorporate materials used throughout the City and be similar in character and architectural themes to neighboring structures. The Planning Department has called that out to the developers.

16. BID AWARD – Award of Bid to Straight Stripe for the 2017 Frictional Mastic Surface Treatment Project.

Streets and Storm Drain Manager Zac Hilton said the frictional mastic surface treatment was emulsion with polymers added and fine sand aggregates. When applied to roadways, the product would extend the life of the pavement by limiting the oxidization caused by moisture and UV rays. This product will be applied to subdivision areas where asphalt is still in good condition and traffic volume is low to moderate. The treatment will be applied to the following subdivisions: Arrival, Gateway Park, Northmoor, Southmoor, Parkside, Sage Valley and Sunset Ridge. The work will be completed by or before mid-September.

Mr. Hilton stated he chose this product for those areas because they were traffic-sensitive, having limited accesses, and this product was drivable by the end of the day. The high-density product covered in item 17 required a 24-hour cure time.

Councilmember Bradley asked if this treatment was part of a bigger plan or just a temporary fix. Mr. Hilton explained this was part of the plan to extend the life of the roads.

17. BID AWARD – Award of Bid to Holbrook Asphalt for the 2017 High Density Road Preservation Project.

Streets and Storm Drain Manager Zac Hilton explained that high density mineral bond was a non-ionic emulsion with fine sand aggregates. When applied to roadways, the product extends the life of the pavement by limiting the oxidization caused by moisture and UV rays. It was designed for residential streets and will be applied to subdivision areas where the asphalt was still in good condition and traffic volume was low to moderate.

The application areas receiving this treatment will be Stagecoach Run and the following subdivisions: Eagle Point I, Autumn Ridge, The Woods, Lone Tree, Crittenden Corner, Sundance, Rockwell Village, Evans Ranch, Meadow Ranch, Valley View, and SilverLake. The work will be completed by or before mid-September.

Councilmember Gricius asked if this was the only bid Mr. Hilton received. Mr. Hilton said he received two bids for the frictional mastic treatment and one for the high density. Holbrook was the only local contractor qualified to apply it.

Councilmember Curtis asked how Mr. Hilton decided which treatment to use. Mr. Hilton responded it depended on the condition of the roadway and the amount of traffic. The goal was to treat the roads earlier rather than later, since lighter treatments were less expensive than major repairs.

18. BID AWARD – Award of Bid for the Cory B. Wride Memorial Park, Phase 1B Project.

Parks and Recreation Director Brad Hickman stated this bid was for general contracting for construction of Phase 1B. The low bidder among six bids was S & L, Inc. Their base bid with additive alternate was \$3,802,699.60. An engineer's estimate was valued at \$4,500,000.00 dollars for the completion of all general contractor items in Phase 1B. S & L

was responsible for installing the parking lot, pump house/restroom building, 2nd restroom building, interactive splash pad, concrete walks, overall site grading, landscaping, irrigation, etc. as outlined in the bid documents.

Moving on to item 19, the bid for playground structures and site furnishings was based on the State contract, which saved possibly as much as 20% over having the general contractor choose the supplier.

Mr. Hickman researched the costs of fencing the area, as requested by residents. His recommendation was to work with the general contractor and add it to the contract as a change order.

Councilmember Curtis was pleased that there was progress in getting a fence. He asked what the process would be. Mr. Hickman said Langvardt Design would recommend the type of fencing to install.

Councilmember Gricius asked what Mr. Hickman would need from the Council. Mr. Hickman said he would like specific feedback on what the fence should look like and how it would function in the park without disrupting the flow of activities. The design firm would need detailed recommendations.

Mayor Pengra said Mr. Hickman had already made some baseline cost calculations. If all of the playground structures were fenced, it would require 1,600 linear feet at a probable cost of \$32,000 for chain link or \$100,000 for a better style.

Councilmember Curtis mentioned that Miss Eagle Mountain was a proponent of a fence because her platform was autism awareness and advocacy. He noted that the Veterans' Memorial Park in West Jordan had a fence with sponsored slats. Sponsored pavers would also work if the City needed to raise money.

Mr. Hickman reminded the Council some of the feedback he received previously was the fence needed to be see-through so the children could be supervised.

Councilmembers Curtis and Gricius expressed interest in being involved in working with the design firm to work out the fence design.

Councilmember Gricius asked how Mr. Hickman chose the general contractor since their bids were so close. Mr. Hickman said if only the base bid was awarded, it would have gone to Valley Construction. With the bid additive, the award went to S & L. S & L had also been awarded the first phase, so they were already familiar with the work site. Additionally, the City was required to award the bid to the lowest responsible bidder.

Councilmember Gricius asked if the Parks and Recreation Advisory Board could be involved in making recommendations for the design of the fencing.

Councilmember Bradley suggested having the Board evaluate all of the suggested designs and recommend three.

Councilmember Bradley asked what the playground equipment was going to look like. He wanted additional details. Mr. Hickman said the company made a presentation at the meeting Councilmember Bradley attended by phone.

Councilmember Curtis asked if Langvardt's design was based on what was available through the State contract. Mr. Hickman said Landscape Structures was a State-approved bidder.

19. BID AWARD – Award of Bid to Landscape Structures for the Cory B. Wride Memorial Park, Phase 1B Project.

See item 18.

3. ADJOURN TO A CLOSED EXECUTIVE SESSION

No Closed Executive Session was held.

The meeting was adjourned at 5:30 p.m.

7:00 P.M. POLICY SESSION – CITY COUNCIL CHAMBERS

ELECTED OFFICIALS PRESENT: Mayor Chris Pengra, Councilmembers Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Chief Deputy City Recorder; Linda Peterson, Communications and Community Relations Director; Steve Mumford, Community Development Director; Tayler Jensen, City Planner; Chris Trusty, City Engineer; Brad Hickman, Parks and Recreation Director; Zac Hilton, Streets and Storm Drain Manager; Ross Fowlks, Fire Chief; Eric McDowell, Chief Sheriff's Deputy.

4. CALL TO ORDER

Mayor Pengra called the meeting to order at 7:05 p.m.

5. PLEDGE OF ALLEGIANCE

Mayor Pengra led the Pledge of Allegiance.

6. INFORMATION ITEMS/UPCOMING EVENTS

- **Meet the Candidates Night** – A Meet the Candidates Night will be held tomorrow evening at Frontier Middle School from 7:00-9:00 p.m.
- **Movie in the Park** – On Saturday, July 29, at 9:30 p.m. the Movie in the Park at SilverLake Amphitheater will show *The BFG*. The movie and popcorn will be free. The Kona Ice food truck will be there with food for purchase.
- **Fireworks Restrictions** – Restrictions on where fireworks may be used will remain in place for the next legal fireworks period, from July 21-27.

- **Street Fair** – The Street Fair will be held on August 5 from 9:00 a.m. to 4:00 p.m. on Peregrine Road behind the Chevron gas station.

7. **PUBLIC COMMENTS** – Time has been set aside for the public to express their ideas, concerns and comments.

Sara Hafen, Miss Eagle Mountain, stated her platform was autism awareness, acceptance and advocacy. She brought an example of a fence she thought would work to keep special-needs children in the proposed playground at Cory Wride Memorial Park, without being excessively expensive. It would be a sponsored picket fence.

Tiffany Ulmer thanked the Mayor and Council for reviewing her research regarding eliminating the three-foot setback of fences along sidewalks. That section of the Municipal Code wasn't being complied with or enforced. She asked the Council to reconsider how they wrote the regulations on the type of fencing along arterials and major roadways. Residents should be allowed to build any type of fence that fit their CC&Rs. If the City wanted universal fencing standards, it should do what Lehi and Las Vegas do. They require developers to install fencing along main roadways, determining the type during plat approvals. Regarding the maintenance of fencing formerly maintained by The Ranches HOA, she lived adjacent to City property. Her neighbors maintained the fencing next to their properties. She felt the City should give the fences to the landowners and let them maintain them. Also, she mentioned the "unofficial" poll she did on whether fencing should be added to the all-abilities playgrounds planned for Wride Memorial Park. 236 said yes, 38 who had autistic children. Three said no and 2 were undecided. She felt such a fence was necessary. If the City couldn't do it, she asked for a quote so the residents could raise funds.

8. **CITY COUNCIL/MAYOR'S ITEMS** – Time has been set aside for the City Council and Mayor to make comments.

Councilmember Curtis

Councilmember Curtis encouraged youth to participate in Youth Council. He thanked everyone for being respectful of their neighbors when using fireworks, which are very risky.

Councilmember Bradley

Councilmember Bradley welcomed everyone to the meeting. He was happy to be in campaign season. It created excitement for City government in the community.

Councilmember Reaves

Councilmember Reaves thanked everyone for being at the meeting. He missed the Work Session due to a conflict with his employment. He said the easy part of being a Councilmember was being with the residents.

Councilmember Westmoreland

Councilmember Westmoreland wished everyone a safe Pioneer Day.

Councilmember Gricius

Councilmember Gricius reported that a Firewise Day was held last Saturday. Altogether, City government and residents have contributed about \$2,000 in in-kind value towards the required match for the State fire department assistance grant. There will be fuels work on Saturday from

9:00 a.m. to noon on Lookout Drive, which will also count towards the match. She invited everyone to attend.

Mayor Pengra

Mayor Pengra welcomed everyone to the meeting.

CONSENT AGENDA

9. MINUTES

A. June 20, 2017 – Regular City Council Meeting

10. BOND RELEASES

A. Valley View Foothills Phase A, Plats 1 & 2 – into warranty

B. Eagle Point I – out of warranty

MOTION: *Councilmember Curtis moved to approve the Consent Agenda. Councilmember Gricius seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

SCHEDULED ITEMS

PUBLIC HEARING

11. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending Chapters 17.75.120 and 17.10 of the Eagle Mountain City Municipal Code.

This item was presented by City Planner Tayler Jensen. The proposed ordinance amended Chapter 17.10 of the Municipal Code, adding a definition for Recreational Water Facilities and adding safety standards for swimming pools, hot tubs and spas to Chapter 17.75.120.

Mr. Jensen recapped the presentation he gave during Work Session, which is found on pages 1 and 2 of these minutes.

Councilmember Curtis asked if any of the Councilmembers had strong feelings on four-foot pool fencing vs. five-foot fencing.

Councilmember Westmoreland stated the object was safety. A four-foot fence didn't seem like much of a deterrent to children getting into neighbors' pools.

Councilmember Bradley felt a five-foot fence would be a better deterrent. He asked why the regulations were going to include above-ground pools. He said covers and removable stairs on those pools were adequate safety features.

Mr. Jensen said covers or removable stairs did count as adequate protection.

Councilmember Curtis asked Mayor Pengra, as a pool owner, what his concerns were with the proposed amendments. Mayor Pengra responded he was supportive of the City's effort to keep children safe. He wondered how it would be enforced. He had an above-ground pool with a removable ladder, which met the proposed amendments, but his pool was too close to his windows

and his fence. He asked if the setbacks in the existing Code were the same as those proposed for pools.

Mr. Mumford said accessory structures normally require a five-foot setback. He didn't know whether an above-ground pool would be considered an accessory structure.

Mr. Mumford explained the amendments were written in response to a request from concerned residents. The Planning Dept. reviewed several cities' codes as well as the International Pool and Spa Code. Eagle Mountain has always dealt with pools under building safety regulations. The original proposal was that all in-ground and above-ground pools should be fenced. After receiving comments from the Planning Commission and seeing the exceptions in other cities' codes, the Planning Department decided an above ground pool that was not climbable, with a lockable or removable ladder, would be in compliance with the amendments.

Mayor Pengra explained he hadn't shared his thoughts on the amendments because it was residents who brought the request forward and he didn't want to interfere with that. He felt the amendments as proposed were responsible.

Councilmember Reaves asked if the amendments met the request of the residents who brought the issue forward. Councilmember Gricius believed they did.

Councilmember Gricius was concerned with the setback. She didn't think the setback mattered if the fence couldn't be climbed. She also felt a five-foot setback was excessive.

Councilmember Westmoreland felt the setback was reasonable if the fence was on the perimeter of the property. Anyone could get over the fence with a ladder.

Mayor Pengra said the five-foot setback could be important to allow for all-around access to rescue and resuscitate a person who was drowning.

Councilmember Curtis asked if the City was already governed by the International Swimming Pool and Spa Code, or only if it declares so.

Mr. Mumford said it was. Adding these amendments to the Municipal Code would make them more accessible to residents. Very little of the international code applies to above-ground pools.

Mayor Pengra opened the public hearing at 7:35 p.m.

Tyler Shimakonis asked if existing pools would be grandfathered in if this Code amendment was approved. He also asked why the City would make this amendment when there is already a pool safety code in place.

Mayor Pengra closed the public hearing at 7:37 p.m.

Councilmember Bradley said the reason for the Code amendment was to make the water safety standards more accessible to the public and easier for the Neighborhood Improvement Coordinator to reference.

Councilmember Gricius wanted more than a 2" gap under the fences.

Mr. Mumford suggested if the City was less restrictive than the International Swimming Pool and Spa Code, the stricter code should rule.

MOTION: *Councilmember Bradley moved to adopt an ordinance of Eagle Mountain City, Utah, amending Chapters 17.75.120 and 17.10 of the Eagle Mountain Municipal Code regarding recreational water facilities as outlined in the staff report. Councilmember Westmoreland seconded the motion. Those voting aye: Adam Bradley, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. Those voting no: Colby Curtis. The motion passed with a vote of 4:1.*

The amendments to the Municipal Code were as follows:

- Removed “wading pools and kiddie pools” from the definition of Recreational Water Facility
- Reduced the height of the required fence to five feet (5’)
- Added Section C Barrier Wall/Fence Exceptions, including exceptions for a spa or hot tub, and above-ground pools that have a non-climbable wall at least five feet high
- Clarified in Section D that if the in-ground pool is located on the same property as a septic tank or drainfield, then the Utah County Health Department approval is required
- Added the “International Swimming Pool and Spa Code” to Section E

12. MOTION – Clearview Estates Preliminary Plat Phase A, Amended.

This item was presented by City Planner Tayler Jensen. Additional discussion is found on pages 2 and 3 of these minutes. The proposed preliminary plat amended the approved Clearview Estates Phase A plat due to UDOT’s purchase of extensive property for a right-of-way along Cory B. Wride Memorial Highway. The project included 49 lots on 39.05 acres and was located west of the Arrival subdivision. More park space was included than was required, with the extra park space intended to fill park requirements in future phases.

Mr. Mumford stated the applicants and property owners have been very cooperative in working with City staff and UDOT. Their cooperation had the effect of saving several existing homes that had been in the path of the future highway expansion.

Mayor Pengra expressed appreciation to the applicants for their patience during the lengthy process of working out a plan with UDOT to deal with the planned highway expansion.

Councilmember Bradley appreciated the developers’ efforts to improve the outcome of the highway expansion. It showed a commitment to the community beyond profitability. He mentioned the Council’s concern with having park space accessible to all neighborhoods. He hoped the park space reserved in this phase would be easily accessible to residents in future phases.

Mr. Mumford explained the park distribution would be somewhat different than that found on the master development plan because of UDOT’s land purchase. The parks on the southwest and east sides would be shifted further north. City staff would ensure the parks complied with City standards.

MOTION: *Councilmember Bradley moved to approve the amendment to the Clearview Estates preliminary plat, with the conditions stated in the staff report. Councilmember Curtis seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

The conditions in the staff report were as follows:

1. A revised water model for the entire subdivision that demonstrates the effect on existing residents.
2. A stream alteration permit from the State for changes to West Wash.
3. Acceleration lanes and left-hand turn lanes on Wride Memorial Highway (SR 73), as required in the master development agreement.

13. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Amending the Eagle Mountain City Consolidated Fee Schedule.

This item was presented by Brad Hickman and Paul Jerome, who recapped the presentations they made in Work Session. The proposed amendment to the Consolidated Fee Schedule adjusted the park pavilion fee schedule, adding additional park pavilions and adjusting the block of hours for reservations. The amendment also included changes to the storm drain and solid waste fees recently adopted in the FY 2018 City budget.

Councilmember Westmoreland asked for some additional details on the changes to the storm drain and solid waste fees. Mr. Jerome explained the City moved its business to a landfill with a lower price for receiving waste, which was reflected in the \$.50 reduction in the solid waste fee. The Storm Water Fund, which covered maintenance of curb and gutter, discharge into storm drains, and natural waterways that were part of the stormwater system, had a difficult time maintaining a healthy fund balance due to increased costs for equipment and personnel. The transfer from the Solid Waste Fund to the Storm Drain Fund would improve the Storm Drain Fund's balance. The higher storm drain fee would be more in line with actual expenditures.

Councilmember Curtis didn't know when the new law requiring public notice of enterprise fund transfers, but he was pleased the City went ahead and gave notice. Mr. Jerome said the law was already in effect.

Councilmember Reaves asked why the reservation block of time was changed. Mr. Hickman said there was a slight discount for a full-day reservation over a partial-day reservation.

Councilmember Curtis asked how residents would know a pavilion was reserved. Mr. Hickman said a letter was given when a reservation was made. If a pavilion was in use when the person who reserved it showed up, they could show the letter and have the previous users vacate the pavilion. If this couldn't be done amicably, a Parks and Recreation employee could be called to resolve the problem.

MOTION: *Councilmember Curtis moved to adopt a resolution of Eagle Mountain City, Utah, amending the Eagle Mountain City Consolidated Fee Schedule. Councilmember*

Westmoreland seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.

14. MOTION – Appointment of Poll Workers for the 2017 Primary & General Municipal Elections in Eagle Mountain City.

City Recorder Fionnuala Kofoed stated the City Recorder was required by law to present a list of poll workers to the City Council for approval. Because the Utah County Elections Office will administer this year's election, the County Commission will appoint the poll workers and the County Elections Office will train them. As such, no motion was necessary.

Ms. Kofoed responded to a question asking if there was a safeguard in place against poll workers who were related to candidates. Ms. Kofoed said they all took an oath of office, which indicated they would comply with all laws and ordinances regarding the election. Eagle Mountain had never had a problem with a poll worker serving in spite of being related to a candidate, although one candidate's wife wanted to serve in one location but had to be moved to another. The law used to allow a candidate's relative to serve in a voting precinct other than the one the candidate lived in.

15. MOTION – Pony Express Plaza Site Plan.

This item was presented by City Planner Tayler Jensen. Mr. Jensen recapped the presentation he made in Work Session, found on page 4 of this minutes. The proposed site plan was for a 15,701 square foot professional office development located on 1.35 acres at the intersection of Pony Express Parkway and Ranches Parkway, adjacent to the Willow Springs development. The parcel was zoned Village Core and was included in The Ranches Master Development Plan.

Mr. Jensen said the developers have worked with staff on a number of issues. The last remaining issue was compliance with commercial design standards. The applicant has revised the design twice, making improvements both times. However, the building elevations still didn't fully comply with City standards.

Chas Johnson, representing Thrive Development, thanked City staff for their assistance in working through the approval process.

Mr. Johnson noted that following discussions with staff and the Planning Commission, the company had added brick wainscoting, lights and landscaping, including a meandering path. He said the developers were willing to improve the City property adjoining their property; however, they didn't want to improve and maintain property that wasn't theirs without compensation. They believed a reduction in impact fees would be appropriate. In exchange, they would improve the property and maintain it.

Councilmember Reaves asked if the developers had submitted the proposal to the City. Mr. Johnson said he had submitted it informally, by email, and was waiting to hear who should receive the formal proposal.

Mayor Pengra responded the City Council was the body with the authority to waive impact fees, which were normally done on a reimbursement basis, based on the cost of the improvements made.

Councilmember Westmoreland appreciated the design work the developers did. As a major intersection of the City, the appearance of that area was important. He felt the City and the developers had compromised on the design to make it mutually beneficial.

Mr. Hickman felt it would be agreeable for the developers to maintain the landscaping up to the meandering path, with the City maintaining the strip between the trail and the road.

Mr. Johnson said the landscape estimate didn't include irrigation. Adding that would bring the estimate up to possibly as high as \$45,000. Mayor Pengra said that was workable.

City Attorney Jeremy Cook pointed out this project was not included in the Impact Fee Facilities Plan. Mayor Pengra said impact fee waivers didn't have to be included in the Plan.

City Administrator Ifo Pili suggested the City pay the full installation cost through a waiver up to a specified amount. Mayor Pengra stated the developers should be provided with an impact fee calculation before the landscaping began, to establish that maximum limit. He suggested a cap of \$40,000.

Councilmember Gricius asked if the maintenance responsibility would transfer to new owners if the building were sold. Mr. Cook said a maintenance agreement could be recorded against the building, so any new owners would be aware of that obligation.

MOTION: *Councilmember Bradley moved to approve the Pony Express Plaza site plan, as outlined in the staff report, and an impact fee waiver up to \$40,000, unless City staff finds a better, more economical way to landscape the site. Councilmember Gricius seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

Mayor Pengra asked if a maintenance agreement for landscaping up to the trail border closest to the subject property should be included in the motion.

AMENDED MOTION: *Councilmember Bradley moved to approve the Pony Express Plaza site plan, as outlined in the staff report, and an impact fee waiver up to \$40,000, unless City staff finds a better, more economical way to landscape the site; as well as a maintenance agreement for landscaping up to the trail border closest to the subject property. Councilmember Gricius accepted the amendment. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

Mayor Pengra thanked Mr. Johnson for working with City staff on making improvements to the project.

16. BID AWARD – Award of Bid to Straight Stripe for the 2017 Frictional Mastic Surface Treatment Project.

This item was presented by Streets and Storm Drain Manager Zac Hilton. The proposed bid award was for a frictional mastic surface treatment to be applied to asphalt in good condition with low to moderate traffic volume. The product would extend the life of the pavement by limiting the

oxidization caused by moisture and UV rays. The roads in the following subdivisions were scheduled to receive the treatment: Arrival, Gateway Park, Northmoor, Southmoor, Parkside, Sage Valley, and Sunset Ridge. The project was expected to be completed by the end of August.

Mayor Pengra asked if this product was temperature-sensitive. Mr. Hilton said he wanted to complete the application by the end of August because the summer heat helped in the bonding of the product.

MOTION: *Councilmember Gricius moved to award a bid to Straight Stripe for the 2017 Frictional Mastic Surface Treatment Project in the amount of \$211,373.43 and authorize the Mayor to sign the contract. Councilmember Reaves seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

17. BID AWARD – Award of Bid to Holbrook Asphalt for the 2017 High Density Road Preservation Project.

This item was presented by Streets and Storm Drain Manager Zac Hilton. The proposed bid award was for a residential road preservation treatment on Stagecoach Run and in the following subdivisions: Eagle Point I, Autumn Ridge, The Woods, Lone Tree, Crittenden Corner, Sundance, Rockwell Village, Evans Ranch, Meadow Ranch, Valley View, and SilverLake. The project was expected to be completed by mid-September. The product will require 24 hours to cure after the application.

MOTION: *Councilmember Reaves moved to award a bid to Holbrook Asphalt for the 2017 High Density Road Preservation Project in the amount of \$354,888.44 and authorize the Mayor to sign the contract. Councilmember Gricius seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

Mayor Pengra said he continued to be impressed with the amount of work Mr. Hilton and his staff completed.

Councilmember Westmoreland said he has heard from residents about the impressive work Mr. Hilton and his staff has done.

Mayor Pengra mentioned the trail completion projects. He used to work from the City Council Chambers on Fridays to allow residents to come and talk to him at will. In the first month he did that, Cody Weeks came in. Cody was in a wheelchair and used to travel along Eagle Mountain Blvd. He had to move off the road and into the dirt when cars went by. There were also people who walked to church on the road and had to move to allow cars to go by. After years of working with property owners, utilities and other considerations, the Streets Department just finished a trail along Eagle Mountain Blvd. from the roundabout to Lake Mountain Road.

18. BID AWARD – Award of Bid for the Cory B. Wride Memorial Park, Phase 1B Project.

The proposed bid award was for general contracting of the Cory B. Wride Memorial Park, Phase 1B project. Parks and Recreation Director Brad Hickman recommended the low bidder, S & L, Inc. He didn't repeat the presentation he made in Work Session, but the information can be found on pages 5-7 of these minutes.

Mayor Pengra asked Mr. Hickman to present item 19 as it was related to the development of the park.

Mr. Hickman noted that after the playground site was prepared, playground equipment and site furnishings would be installed. Mr. Hickman recommended the low bidder, Landscape Structures, be awarded the playground bid.

Councilmember Reaves asked if this approval represented the full amount for all the projects to be done on Phase 1B, or if additional amenity projects would be brought to the Council.

Mayor Pengra said the first vote was for the general contracting, construction, buildings and utilities. The second vote was for playground landscaping and equipment. These two projects would complete Phase 1B. The only addition would be if the Council decided to add playground fencing to the project.

Councilmember Curtis stated the Council had a unique opportunity to come together after working through their different opinions about how the park should be built. He wanted all of them to take ownership of the result.

MOTION: *Councilmember Westmoreland moved to award a bid for general contracting of the Cory B. Wride Memorial Park, Phase 1B Project to S & L, Inc. in the amount of \$3,802,699.60 and authorize the Mayor to sign the contract. Councilmember Bradley seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

19. BID AWARD – Award of Bid to Landscape Structures for the Cory B. Wride Memorial Park, Phase 1B Project.

The Council discussed this item with item 18.

MOTION: *Councilmember Bradley moved to award a bid for the Cory B. Wride Memorial Park, Phase 1B Project to Landscape Structures for playground equipment and site furnishings in the amount of \$1,175,623.52 and authorize the Mayor to sign the contract. Councilmember Westmoreland seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

Mayor Pengra thanked Mr. Hickman for orchestrating a large and complicated project and bringing it to this vote.

20. CITY COUNCIL/MAYOR'S BUSINESS – This time is set aside for the City Council's and Mayor's comments on City business.

Councilmember Curtis

Councilmember Curtis stated he very much appreciated the opportunity to attend a Parks and Recreation Board meeting. He praised the Youth Council for their constant help with City events. He invited residents to submit ideas for activities or offer to sponsor activities.

Councilmember Bradley

Councilmember Bradley invited residents to attend the Street Fair and visit the booths set up by local business owners.

Councilmember Reaves

Councilmember Reaves said the residents were beginning to notice the changes in Eagle Mountain. He appreciated the City staff and all they were doing.

Councilmember Westmoreland

Councilmember Westmoreland said it was a great time to be in Eagle Mountain. He was excited to be a part of it.

Councilmember Gricius

Councilmember Gricius echoed the previous comments. She invited residents to help with the fire prevention project being held the following Saturday on Point Lookout Drive.

Mayor Pengra

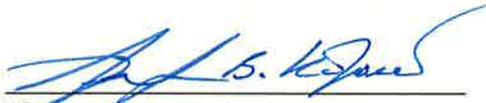
Mayor Pengra wished former Councilmember Donna Burnham, who was in attendance, a happy birthday.

21. CITY COUNCIL BOARD LIAISON REPORTS – This time is set aside for Councilmembers to report on the boards they are assigned to as liaisons to the City Council.
22. COMMUNICATION ITEMS
- A. Upcoming Agenda Items
 - B. Financial Report

23. ADJOURNMENT

MOTION: *Councilmember Bradley moved to adjourn the meeting at 8:44 p.m. Councilmember Gricius seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

Approved by the City Council on August 1, 2017.


Fionnuala B. Kofoed, MMC
City Recorder



EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

August 1, 2017

Eagle Mountain City Council Chambers

1650 East Stagecoach Run, Eagle Mountain, Utah 84005

4:00 P.M. WORK SESSION – CITY COUNCIL CHAMBERS

ELECTED OFFICIALS PRESENT: Mayor Chris Pengra, Councilmembers Colby Curtis, Stephanie Gricius, Ben Reaves and Tom Westmoreland. Adam Bradley participated by telephone.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Chief Deputy City Recorder; Evan Berrett, Management Analyst; Linda Peterson, Communications and Community Relations Director; Interns; Starlee Holley and Triana Solomon; Steve Mumford, Community Development Director; Mike Hadley, Planning Manager; Tayler Jensen, City Planner; Chris Trusty, City Engineer; Brad Hickman, Parks and Recreation Director; Jeff Weber, Facilities/Operations Director; Zac Hilton, Streets and Storm Drain Manager; Mack Straw, Public Utilities Director; Eric McDowell, Chief Sheriff's Deputy.

Mayor Pengra called the meeting to order at 4:05 p.m.

1. **CITY ADMINISTRATOR INFORMATION ITEMS** – This is an opportunity for the City Administrator to provide information to the City Council. These items are for information only and do not require action by the City Council.
2. **A. PRESENTATION – Citizen Survey**

Triana Solomon and Starlee Holley, Eagle Mountain's summer management interns, presented the results of the annual Citizens' Survey. 94% of respondents said the quality of life in Eagle Mountain was good or very good. The complete results will be published in the 2017-18 budget document.

The survey asked what services the City wasn't providing that it should be. Respondents asked for more economic development, particularly more businesses in City Center. They requested more and wider roads, with additional streetlights. They also requested a recreation center, community center or swimming pool.

About 40% of respondents were satisfied with the way Eagle Mountain managed its funds, but a majority was neutral. The interns felt many of those were new residents who were unfamiliar with the City's financial operations.

Regarding public safety, the majority of respondents indicated they felt safe in Eagle Mountain; however, they requested more women and children's safety programs.

A section of the survey asked about satisfaction with City departments and services. Overall, respondents were satisfied, with satisfaction increasing over the last three years.

Councilmember Westmoreland asked how many people responded to the survey. Ms. Holley said there were just over 940 responses.

Councilmember Reaves asked how Councilmembers could access the survey and its results. Ms. Solomon said she and Ms. Holley would send the results to all of the Councilmembers.

B. PRESENTATION – Overland Project Update by Ivory Development and SITLA

Elise Erler, representing SITLA, gave the Council background information on the early planning for the property, which was located in City Center just southwest of Unity Pass. Another parcel was located just south of the rodeo grounds, which will be included in the revised master development plan because Ivory Homes had an option on the property.

The project consisted of residential, mixed-use, satellite commercial, regional park and school zoning. The originally-approved overall density was 3 units per acre.

Ms. Erler reminded the Council that SITLA conveyed substantial lands and invested a great deal of funding to the City for Wride Memorial Park and Pony Express Park, roads, schools, other parks, the water system and Well #1. The purpose was to help improve the community and to receive financial returns to support the state's Institutional Trust Lands fund. With so much preparation done, SITLA chose Ivory Homes to develop a residential subdivision.

Bryon Prince, representing Ivory Homes, said Ivory spent a year working with SITLA to redesign the original plans for the subdivision, which will be called Overland. In reviewing the original master development agreement, the applicants (Ivory and SITLA) and City staff found they interpreted the original master development agreement differently. They agreed to move forward on the first phase, with a commitment to resolve the issues the following year.

While they expect to resolve all of the issues, open space was the major cause of disagreement and will be the most difficult to resolve. Ivory's plan was to build ten parks with amenities from two to six acres large throughout Overland, each designed to complement its own neighborhood. All of the parks would complement Wride Memorial Park, as well. There would also be 12 miles of interconnected trail network running throughout the project.

Mr. Prince described two multi-family areas called Village 1 and Village 2, separated by Airport Road, each having its own amenity package. For example, Village 1 will have one large park and two smaller ones.

Mayor Pengra stated he had been very pleased with the communication between Eagle Mountain, Ivory Homes and SITLA regarding the very complicated issues involved in the SITLA Master Development Plan. There were still difficulties to work out, but the discussions had been moving in the right direction.

Mr. Mumford asked the Council to provide any feedback they had as soon as possible, so the discussions went in the direction the Council preferred. The Council continued discussing some of the specific concerns they wanted Mr. Mumford to take to the negotiations.

C. Discussion – Website Redesign

This item was not on the agenda. The City was in the process of hiring a new website vendor and as such, Mr. Pili asked Management Analyst Evan Berrett to explain to the Council the process of acquiring a vendor for a website redesign.

Mr. Berrett said the City's website was out-of-date and having performance issues. City staff sent out a request for proposals and received thirteen submissions. A committee reviewed the submissions and created a "short list" of the most responsive ones. Revize Software made an outstanding presentation. The committee then gave them some mock-ups and asked them to convert them into website format, which they did successfully. They offered a high-quality product at a much lower cost than was budgeted.

City personnel had high expectations for a new website. The intent was to improve communication with residents, increase transparency and serve as an economic development tool. Some improvements included an improved search tool, onsite event registration and motion graphics to illustrate the status of issues of interest to residents.

Councilmember Curtis stated he wanted to be able to find every possible City document on the website.

City Recorder Fionnuala Kofoed pointed out that the Recorder's Office could provide any documents that were unavailable on the website.

Mr. Pili commended Mr. Berrett on the quality of his work on the website redesign project.

3. AGENDA REVIEW – The City Council reviewed items on the Consent Agenda and Policy Session Agenda.

11. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Rezoning The Foothills at Unity Pass from Agriculture to Residential.

City Planner Taylor Jensen stated the project was a 126.25 acre rezone from Agriculture to Residential, located east of Pony Express Parkway and Lake Mountain Road and northeast of the recently-approved Glenmar Ranches project. The applicant proposed a minimum lot size of 1/3 acre in the north and central areas of the project, with a one-acre minimum in the south area and a large open space due to a ridgeline in the eastern portion of the project. The Planning Commission recommended the project be approved on the condition that the minimum lot size would be 1/3 acre.

The project was located adjacent to planned residential developments of varying densities on three of its four sides, with agricultural zoning to the southeast. The current General Plan showed a collector road going through the property. The property was also located fairly close to Pony Express Parkway, which was a major arterial road. These conditions all needed to be considered in the decision.

Councilmember Gricius asked how the 1/3 acre minimum lot size was chosen. Mr. Jensen said staff worked with the applicant, who decided 1/3 acre was missing from the choices available to home buyers, and so would sell well. Most of the lots in the City were less than 1/4 acre.

Mr. Mumford noted 1/3 acre lots would be a nice transition to the one acre lots in the Glenmar project.

Councilmember Curtis asked if the developers would be allowed to blast rock. Mayor Pengra noted that option was not part of the rezone process.

Councilmember Westmoreland asked if the applicant had given any feedback regarding his opinion of the proposed overlay zone for the ridgeline. Mr. Jensen stated the applicant chose to leave the ridgeline wild. An overlay hadn't been discussed with him.

12. AGREEMENT – First Addendum to The Ranches Golf Course Purchase Agreement.

Assistant City Administrator/Finance Director Paul Jerome reviewed the terms of the agreement, which was signed in October, 2012. The buyers were required to pay 10% of the net profits of the golf course each year towards the purchase price. They accrued over \$150,000 in unpaid utility bills since the agreement was signed and asked that this amount be added to the purchase price and paid as part of the annual payment.

Mr. Pili reviewed the history of the golf course. Its original owners, Ames Construction, wanted to divest it because they were losing more money each year. They asked if the City would purchase it. City Administration refused. The owners then offered to donate the golf course to the City for free. City Administration refused again, but later realized Eagle Mountain would wind up owning it when the owners defaulted, and it would be too expensive to maintain. In light of that, they met with Ames Construction and created a deal that didn't cost the taxpayers any money and protected taxpayers against any losses the golf course might suffer. There has been no cost to the taxpayers; in fact, the City has made money from the agreement.

The City hired Vanguard to manage the golf course for three years, after which Vanguard purchased it. Because the golf course wasn't profitable at first, Vanguard needed some help from the City by improving the terms of the agreement. City Administration wanted Vanguard to be successful so the golf course didn't go into default.

Councilmember Curtis felt the City should be paid faster than the terms of the agreement require. Mr. Pili noted Vanguard had to repair the well twice, at a cost of \$60,000 each time, which made it impossible to pay the utility bills.

Councilmember Curtis wanted the City to require payment on time, as it required individuals to do. Mr. Jerome said Vanguard had paid part of the arrears and were current on their ongoing utility bills.

Mayor Pengra pointed out this was a different situation than would be found in an individual household.

13. AGREEMENT – Utah State University Fixed Price Research Agreement.

City Attorney Jeremy Cook stated the agreement with Utah State University was for a water conservation project. Water conservation was a benefit to the City.

Councilmember Curtis asked why the time frame of the project was in the past. Mayor Pengra said the agreement was in conjunction with the utility sale. It was a grant application that was awarded at that time. The City hadn't paid any money yet.

14. **RESOLUTION – A Resolution of Eagle Mountain City, Utah, Amending the Eagle Mountain City Consolidated Fee Schedule.**

Mr. Mumford explained that recently-approved State legislation placed a 14-business-day time limit on residential plan reviews, which caused Eagle Mountain's plan inspectors to work a lot of overtime, and required the department to hire a contractor to assist with inspections. Eagle Mountain's plan review fees (25% of the permit fee) were lower than nearly every other city in Utah. Most charged 65%, including Saratoga Springs and Herriman. The City's three building inspectors completed nearly 8,000 inspections during the previous fiscal year and averaged more daily inspections than inspectors from other cities. The inspectors being so busy with inspections left limited time to complete thorough plan reviews. The proposed changes would cover the City's costs without unduly burdening builders or homeowners.

Mr. Mumford said he contacted the Utah Valley Homebuilders' Association for comments on the proposed changes. He revised the proposal based on their feedback.

Councilmember Reaves asked if the department would need to hire more staff. Mr. Mumford said he could continue to pay overtime, pay a consultant for building inspections and plan reviews, or hire a plans examiner.

4. **ADJOURN TO A CLOSED EXECUTIVE SESSION**

No Closed Executive Session was held.

The meeting was adjourned at 6:10 p.m.

7:00 P.M. POLICY SESSION – CITY COUNCIL CHAMBERS

ELECTED OFFICIALS PRESENT: Mayor Chris Pengra, Councilmembers Colby Curtis, Stephanie Gricius, Ben Reaves and Tom Westmoreland. Adam Bradley participated by telephone.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Chief Deputy City Recorder; Linda Peterson, Communications and Community Relations Director; Steve Mumford, Community Development Director; Mike Hadley, Planning Manager; Tayler Jensen, City Planner; Chris Trusty, City Engineer; Ross Fowlks, Fire Chief; Eric McDowell, Chief Sheriff's Deputy.

5. **CALL TO ORDER**

Mayor Pengra called the meeting to order at 7:05 p.m.

6. **PLEDGE OF ALLEGIANCE**

Benjamin Reaves led the Pledge of Allegiance.

7. INFORMATION ITEMS/UPCOMING EVENTS

- **Tour of Utah** – The 2017 Tour of Utah cycling event will be passing through Eagle Mountain City on Wride Highway (SR 73) and on Pioneer Crossing and Redwood Road in Saratoga Springs on Thursday, August 3. Residents should expect major delays during the time periods that riders are traveling through the area (approximately 9:15 a.m. to 9:50 a.m. and again at approximately 11:45 a.m. to 2:00 p.m.). Please visit the City website, News section for a route map and course log.
- **Street Fair** – The Street Fair will be held this Saturday, August 5 from 9:00 a.m. to 4:00 p.m. on Peregrine Rd. (behind Chevron in The Ranches). There will be over 100 vendors and nine food trucks. Come enjoy a fun day out and support local businesses.
- **Beat the Heat Bonanza** – Eagle Mountain City will hold a free "Beat the Heat Bonanza" with inflatable water slides and featuring Eagle Mountain's largest Slip'n'Slide. The event will take place at Nolen Park, August 12 from 11 am to 4 pm. The Soup & Smoothie food truck will also be there.
- **Special Council Meeting** – A special City Council meeting will be held on Monday, August 14 at 7:30 p.m. for the appointment to fill the Mayor's Office vacancy due to the resignation of Mayor Chris Pengra.
- **Primary Election** – Eagle Mountain City will conduct its 2017 Municipal Primary Election for the office of Mayor and two City Council seats on Tuesday, August 15. The last day to register in person or online with Utah County is August 8. Candidates elected at the primary election will continue on to the general election, to be held on November 7. Eagle Mountain City will use Vote by Mail for the 2017 municipal election. Utah County is in the process of mailing out ballots. Any questions can be directed to the City Recorder's Office.
- **Movie in the Park** – The final free Movie In The Park for 2017 at SilverLake Amphitheater will be held on Friday, August 25 beginning at 9:30 p.m. The feature film is *Sing*. Free popcorn will be available while supplies last. A food truck will be announced.
- **Back to School Dance** – Eagle Mountain City will hold its annual Back to School Dance Party at SilverLake Amphitheater on August 19 from 7:00 p.m. to 10:00 p.m.

8. PUBLIC COMMENTS – Time has been set aside for the public to express their ideas, concerns and comments.

Jeff Ruth, a resident of The Landing, felt the addendum to the golf course agreement was a bad idea. From what he understood, Eagle Mountain was going to agree to roll over \$150,000 into a loan. He thought the golf course was going to go bankrupt, because golf was going downhill, and the City would lose the money. He said if the golf course got a break on its water bill, each resident should get a break, too.

Jody Hooley asked if there was a way for City staff and/or the Council to change the time frame for submitting documents to the Planning Commission and City Council. The documents weren't available to the public until the Friday before the meeting. She felt putting the documents online on Friday didn't give the residents enough time to prepare for the meeting. She also commented on the rezone of The Foothills at Unity Pass. She preferred to keep all of the remaining land along Lake Mountain Road zoned Agriculture.

Drew Curley, a resident of North Ranch, objected to the golf course agreement amendment. He said there are four major golf courses near Eagle Mountain. Most of them had lower fees than The

Ranches Golf Course. He said if the price was discounted for Eagle Mountain residents, the golf course would make more money and wouldn't need financial help from the City.

John Harrington thanked the Mayor and Council for their service to the City. He lived near the golf course and wanted it to remain in operation. However, he said Eagle Mountain should review the golf course accounting and determine how to ensure that the golf course would meet its financial obligations to the City.

Jan Preece stated The Foothills at Unity Pass rezone should be tabled until new blasting and ridgeline ordinances were in place.

Karen Scott said she'd seen comments online about City Administration wanting to protect open space and slopes. She asked for a clear definition of what open spaces and slopes were going to be protected and whether that affected any landowners.

9. CITY COUNCIL/MAYOR'S ITEMS – Time has been set aside for the City Council and Mayor to make comments.

Councilmember Curtis

Councilmember Curtis encouraged all the young people present at the meeting to come to Youth Council meetings when they turned 14. The meetings were held every 2nd and 4th Wednesday in the City Council Chamber. The activity this week, arranged by Councilmember Reaves, would be a youth leadership conference. Councilmember Curtis expressed his appreciation for the firefighters and Sheriff's deputies in attendance at the City Council meeting. He also thanked Mayor Pengra for his service to the City, and wished him luck in his future endeavors.

Councilmember Bradley

Councilmember Bradley apologized for not attending the meeting in person and appreciated being able to participate by telephone. He was excited about the Street Fair to be held on Saturday.

Councilmember Reaves

Councilmember Reaves welcomed everyone to the meeting, especially the young people and Boy Scouts. He said it was never too early to learn how government worked. He commented on the Youth Leadership Summit presented by the Utah State Division of Substance Abuse and Mental Health, which was an opportunity for youth all over the state to learn about community organization, local government, how to collaborate with coalitions to identify risks and how to work with all types of organizations. Three young people from the Eagle Mountain Youth Council were going to attend the meeting at Snow College. He hoped there would be more opportunities for youth to lead and serve.

Councilmember Westmoreland

Councilmember Westmoreland appreciated those who asked questions and expressed concerns. Their participation helped make the process of local government work better.

Councilmember Gricius

Councilmember Gricius conveyed her appreciation for local law enforcement because of recent incidents.

Mayor Pengra

Mayor Pengra stated this would be his last regularly-scheduled City Council meeting. He had prepared some comments, but he decided to save them for another time. The most important thing he wanted to say was to thank everyone who put their trust in him during his term in office. Serving as Mayor had been a life-changing experience for him.

10. APPOINTMENTS

- A. Planning Commission – Richard Wood
- B. Military and Veterans Advisory Board – Jon Banbury

MOTION: *Councilmember Curtis moved to appoint Richard Wood to the Planning Commission for a term ending on December 31, 2017, as well as an additional three-year term. Councilmember Gricius seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

MOTION: *Councilmember Reaves moved to appoint Jon Banbury to the Military and Veterans Advisory Board for a term ending on December 31, 2019. Councilmember Gricius seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

Mr. Wood was appointed to complete a term vacated by Daniel Boles. Mr. Banbury was appointed to complete a term vacated by Mike Ditto.

Mayor Pengra congratulated Mr. Wood and Mr. Banbury and thanked them for being willing to serve the City. He had planned not to make any appointments, preferring to leave those to the next administration. However, the Planning Commission and Military and Veterans Advisory Board have been unable to operate properly without a full roster.

City Recorder Fionnuala Kofoed administered the oath of office to Mr. Wood and Mr. Banbury.

CONSENT AGENDA

11. MINUTES

- A. July 18, 2017 – Regular City Council Meeting

MOTION: *Councilmember Gricius moved to approve the Consent Agenda. Councilmember Reaves seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

SCHEDULED ITEMS

12. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Rezoning The Foothills at Unity Pass from Agriculture to Residential.

This item was presented by City Planner Tayler Jensen. The proposed ordinance rezoned a 126.25 acre parcel known as The Foothills at Unity Pass from Agriculture to Residential. The property

was located east of Pony Express Parkway and Lake Mountain Road, and north of Glenmar Ranches. The City Council held a public hearing on June 20, 2017 and the item was tabled to the August 1, 2017 meeting.

The applicant proposed one section with a minimum lot size of 1/3 acre and another section with a one-acre minimum. A ridgeline area would remain undeveloped. The specific zoning would be Rural Residential, which normally had a minimum lot size of 1/2 acre. However, the Community Development Dept. felt 1/3 acre would be suitable for this project.

Mr. Jensen noted the project would require access to Lake Mountain Road. The current access was owned by SITLA, with no easement. SITLA had assured the applicant the access would be taken care of with the Overland master development plan. The road layout would need to be approved for a rezone at the preliminary plat stage of the approval.

Ridgeline development involved a slope study; any lot with an average slope of 25% or more would be deemed unbuildable. The City was working on a new ridgeline ordinance, which would apply to this project.

Councilmember Curtis asked if Upper Hidden Valley was bound by the City's buffering standards. Mr. Jensen said it was. Although Upper Hidden Valley was approved for 1/8 acre lots, it would have to have 1/2 acre lots adjacent to the one-acre lots at the edge of The Foothills at Unity Pass.

Councilmember Bradley asked if the buffering in this project met the requirements of the current Municipal Code. Mr. Jensen stated the issue being voted on at this meeting didn't include lot lines. It was only a rezone.

Ken Olson, the applicant, pointed out that there were very small lots across Pony Express Parkway from this project. One-third of an acre would be considered a large lot in many places.

Councilmember Curtis asked whether this project should be delayed until the SITLA master development plan was revised, since SITLA was such a large landowner. He felt this decision was being made too fast.

Discussion continued on how the Council should determine the density allowed in the project and how transition between lot sizes should be managed.

MOTION: *Councilmember Curtis moved to deny an ordinance of Eagle Mountain City, Utah, rezoning the Foothills at Unity Pass from Agriculture to Residential. Councilmember Gricius seconded the motion.*

Councilmember Curtis amended the motion, as a denial would prevent the applicant from submitting the project again for a year unless he made major changes. It was his opinion that additional information was needed on the ridgeline overlay, the development of the road, and future density related to the SITLA master development agreement, before an informed decision could be made.

AMENDED MOTION: *Councilmember Curtis moved to table an ordinance of Eagle Mountain City, Utah, rezoning The Foothills at Unity Pass from Agriculture to Residential to the September 5, 2017, City Council meeting. Councilmember Gricius accepted the amendment. Those voting aye: Colby Curtis, Stephanie Gricius and Tom*

Westmoreland. Those voting no: Adam Bradley and Benjamin Reaves. The motion passed with a vote of 3:2.

13. AGREEMENT – First Addendum to The Ranches Golf Course Purchase Agreement.

This item was presented by City Administrator Ifo Pili. The proposed agreement increased the purchase price of the golf course to include past due utility fees and charges related to the operation and maintenance of the golf course. Vanguard Ranches Golf Course, LLC requested that the City increase the purchase price by \$152,914.16 and allow the company to pay annually, according to the terms of the agreement.

City Administrator Ifo Pili stated the history of the City's actions regarding the golf course, since it was donated to Eagle Mountain in 2009, were based on it being an essential amenity. It was initially owned by Ames Construction, which donated it to the City. The City hired Vanguard to manage it until Vanguard purchased it in 2012. Vanguard took it from annual losses to revenue of \$30,000 annually. At no point was there a loan to any entity. Nor was any tax revenue ever spent on the golf course. In fact, Eagle Mountain received \$500K from the sale of the golf course. Vanguard's delinquency on its utility bills was not due to negligence. It was operating under adverse circumstances, including two major repairs to the well and disagreement as to whether it was responsible for the water bill. The Ranches Golf Course was the only municipal course in the state that received no subsidy from local government.

Mr. Pili negotiated a \$550,000 installment payment from Vanguard, in addition to the rest of the terms of the agreement. The terms of the agreement called for Vanguard to pay 10% of its net profits to the City each year. Mr. Pili stated adding the utility bill to the agreement was no loss to the City.

Councilmember Westmoreland said this was not a philosophical decision, it was a business decision. In his opinion, approving the addendum was good business.

Councilmember Gricius preferred to place the utility bill on a payment plan, as residents were. Councilmember Curtis agreed.

Mayor Pengra stated this was not a decision about whether or not the Eagle Mountain would recoup its investment. It was risk mitigation. It would be easy for Vanguard to return the golf course to the City, which wouldn't be in the City's best interest. The addendum allowed a slight benefit to Vanguard to retaining the golf course.

Councilmember Bradley pointed out \$120,000 of the delinquent utility bill was due to the two repairs Vanguard made to the City's well, not to any negligence by Vanguard. Waiting for payment of the utility bill was a small price to pay for retaining a partner which was operating a defining amenity for the City. Insisting on another payment plan would damage the City's relationship with Vanguard.

Councilmember Reaves said he thought Vanguard's improvement to the golf course, bringing it from a large annual loss to a small annual profit, was very positive. Requiring them to make a utility payment as well as the contract payment would lessen their ability to make the contract payment, because it would reduce the net profit.

Discussion continued on how to manage payment of the agreement with Vanguard.

MOTION: *Councilmember Westmoreland moved to approve the first addendum to The Ranches Golf Course purchase agreement. Councilmember Reaves seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

14. AGREEMENT – Utah State University Fixed Price Research Agreement.

This item was presented by City Attorney Jeremy Cook. The proposed cost-share agreement was for a research project between Utah State University and Eagle Mountain City for water-efficient landscaping. The Center for Water Efficient Landscaping would assist Eagle Mountain in water conservation through extension programs and outreach efforts, including water checks and landscape design for public spaces. The project would be a benefit to the City in water conservation.

In response to a comment from Councilmember Reaves, Mr. Cook approved some changes in wording.

MOTION: *Councilmember Curtis moved to approve a fixed price research agreement with Utah State University, changing “egregious water users” to “heavy water users,” stating resident involvement was voluntary, and removing section 8. Councilmember Reaves seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

15. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Amending the Eagle Mountain City Consolidated Fee Schedule.

This item was presented by Community Development Director Steve Mumford. Additional details were given in Mr. Mumford’s Work Session presentation, found on page 5 of these minutes. The proposed amendment to the Consolidated Fee Schedule increased the building plan review fee from 25% of the building permit fee to 40%. This adjustment was to offset the additional cost for overtime and contractor fees for inspections. The additional costs were due to new legislation setting a 14-day deadline for residential plan reviews. Eagle Mountain’s review fees were lower than those of most Utah cities. In comparison, Saratoga Springs and Herriman charge 65% of the building permit fee. He stated a representative of the Utah Valley Homebuilders’ Association told him she appreciated his soliciting builders’ opinions on the proposed changes.

MOTION: *Councilmember Reaves moved to adopt a resolution of Eagle Mountain City, Utah, amending the Eagle Mountain City Consolidated Fee Schedule. Councilmember Westmoreland seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

16. CITY COUNCIL/MAYOR’S BUSINESS – This time is set aside for the City Council’s and Mayor’s comments on City business.

Councilmember Curtis

Councilmember Curtis thanked everyone for attending the meeting.

Councilmember Bradley

Councilmember Bradley thanked everyone for allowing him to participate by telephone.

Councilmember Reaves

Councilmember Reaves thanked Councilmember Bradley for participating by telephone. He felt having the full Council participating made City business go better. He appreciated working with Mayor Pengra.

Councilmember Westmoreland

Councilmember Westmoreland thanked Mayor Pengra for all of the great work he did and felt it was a privilege to work with him.

Councilmember Gricius

Councilmember Gricius thanked everyone for attending the meeting.

Mayor Pengra

Mayor Pengra said it was very difficult for him to resign as Mayor; however, this decision was for the benefit of his family. He understood his decision was unsettling to some residents. He had great faith in the Council's ability to make wise decisions for the City. He was grateful for the opportunity he was given to serve as Mayor. He cared about all of Eagle Mountain's residents. He was proud of the work everyone accomplished together and the City staff was exceptional. He wasn't a politician and he found political leadership exhausting, although the exhaustion indicated that he put all of his efforts into serving the City. He said all of the success was based on God's grace. He was grateful to everyone who went through this experience with him.

17. CITY COUNCIL BOARD LIAISON REPORTS – This time is set aside for Councilmembers to report on the boards they are assigned to as liaisons to the City Council.

None.

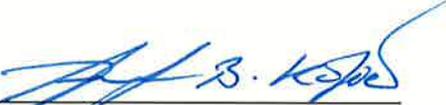
18. COMMUNICATION ITEMS

A. Upcoming Agenda Items

19. ADJOURNMENT

MOTION: *Councilmember Gricius moved to adjourn the meeting at 9:49 p.m. Councilmember Curtis seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

Approved by the City Council on September 5, 2017.



Fionnuala B. Kofoed, MMC
City Recorder



EAGLE MOUNTAIN SPECIAL CITY COUNCIL MEETING MINUTES

August 14, 2017

Eagle Mountain City Council Chambers

1650 East Stagecoach Run, Eagle Mountain, Utah 84005

7:30 P.M. SPECIAL SESSION – CITY COUNCIL CHAMBERS

ELECTED OFFICIALS PRESENT: Mayor Chris Pengra, Councilmembers Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Fionnuala Kofoed, City Recorder; Linda Peterson, Communications and Community Relations Director; Steve Mumford, Community Development Director; and Chris Trusty, City Engineer.

1. CALL TO ORDER

Mayor Pengra called the meeting to order at 7:35 p.m.

2. INTERVIEWS – Question and Answer Interviews with Applicants for the Position of Interim Mayor of Eagle Mountain City.

This item was presented by City Recorder Fionnuala B. Kofoed. Due to the resignation of Mayor Christopher Pengra, effective August 18, 2017, a Notice of Vacancy was published in the Daily Herald. The notice set a deadline for submitting statements of interest, as well as a meeting date and time to fill the vacancy. The deadline to submit statements of interest was August 10, 2017 at 5:00 p.m. The person appointed to the office of Interim Mayor will serve until noon on January 1, 2018. Prior to the interviews, Councilmember Adam Bradley withdrew his name for consideration.

The following candidates were interviewed by random selection:

- John Harrington
- Vincent Liddard
- Richard Steinkopf
- John Painter
- Casey Voeks
- Ryan Ireland

Each candidate was given time to respond to questions they had been given ahead of the meeting. The Council had an opportunity to ask any follow-up questions. Subsequent to the interviews and discussion, the Council had the choice to make the appointment by motion or choose to vote by ballot in order to reduce the selection to the top two candidates, in the event there was no consensus.

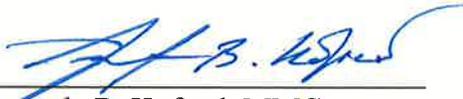
3. MOTION – Appointment of a Candidate to Fill the Mayoral Vacancy Created by the Resignation of Mayor Christopher Pengra.

MOTION: *Councilmember Bradley moved to appoint John Painter to fill the vacancy in the office of Mayor, for a term beginning on Friday, August 19 and ending at noon on January 1, 2018. Councilmember Curtis seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

4. ADJOURNMENT

MOTION: *Councilmember Gricius moved to adjourn the meeting at 9:49 p.m. Councilmember Curtis seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

Approved by the City Council on September 5, 2017.



Fionnuala B. Kofoed, MMC
City Recorder



EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

September 5, 2017

Eagle Mountain City Council Chambers

1650 East Stagecoach Run, Eagle Mountain, Utah 84005

4:00 P.M. WORK SESSION – CITY COUNCIL CHAMBERS

ELECTED OFFICIALS PRESENT: Mayor John Painter, Councilmembers Colby Curtis, Stephanie Gricius and Benjamin Reaves. Adam Bradley participated by telephone. Tom Westmoreland was excused.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Chief Deputy City Recorder; Evan Berrett, Management Analyst; Steve Mumford, Community Development Director; Mike Hadley, Planning Manager; Tayler Jensen, City Planner; Chris Trusty, City Engineer; Brad Hickman, Parks and Recreation Director; Zac Hilton, Streets and Storm Drain Manager; Mack Straw, Public Utilities Director; Ross Fowlks, Fire Chief; Eric McDowell, Chief Sheriff's Deputy.

Mayor Painter called the meeting to order at 4:12 p.m.

1. **CITY ADMINISTRATOR INFORMATION ITEMS** – This is an opportunity for the City Administrator to provide information to the City Council. These items are for information only and do not require action by the City Council.

City Administrator Ifo Pili introduced Mr. Parker from UDOT to discuss the environmental study required for the SR 73 expansion environmental study. UDOT designed an expanded roadway with frontage roads for the project and moved on to the environmental study stage. The study will be presented to the public at an open house this week, at which the public will be able to see the project plan and ask questions. After the environmental study is completed in early 2018, there will be a 30-day public comment period. The study will be finalized during summer 2018, after which it will be presented to the Legislature.

A. UPDATE - Ridgeline Overlay

Community Development Director Steve Mumford described the progress on the ridgeline overlay ordinance. It was discussed at the last Planning Commission, and the Planning Department incorporated the suggestions received at the meeting. After additional review and revision, the Planning Department expected to present the ordinance to the Planning Commission again in three weeks. Mr. Mumford noted The Foothills at Unity Pass project had been tabled to this meeting, but was removed from the agenda pending adoption of a ridgeline protection ordinance. The developer had also requested that this project be removed from the agenda. He described the various concepts the department was considering for how to protect ridgelines, and stated the City's GIS technician would create ridgeline overlays.

2. AGENDA REVIEW – The City Council will review items on the Consent Agenda and Policy Session Agenda.

9. MINUTES

No comments.

10. SUBDIVISION BOND RELEASES

Mayor Painter stated that these bond releases referred only to subdivision improvement bonds, not to landscape bonds.

Councilmember Reaves asked what the bond releases were based on and whether the Council could have that data as part of the meeting packet. City Engineer Chris Trusty explained the releases were based on completion of written requirements for each subdivision, which could be added to the packet.

11. RESOLUTION – Wastewater Pretreatment Program

Public Utilities Director Mack Straw introduced Jared Oldroyd of JWO Engineering. Mr. Oldroyd stated the State didn't require Eagle Mountain to have a pretreatment program at its current treatment levels; however, City staff felt it would be wise to have a program in place. The program will also support permitting of a future combined waste treatment system, which would be more efficient than the current treatment program.

Mr. Oldroyd stated, under State law, Eagle Mountain had the authority to adopt a pretreatment program. The plan protected the City's wastewater treatment plant permit by ensuring it met its permit conditions, as well as providing enforcement provisions.

Public Utilities Director Mack Straw explained the program would protect the City against any illicit waste discharge into its system by an industrial user. Implementing the plan would have no fiscal impact, except to allow the City to charge industrial users for wastewater treatment permits, which prevents residential users from having to subsidize their use of the system.

12. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Adopting the Sunset Flats Master Development Plan.

Planning Manager Mike Hadley explained that Sunset Flats was a 206-acre single-family and multi-family residential project with a commercial storage component. It would be located north of the Pioneer Addition subdivision, with large lots east of Lake Mountain Road. The project would cross the powerline corridor, with parks located under the powerlines.

Councilmember Curtis asked what the developers' responsibility would be for completing Bobby Wren Blvd. Mr. Trusty said they would have to dedicate the right-of-way and improve the road all the way through the development. Discussion ensued on how much of Lake Mountain Road would have to be paved, as well as lot sizes and configurations.

Councilmember Bradley asked Mr. Mumford about the history of developing parks under the powerline corridor. Mr. Mumford said there was a park in Eagle's Gate and a small one in The Cove at Rock Creek. The bike park was also located in the corridor, as well as one or two other small parks. City staff preferred to limit park uses under the corridor to grass and small trees, rather than anything that would gather large numbers of people under the powerlines.

Mr. Mumford stated the City's current future land use and transportation corridors maps show flexible zoning west of the powerline corridor and rural residential zoning east of the corridor. The commercial storage didn't comply with the maps; however, the City often amended these plans based on developers' proposals. In this case, such a proposal hadn't been made because City staff was making a major update of the General Plan.

Mr. Hadley described the park space in the powerline corridor. The developers planned to leave most of it as native grass with a trail running through it. City Attorney Jeremy Cook noted that Kern River Gas Transmission Company, the owner of the gas line under the powerline corridor, allowed very little improvement along the gas line.

Discussion continued on how to manage the land in the powerline corridor.

Councilmembers discussed lot sizes in the project and the transitioning from five-acre to one-acre lots east of Lake Mountain Road. The Council preferred having some quarter-acre and third-acre lots west of Lake Mountain Road to add a lot size range that was generally lacking in Eagle Mountain's available residential lots. As designed, the project was much higher in density.

Mayor Painter asked if the density planned on Lake Mountain Road was consistent with nearby projects. Mr. Mumford said lots along Lake Mountain Road were one to five acres, except for the Eagle Point I subdivision, which consisted of 8,000-10,000 sq. ft. lots.

The Council discussed density, park space and transitioning in the project area at length. Councilmember Bradley requested a copy of the updated traffic study.

Mayor Painter asked if the rezone, buffering and transitioning sections of the Municipal Code should be revised, since they were frequently items for lengthy discussion. Mr. Mumford suggested some directions revisions might go.

Discussion returned to Sunset Flats, focusing on park details.

13. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending Chapter 17.60.120 of the Eagle Mountain Municipal Code for General Fencing Provisions.

City Planner Tayler Jensen stated the proposal included three changes: removing the three-foot setback between fences and sidewalks; amending requirements for collector and arterial road fencing; and amending requirements for park fencing. The City Council could make multiple motions based on this staff report and potentially approve one proposed change while tabling or denying another.

Setback

The three-foot setback between fences and sidewalks was found in Chapter 17.60.120 of the Municipal Code. It was often not complied with and was difficult to enforce without requiring a building permit for fences. City staff and Administration were not in favor of establishing a new permit process. Additionally, the three-foot setback was rarely well-maintained. The proposal also added a reference to Chapter 16.35.090, Privacy Fencing, which was often ignored because it wasn't in the same chapter as the other fencing standards.

Mayor Painter asked why the three-foot setback was created. Mr. Jensen said it was more comfortable to use a sidewalk if there was a space between it and a fence.

Councilmember Gricius noted the new, five-foot-wide sidewalk standard would serve the same purpose as the setback.

Arterial and Collector Road Fencing

Mr. Jensen said, while the impetus for the Code change was the disbanding of The Ranches HOA, whatever is adopted by the Council would apply to all side and rear fencing along collector and arterial roads.

The first option stated existing fencing shall be maintained by an HOA or, in the absence of an HOA, shall be maintained by the property owners in good repair and in a consistent manner.

The second option required property owners and/or developers to build and the property owner or HOA to maintain at their own expense a wall or fence consistent with the standards found in Chapters 17.60.120 and 16.35.090 for side and rear property lines along collector and arterial roadways.

The third option called for existing fencing along arterial and collector roads, including former HOA fencing, to be maintained by an HOA, or property owner in the absence of an HOA, in a consistent manner and good repair so long as they exist. Any changes to existing arterial and collector road fencing would have to be compliant with 16.35.090, Privacy Fencing.

Park Fencing

The Planning Department recommended that if fencing was desired adjacent to public parks, the fencing would be approved by the City Council and installed by a developer at the time the park was developed. Park fencing would be maintained by an HOA, or property owners in the absence of an HOA, in a consistent manner and good repair. Should a project be developed without park-adjacent fencing, fencing would not be permitted adjacent to the park, unless it was installed in a consistent manner along the full side of the park.

Mr. Mumford stated vinyl fencing would not be allowed where it would be inconsistent with adjacent fencing under the current Code, although the Code could be changed in the future.

Councilmember Reaves asked what was preventing the setback from being enforced. Mr. Jensen responded there was no building permit process for fencing, so noncompliant fencing could be in place for months before Neighborhood Improvement found out about it. Asking a homeowner to move the fence would create an expensive burden.

3. ADJOURN TO A CLOSED EXECUTIVE SESSION – The City Council will adjourn into a Closed Executive Session for the purpose of discussing reasonably imminent litigation or the purchase, lease or exchange of real property pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

No Closed Executive Session was held.

The meeting was adjourned at 6:13 p.m.

7:00 P.M. POLICY SESSION – CITY COUNCIL CHAMBERS

ELECTED OFFICIALS PRESENT: Mayor John Painter, Councilmembers Colby Curtis, Stephanie Gricius and Benjamin Reaves. Adam Bradley participated by telephone. Tom Westmoreland participated by telephone as his telephone connection permitted.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Chief Deputy City Recorder; Steve Mumford, Community Development Director; Mike Hadley, Planning Manager; Tayler Jensen, City Planner; Chris Trusty, City Engineer; Mack Straw, Public Utilities Director; Ross Fowlks, Fire Chief; Eric McDowell, Chief Sheriff's Deputy.

4. **CALL TO ORDER**

Mayor Painter called the meeting to order at 7:06 p.m.

5. **PLEDGE OF ALLEGIANCE**

William Prince led the Pledge of Allegiance.

6. **INFORMATION ITEMS/UPCOMING EVENTS**

1. **Public Open House - S.R. 73 Study / Mountain View Corridor**

Date: 09/07/2017, 5:30 PM - 7:30 PM

Location: Black Ridge Elementary School, 9358 North Sunset Drive, Eagle Mountain

This will be a combined S.R. 73 State Environmental Study (SES) and Mountain View Corridor (MVC) public open house. The SES will evaluate the natural and built environment and determine a preferred alignment for a future freeway with a frontage road system. The public is invited to provide input on transportation and environmental considerations in the study area. Representatives from the MVC project team will be present to provide an update and answer any questions about MVC.

2. **Fall Cleanup Dumpsters - Eagle Mountain City will offer Fall Cleanup Dumpsters from September 8 through September 10. There will be 7 dumpsters at two locations: South of Frontier Middle School (1427 Mid Valley Rd.) and at the SilverLake Amphitheater (7920 N. SilverLake Pkwy - lower entrance off of Pony Express Pkwy)**

3. Eagle Mountain Arts Alliance (EMAA) Writing Workshop
Date: 09/09/2017 9:00 AM - 6:00 PM
Black Ridge Elementary School, 9358 North Sunset Drive, Eagle Mountain
4. The Lights Fest
September 16, 4:00 – 10:00 p.m.
Cory B. Wride Memorial Park (east side of Pony Express Pkwy)
To purchase tickets and for additional information, please visit the Viive Events website.
7. PUBLIC COMMENTS – Time has been set aside for the public to express their ideas, concerns and comments.

None.

8. CITY COUNCIL/MAYOR’S ITEMS – Time has been set aside for the City Council and Mayor to make comments.

Councilmember Bradley

Councilmember Bradley appreciated being allowed to participate by telephone and apologized for being unable to attend in person.

Councilmember Westmoreland

Councilmember Westmoreland’s telephone connection was not working.

Councilmember Curtis

Councilmember Curtis encouraged youth ages 14 – 18 to join the Youth Council, which met on the 2nd and 4th Wednesdays of each month at 5:30 p.m. in the Council Chamber.

Councilmember Reaves

Councilmember Reaves welcomed those attending the meeting and welcomed John Painter as the Mayor of Eagle Mountain for the remainder of the year.

Councilmember Gricius

Councilmember Gricius thanked everyone for attending the meeting.

Mayor Painter

No comment.

CONSENT AGENDA

9. MINUTES

- A. August 1, 2017 – Regular City Council Meeting
- B. August 14, 2017 – Special City Council Meeting

10. SUBDIVISION BOND RELEASES – Into Warranty

- A. Evan Ranch R-3, K-1 & K-5
- B. Oak Hollow Phase A Plat 1 & 2
- C. SilverLake 13
- D. Skyline Ridge Phase 2, Plat 1

11. RESOLUTION

A. Wastewater Pretreatment Program

MOTION: *Councilmember Curtis moved to approve the Consent Agenda. Councilmember Gricius seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Benjamin Reaves. Tom Westmoreland's telephone connection was not working during the vote. The motion passed with a unanimous vote.*

SCHEDULED ITEMS

PUBLIC HEARING

12. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Adopting the Sunset Flats Master Development Plan.

This item was presented by Planning Manager Mike Hadley. The proposed Sunset Flats Master Development Plan was comprised of 688 units on 206.65 acres. The project included 515 single family lots, 96 condominiums and 77 townhomes for a total density of 3.3 dwelling units per acre. It was located on the northeast corner of the intersection of Bobby Wren Boulevard and Pony Express Parkway. The proposal contained Tier I, II, III and IV Residential as well as a commercial storage component. Parks were located under the powerline corridor.

The project crossed the right-of-way for the future Airport Road and crossed the existing Lake Mountain Road, with one-acre lots east of Lake Mountain Road.

Susan Palmer, the project manager, said the developers had been working with the Planning Department on this project for three years. The project had gone through many changes in accordance with requests by City staff.

Ms. Palmer stated the developers felt the site for the commercial storage facility made sense because there was not much that could be located next to the power station. She pointed out the storage buildings' facades were updated to make them more attractive and the site would be landscaped with trees.

Councilmember Bradley said he had a hard time seeing how a commercial storage facility could be suitable for Lake Mountain Road. The road wasn't able to carry commercial traffic and storage units next to residential areas had proved difficult in the past.

Mayor Painter asked Councilmember Bradley if he thought there was no place in the project for the facility, or whether he only objected to locating it on Lake Mountain Road. Councilmember Bradley said he didn't want a commercial site so close to residential development.

Councilmember Curtis asked Ms. Palmer if the developers planned to finish Bobby Wren Blvd. Mr. Palmer said they did.

Councilmember Reaves asked if Ms. Palmer had presented the plan for parks over the gas transmission line to Kern River Gas Transmission Company. Ms. Palmer said the project engineer, Mike Carlton of Wilding Engineering, said he hadn't talked to Kern River, but other

projects with parks over a gas line had to be approved by them. He planned to find out exactly what was allowed in the Eagle Mountain corridor.

Mr. Mumford reviewed the traffic study. The most congested intersection would be Bobby Wren Blvd. and Pony Express Parkway. It could be level F in 2024, meaning a wait time of 50 seconds or more, but intersections were generally acceptable at level D. By 2024, it was expected to warrant a traffic signal.

Councilmember Reaves asked when Airport Road was expected to be completed. City Engineer Chris Trusty said it was scheduled in the next six years. However, if Pony Express Parkway was widened, there would be less need for Airport Road, so it would more likely be completed in 6 – 12 years.

Mayor Painter opened the public hearing at 7:39 p.m.

James Taylor, whose property was adjacent to the north border of the project, asked if the developers would be able to change the densities of various areas of the project. He said residents had been promised graduated buffer lots between one-acre and five-acre properties. He also wondered whether an adequate drainage system would be installed.

Mayor Painter asked Mr. Mumford to respond to Mr. Taylor's concerns. Mr. Mumford said there was no provision for changing the density east of Lake Mountain Road. He said the standard lot transition from five-acre lots is one-acre, then a road, then quarter-acre lots. Any transition in Eagle Mountain that was more gradual than that was a choice of the developers.

Jan Preece said she lived very close to the proposed development. The lots in her neighborhood were very small and she didn't want any more tiny lots. She wanted larger lots for the community to grow into. She wanted Lake Mountain Road to remain five-acre lots. There have always been five-acre lots there, to protect the agriculture going on there and to protect the Friends-In-Need animal sanctuary protected. She noted that commercial lots were zoned along Bobby Wren Blvd.

Elise Erler, representing SITLA, said SITLA was an adjacent landowner to the project. She suggested the future high school road be extended from Pony Express Parkway through SITLA's land along the north side of the Sunset Flats project.

Jody Hooley, a resident of Lake Mountain Road, said she hadn't seen the required environmental study or information on protection of the natural habitat. Mr. Mumford said the applicant would address that. Ms. Hooley stated the plans were not in compliance with the Future Land Use and Transportation Map. There were other places in the City for commercial facilities. The high density of the project would create huge traffic problems. The speed limit was already regularly violated. She wanted protection for natural habitat; for instance, habitat for rapidly-diminishing raptors.

City Attorney Jeremy Cook stated the Planning Director had discretion as to how much detail to require in an environmental impact study. Mr. Mumford said he used the same level of detail in this case as he did with other developments.

Councilmember Reaves asked Mr. Mumford what he meant by saying he accepted some environmental studies in various degrees. Mr. Mumford said he would look at City records and

give examples of past developments. He said the Planning Department was prepared to look at the environmental concerns in more detail.

Mayor Painter asked Mr. Mumford to comment on this being inconsistent with the existing Agriculture zoning. Mr. Mumford said Agriculture was, for the most part, a holding zone until lands were rezoned for development.

Councilmember Bradley asked for the zoning of the land west of Lake Mountain Road. Mr. Mumford said it was all zoned Agriculture. A master development plan served as a rezone.

Marci Taylor, whose property was directly next to the north end of the project, stated there were a lot of 1000-year-old cedars along the property line, which were inhabited by wildlife, although much less wildlife than previously. They could be used as a buffer between her property and the proposed lots which would border it. She said major rain storms already caused heavy run-off down the hillside.

Mike Kieffer, a resident of Lake Mountain Road, said commercial development had no place in a residential area. He said Eagle Mountain was prime raptor habitat and there were two kestrel nesting boxes located along Lake Mountain Road. The Migratory Bird Act prohibited development in areas which had or previously had breeding raptors. He wanted a condition in writing that Bobby Wren Blvd. would be completed. He felt people would use Lake Mountain Road, which is not a collector road, to avoid crowded intersections.

Mayor Painter closed the public hearing at 8:11 p.m.

Councilmember Bradley felt the project should be denied or tabled indefinitely, at least until after the high school was constructed. He didn't think traffic was properly considered during the approval of the high school, and this project would make traffic issues worse.

Mayor Painter noted that Councilmember Westmoreland wouldn't be able to participate in the vote because his phone connection wasn't working.

MOTION: *Councilmember Bradley moved to deny an ordinance of Eagle Mountain City, Utah, adopting the Sunset Flats Master Development Plan. Councilmember Gricius seconded the motion.*

The Council voted after extensive discussion, considering the points of concern in detail: traffic in the residential area, compatibility, an update to the General Plan, buffering, traffic generated by the high school, and having a commercial use next to a residential zone.

Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Benjamin Reeves. The motion passed with a unanimous vote.

13. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, amending Chapter 17.60.120 of the Eagle Mountain Municipal Code for General Fencing Provisions.

City Planner Tayler Jensen reviewed the presentation he made during Work Session, found on pages 3 and 4 of these minutes.

Mr. Mumford asked, if the Council disapproved of any of the proposals, that they give clear direction to staff as to what changes they wanted.

Councilmember Gricius expressed approval of the item about existing arterial fencing (17.60.120[R]), provided as option #3, but wanted 17.60.120(R[5]) from option #2 added to it.

“Existing fencing along Arterial and Collector roads, including former HOA fencing shall be maintained by an HOA or property owner in the absence of an HOA in a consistent manner and good repair so long as they exist. Any changes to existing Arterial and Collector road fencing shall be compliant with 16.35.090 Privacy Fencing. Nonconforming existing fencing may be maintained in current styles and configurations as legal nonconforming fencing. Legal Nonconforming fencing that becomes damaged or destroyed may be rebuilt or repaired within 6 months of the damage occurring without having to comply with this standard. Existing homes or lots without fencing shall also be classified as legal nonconforming and thus not required to install fencing.”

Mr. Jensen noted some developers proposed different fencing styles than the normal one. Their requests were approved as long as the fencing was consistent throughout the subdivision.

MOTION: *Councilmember Curtis moved to approve an ordinance of Eagle Mountain City, Utah, amending Chapter 17.60.120 of the Eagle Mountain Municipal Code for General Fencing Provisions, removing the three-foot setback requirement, as well as the park fencing portion of the proposal. Councilmember Bradley seconded the motion. Those voting aye: Adam Bradley, Colby Curtis and Stephanie Gricius. Those voting no: Benjamin Reaves. The motion passed with a vote of 3:1.*

The Code amendment approved was as follows:

Delete EMMC 17.60.120(C) “Corner or Double Frontage Lots. Lots with more than one frontage shall adhere to subsection H of this section, Fencing along Streets. Clear vision triangles as shown in this chapter shall be preserved and enforced.”

Delete EMMC 17.60.120(H) Fencing along Streets. Any sight-obscuring fence taller than four feet must be set back a minimum of three feet from the sidewalk. This three-foot strip shall contain trees, shrubs, or other ground cover. All landscaping shall be maintained by the property owner. Fencing that is four feet or shorter may be placed on the property line. See EMMC 17.60.130 for chain link fencing regulations.

Add EMMC 17.60.120(Q) Collector and Arterial Fencing. All fencing adjacent to a collector or arterial road shall comply with standards in 16.35.090 Privacy Fencing.

After additional discussion, Councilmember Reaves made a motion regarding the arterial and collector road fencing. Councilmember Westmoreland’s phone connection was still not working.

MOTION: *Councilmember Reaves moved to adopt an ordinance of Eagle Mountain City, Utah, amending Chapter 17.60.120 of the Eagle Mountain Municipal Code for General Fencing Provisions, Arterial and Collector Road Fencing, option 2. Councilmember Bradley seconded the motion. Those voting aye: Adam Bradley and Benjamin Reaves. Those voting no: Colby Curtis and Stephanie Gricius. Mayor Painter broke the tie with a vote of yes.*

The Code amendment approved was as follows:

R. Collector and Arterial Fencing Standards: It shall be the responsibility of the property owner and/or developer to build and the responsibility of the property owner or HOA to maintain at their own expense a wall or fence consistent with the standards found in this chapter and 16.35.090 for side and rear property lines along collector and arterial roadways.

1. Residential developments designed with rear or side lot lines abutting an arterial road or collector road right-of-way shall install privacy fencing consistent with the Eagle Mountain Collector and Arterial Fencing Standards found in this title and 16.35.090 along the rear and/or side lot lines abutting an arterial or collector road. Developer applicants are required to install privacy fencing prior to any building permits being issued in that phase of development. After fencing is installed it shall be maintained in good repair and a consistent manner by the property owner.

2. Commercial or Industrial developments with rear or side lot lines abutting an arterial or collector road right-of-way shall install privacy fencing or a privacy wall of consistent height (no less than six feet), material, color, and durable quality as defined by title 16.35.090. Developer applicants are required to install privacy fencing prior to a final inspection for the project. The city council shall be authorized to require a specific material and color for the fencing/wall in a site plan approval. After fencing is installed it shall be maintained in good repair and a consistent manner by the property owner.

3. Residential Arterial and Collector Road Fencing Standards: All Arterial and Collector road residential fencing shall be built with:

- a. 6" x 6" Cedar posts that are crowned and routed on top
- b. 1" x 4" and 2" x 4" nailer board on the top and bottom of fence
- c. 2" x 4" Cap board on top
- d. 1" X 6" Slats
- e. 1" x 8" and 2" x 8" nailer board 30" below top of fence
- f. Monterey Grey

4. Alternative Standards: Residential developers may propose alternative standards for arterial and collector road fencing within their project to be approved by the Eagle Mountain City Council. Any alternative standard fencing shall be for a durable quality fence/wall as defined by title 16.35.090. Adopted alternative standards and the neighborhoods to which they apply shall be added to this title.

5. Nonconforming existing fencing may be maintained in current styles and configurations as legal nonconforming fencing. Legal Nonconforming fencing that becomes damaged or destroyed may be rebuilt or repaired within 6 months of the damage occurring without having to comply with this standard. Existing homes or lots without fencing shall also be classified as legal nonconforming and thus not required to install fencing.

14. CITY COUNCIL/MAYOR'S BUSINESS – This time is set aside for the City Council's and Mayor's comments on City business.

Councilmember Bradley

Councilmember Bradley thanked Mayor Painter for allowing him to participate by telephone.

Councilmember Curtis

No comment.

Councilmember Reaves

No comment.

Councilmember Gricius

No comment.

Mayor Painter

Mayor Painter thanked the Council for giving him the opportunity to serve as Mayor until the end of the year. He stated Eagle Mountain City was lucky to have such capable staff and engaged City Council. He appreciated the confidence placed in him. He appreciated Mayor Pengra's service and everything he did for the City. He thought Mayor Pengra did a very, very good job, which he's heard from several residents, as well.

15. CITY COUNCIL BOARD LIAISON REPORTS – This time is set aside for Councilmembers to report on the boards they are assigned to as liaisons to the City Council.

None.

16. COMMUNICATION ITEMS

- A. Upcoming Agenda Items
- B. Financial Report

17. ADJOURNMENT

MOTION: *Councilmember Reaves moved to adjourn the meeting at 9:36 p.m. Councilmember Gricius seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Benjamin Reaves. The motion passed with a unanimous vote.*

Approved by the City Council on September 19, 2017.



Fionnuala B. Kofoed, MMC
City Recorder





EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

September 19, 2017

Eagle Mountain City Council Chambers

1650 East Stagecoach Run, Eagle Mountain, Utah 84005

4:00 P.M. WORK SESSION – CITY COUNCIL CHAMBERS

ELECTED OFFICIALS PRESENT: Mayor John Painter, Councilmembers Adam Bradley, Colby Curtis, Stephanie Gricius and Tom Westmoreland. Benjamin Reaves was excused.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Chief Deputy City Recorder; Evan Berrett, Management Analyst; Steve Mumford, Community Development Director; Mike Hadley, Planning Manager; Tayler Jensen, City Planner; Chris Trusty, City Engineer; Brad Hickman, Parks and Recreation Director; Zac Hilton, Streets and Storm Drain Manager; Mack Straw, Public Utilities Director; Ross Fowlks, Fire Chief; D. Collet, Sheriff's Deputy.

Mayor Painter called the meeting to order at 4:13 p.m.

1. **CITY ADMINISTRATOR INFORMATION ITEMS** – This is an opportunity for the City Administrator to provide information to the City Council. These items are for information only and do not require action by the City Council.

- A. **DISCUSSION – Ivory Homes Master Development Agreement Update**

Community Development Director Steve Mumford explained that staff, Ivory Homes and SITLA have been working together for at least a year on this agreement. He felt a lot of progress had been made. The presentation at this meeting was designed to let the Council know how far along the agreement had come, and to receive specific direction from the Council. The direction given in the Work Session wouldn't be binding.

Bryon Prince, representing Ivory Homes, stated this presentation was very much the same as he made to the Council in August, serving as a follow-up. SITLA had been working on preparing this property for development for approximately fifteen years. He showed a map of the Overland development, which would have approximately 3800 units on 1200 acres. There would also be office and commercial uses.

A large part of the negotiations with City staff had to do with different understandings of open space, parks and amenities in Overland. Ivory proposed ten different parks in Overland, which would complement Cory B. Wride Memorial Park. Mr. Prince showed a slide with a new, proposed trail system. All of that would add up to 175 acres of trails, parks and open space.

Chris Gamvroulas, President of Ivory Development, stated that City staff had been excellent to work with, but the negotiations had come to a standstill, so Ivory was requesting input from the Council.

An agreement was signed about 18 months ago, agreeing to disagree about the tiered system the City put in place years after the project began. Ivory bonded \$150,000 to enable the project to move forward.

Mr. Gamvroulas wanted to move forward on issues on which Ivory and the City were in agreement. The first phase of the development had been recorded and homes were being constructed. In future phases, Ivory wanted to build about 150 homes per year. To that end, they were anxious to complete the master development agreement. Their goal was to have a final development agreement by the end of the year.

Mr. Gamvroulas said the staff had consistently told them the Council was concerned about differences between development plans and the projects as built. He stated Ivory had built very good-quality products and had been building projects for SITLA for about 12 years. SITLA owned the land and Ivory built the homes. Quality homes brought higher income to SITLA for the school funds SITLA supported.

He said Overland was very low density compared to other projects. They were requesting flexibility in transferring density among the various phases, using density ranges.

He described the various park amenities, some of which would be private and some of which would be public. He stated there would be a ten-acre school site in one of the phases.

Mayor Painter asked Mr. Cook what the most efficient way would be for the Council to provide input. Mr. Cook said Mr. Prince and Mr. Gamvroulas requested an informal vote of the Council during this evening's meeting, covering the disputed issues.

Mr. Cook stated the biggest issue was road alignments. The bypass road originally expected on SITLA land was no longer going to be built. Pony Express Parkway was going to be expanded instead. SITLA and Ivory had been extremely cooperative in resolving that issue.

Parks were another major issue. City staff requested a large amenity, almost a recreation center, but Ivory and SITLA felt an amenity like that wouldn't work in this project.

Community Development Director Steve Mumford referred to a proposal letter Ivory sent to the City. It covered more issues than were brought up in the presentation, including the \$1.7M donation promised by Ivory, which the City understood to be used for Cory Wride Park without affecting the amount of green space to be provided in Overland.

Councilmember Gricius asked if the donation issue had been settled. Mr. Pili said it had not.

Mr. Gamvroulas stated the intent of Ivory's agreement with SITLA about the donation was to put \$1.7M into parks and open space in the project, whether public or private, at Ivory's discretion. He said City staff told him they would like to use the funds in Cory Wride Park. Ivory took that to mean the parks in Overland would be reduced.

Councilmember Curtis asked if the amount was reimbursable. Mr. Gamvroulas said it was not.

Councilmember Curtis asked if his feedback from a month ago had been communicated to Ivory. Mr. Mumford said it was partially communicated.

Councilmember Curtis stated he was grateful for the commercial space that had been added to the project. He suggested having the commercial space located along Pony Express Parkway.

Councilmember Curtis was concerned about tying the hands of a future Council, due to the 30 to 40 year buildout of the project, given how the market changed in the last several years. He wanted Councils to have the ability to make adjustments in the future.

Councilmember Bradley agreed that past master development agreements had tied the hands of later Councils. He suggested an expiration date or sunset clause.

Mr. Cook said there were serious issues for both sides with making the agreement adjustable. Both sides needed to be able to count on certainty in the agreement for planning. He agreed there needed to be a certain amount of flexibility, without compromising either side's planning abilities.

He noted a project like Overland required a great deal of up-front infrastructure costs, many of which needed to be large enough to service the built-out project.

Councilmember Gricius was concerned about winding up with nonconforming uses adjacent to each other.

Councilmember Bradley stated his interest in property rights.

Mr. Gamvroulas stated any use found in the development agreement was, by definition, a conforming use.

Discussion continued on the plans for Overland and the issues about which City staff and Ivory disagreed.

After the Overland discussion, City Attorney Jeremy Cook requested time to discuss an easement on the north end of Lake Mountain Road, which was the subject of items 15 and 16. He stated item 15 was an agreement with SITLA for the paving of Lake Mountain Road through the Glenmar Ranches subdivision. That end of Lake Mountain Road sat on SITLA property, so an easement granted by SITLA was required. Although

SITLA could charge \$60,000. City staff felt the easement should be included in the negotiation of the master development agreement because it was located in the area covered by the master development agreement. Including it in the master development agreement would allow it to be provided to the City at no charge.

SITLA agreed to include the easement in its Overland Master Development Agreement; however, they wanted a way to charge for the easement in the event negotiations over it failed. SITLA agreed to reduce the price to \$15,000. As part of the agreement, in the expectation that the alignment of the north end of Lake Mountain Road would change, SITLA would be allowed to move it.

Councilmember Curtis asked what role these agreements played in the negotiation. He didn't want it to be a priority, but he did want it to be included.

Mr. Cook felt it would be a benefit to the City.

Mr. Erler stated SITLA was not sure what the final alignment of Lake Mountain Road would be.

2. AGENDA REVIEW – The City Council reviewed items on the Consent Agenda and Policy Session Agenda.
 9. APPOINTMENTS – Mayor Painter stated the Youth Council's Mayor, Hannah Nearman, moved out of town. Hannah Clark was appointed Youth Mayor in her place. The other candidates, Carter Morrison and Michaela Watters, were appointed Youth Councilmembers, bringing the Youth Council to five members, as stated in the Youth Council ordinance.
 10. RECOGNITION – Former Mayor Chris Pengra and former Planning Commissioner Dan Boles were going to be honored for their service to Eagle Mountain.
 11. MINUTES – The Council had no comments on the minutes of the September 5 meeting.
 12. SUBDIVISION BOND RELEASE – The Council had no comments on the subdivision bond release.
 13. AGREEMENT – First Addendum to the Interlocal Cooperation Agreement between Mountainland Association of Governments (MAG) and Eagle Mountain City for the Pony Express Widening Project.

City Engineer Chris Trusty stated the agreement allowed the City to act as project manager for the project. MAG needed to be sure it had the money for reimbursements before the reimbursement requests were submitted.

Councilmember Westmoreland asked if the addendum only affected the timing of the payments. Mr. Trusty said that was correct.

Councilmember Curtis asked if the City had funds to pay the project's bills before the reimbursements were made. Assistant City Administrator/Finance Director Paul Jerome said the funds were available.

14. MOTION – SilverLake Neighborhood Match Grant Project.

Parks and Recreation Director Brad Hickman explained that this was the second round of applications for the Neighborhood Match Grant Program. Only one application was received, for a property improvement project in the SilverLake subdivision. Sod, sprinklers and trees would be installed in an unimproved piece of land.

The submission packet contained a letter from the HOA management company, committing to provide ½ of the original cost of the project, plus ongoing maintenance.

Councilmember Curtis said he would feel comfortable abstaining from the vote, since he was one of the residents who worked on the project. Mr. Cook said that would be unnecessary.

Councilmember Curtis said the original scope was going to be larger, but some of the conditions in the subdivision prevented that. Mr. Hickman said City staff was working with developers to have them complete some of the amenities called for in their agreements with the City.

15. AGREEMENT – Development Easement Agreement between Eagle Mountain City and the School and Institutional Trust Lands Administration (SITLA).

This item was discussed earlier in the meeting.

16. AGREEMENT – Payment for a Road Easement for the Glenmar Ranches Subdivision.

This item was discussed earlier in the meeting.

17. MOTION – Purchase of a Sewer Pump Truck.

Fleet/Operations Director Jeff Weber explained this truck was approved by the Council in the 2017-2018 budget. The Sewer and Storm Drain Departments have been sharing one pump truck, which was not enough to get the City's work done. If anything broke on the truck, the City had to hire TSSD to clean the sewer and storm drain lines.

3. ADJOURN TO A CLOSED EXECUTIVE SESSION – The City Council will adjourn into a Closed Executive Session for the purpose of discussing reasonably imminent litigation or the purchase, lease or exchange of real property pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

MOTION: *Councilmember Gricius moved to adjourn into a Closed Executive Session for the purpose of discussing reasonably imminent litigation pursuant to Section 52-4-205(1) of the Utah Code, Annotated. Councilmember Bradley seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Tom Westmoreland. The motion passed with a unanimous vote.*

The meeting was adjourned at 6:05 p.m.

7:00 P.M. POLICY SESSION – CITY COUNCIL CHAMBERS

ELECTED OFFICIALS PRESENT: Mayor John Painter, Councilmembers Adam Bradley, Colby Curtis, Stephanie Gricius and Tom Westmoreland. Benjamin Reaves was excused.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Chief Deputy City Recorder; Steve Mumford, Community Development Director; Mike Hadley, Planning Manager; Tayler Jensen, City Planner; Chris Trusty, City Engineer; Brad Hickman, Parks and Recreation Director; Ross Fowlks, Fire Chief; D. Collet, Sheriff's Deputy.

4. CALL TO ORDER

Mayor Painter called the meeting to order at 7:06 p.m.

5. PLEDGE OF ALLEGIANCE

Webelos Troop 1059 presented a flag ceremony.

6. INFORMATION ITEMS/UPCOMING EVENTS

- **Candidate Debate** – The Eagle Mountain City Municipal Election Candidate Debate will be held on Wednesday, September 27, 2017 from 7:00 to 9:00 p.m. at City Hall. All General Election candidates for City Council and Mayor will participate in the debate. Questions submitted by the public will be accepted online through midnight on September 25 at emcity.org/debate. The event is sponsored by Eagle Mountain City.
- **Golden Eagle Road** – This project is expected to be completed by Oct 2, 2017. The delay in completion was due to an unanticipated water line repair.
- **Immunization Clinic** – The Utah County Health Department will hold an Immunization Clinic at City Hall in the Council Chambers on October 25 from 3:00 p.m. to 5:00 p.m. They will be offering flu shots and other immunizations and will bill insurance. The insurances that are accepted are listed on the Eagle Mountain City website under City News. The link to pre-register is on the Eagle Mountain City website calendar.
- **Trick or Treat Village** – This annual event will be held on Saturday, October 28 from 10:00 a.m. to 1:00 p.m. at Nolen Park. It will include a free Village Row, Monster Mash dance, games, candy and a pet costume contest. If you bring non-expired canned goods, you will receive a free pumpkin while supplies last. We are seeking businesses and organizations who wish to participate. The charge for booths is \$10.

7. PUBLIC COMMENTS – Time has been set aside for the public to express their ideas, concerns and comments.

Marianne Smith, a resident of Lake Mountain Road, asked for reflective strips on the left-turn median from Pony Express Parkway to Lake Mountain Road. She said there's very little visibility

at night. City Engineer Chris Trusty said he would speak to the Streets and Storm Drain Manager about installing some reflective strips.

Justin Owens presented his Eagle Scout project. He and a group of scouts made yellow bows to decorate the military welcome-home procession route. He consulted with Lois Leikam and the rest of the Military and Veterans Advisory Board to come up with the design. His group made 192 bows, which they delivered at this meeting.

8. **CITY COUNCIL/MAYOR'S ITEMS** – Time has been set aside for the City Council and Mayor to make comments.

Councilmember Curtis

Councilmember Curtis encouraged youth ages 14 – 18 to join the Youth Council, which meets on the 2nd and 4th Wednesdays of each month at 5:30 p.m. in the Council Chamber. He also thanked everyone attending the meeting, because citizen involvement was important to the Council. Residents may contact the Council at council@emcity.org.

Councilmember Bradley

Councilmember Bradley congratulated Justin Owens on his Eagle Scout project. He looked forward to the candidate debate on September 27.

Councilmember Westmoreland

Councilmember Westmoreland welcomed everyone and congratulated Justin Owens on his Eagle Scout project. He thanked Justin for choosing a project that benefitted the City. He announced that this week was Constitution Week, and distributed copies of the Constitution and Declaration of Independence, provided by Stan Ellsworth, to everyone in the room who wanted one.

Councilmember Gricius

Councilmember Gricius thanked everyone attending the meeting. She was grateful for the yellow bows and stated Eagle Scout projects involving fire prevention were always available. She stated she had been discussing traffic on Pony Express Parkway with Mr. Trusty. She requested a time-actuated traffic signal at the intersection near Hidden Hollow Elementary School. It would be a stop light during school hours but not during rush hour, allowing traffic to move freely through the intersection.

Mayor Painter

Mayor Painter expressed his appreciation for the Scouts attending the meeting and learning about government. He said one of the best ways to contribute to the community was to be involved in City government.

9. **APPOINTMENTS** – Youth Council
 - A. Hannah Clark, Youth Mayor
 - B. Carter Morrison, Youth Councilmember
 - C. Michaela Watters, Youth Councilmember

City Recorder Fionnuala Kofoed administered the oath of office to Ms. Clark, Ms. Watters and Mr. Morrison.

MOTION: *Councilmember Curtis moved to appoint Hannah Clark to fill a vacancy in the office of Youth Mayor, for a term ending June 30, 2018. Councilmember Gricius seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Tom Westmoreland. The motion passed with a unanimous vote.*

MOTION: *Councilmember Curtis moved to appoint Carter Morrison to the office of Youth Councilmember for a term ending June 30, 2018. Councilmember Gricius seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Tom Westmoreland. The motion passed with a unanimous vote.*

MOTION: *Councilmember Curtis moved to appoint Michaela Watters to the office of Youth Councilmember for a term ending June 30, 2018. Councilmember Gricius seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Tom Westmoreland. The motion passed with a unanimous vote.*

10. RECOGNITION

- A. Chris Pengra, Eagle Mountain City Mayor
- B. Daniel Boles, Eagle Mountain Planning Commissioner

Mr. Pengra and Mr. Boles were unable to attend the meeting. The recognition was postponed to the October 3, 2018 City Council meeting.

CONSENT AGENDA

11. MINUTES

- A. September 5, 2017 – Regular City Council Meeting

12. SUBDIVISION BOND RELEASE – Out of Warranty

- A. Valley View Ranch, Plat D2

MOTION: *Councilmember Gricius moved to approve the Consent Agenda. Councilmember Westmoreland seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Tom Westmoreland. The motion passed with a unanimous vote.*

SCHEDULED ITEMS

13. AGREEMENT – First Addendum to the Interlocal Cooperation Agreement between Mountainland Association of Governments (MAG) and Eagle Mountain City for the Pony Express Widening Project.

This item was presented by City Engineer Chris Trusty. The City Council previously approved an interlocal agreement with MAG for the funding of the Pony Express Widening Project. By amending the timing of reimbursements for the project, this addendum would ensure that MAG had the funding appropriated before City staff submitted reimbursement requests.

MOTION: *Councilmember Westmoreland moved to approve the first addendum to the Interlocal Cooperation Agreement between Mountainland Association of Governments (MAG) and Eagle Mountain City for the Pony Express Widening Project. Councilmember Curtis seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Tom Westmoreland. The motion passed with a unanimous vote.*

14. MOTION – SilverLake Neighborhood Match Grant Project.

This item was presented by Parks and Recreation Director Brad Hickman. The City Council approved a Neighborhood Match Grant Program in May, 2016. Recently, City staff received a match grant application from residents of the SilverLake subdivision. They requested installation of sod and sprinklers in an estimated 28,000 sq. ft. of land between Brookwood Drive and Sagebrush Lane. The proposal included a letter from ACS, the HOA management company, committing to provide a half-match contribution, as well as ongoing maintenance of the improvements. The total projected cost was \$47,650.00. The half-match grant portion contributed by the City would be \$23,825.00. The Parks and Recreation Advisory Board reviewed the application and recommended approval of the project.

Councilmember Bradley thanked the residents who undertook this project, and the Parks and Recreation Advisory Board and City Administration for supporting the match grant program.

Mr. Hickman expressed appreciation for the time the Parks and Recreation Advisory Board put into this program. He said they were working on ideas to make the program better.

MOTION: *Councilmember Gricius moved to approve the SilverLake Neighborhood Match Grant project in the amount of \$23,825.00. Councilmember Curtis seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Tom Westmoreland. The motion passed with a unanimous vote.*

15. AGREEMENT – Development Easement Agreement between Eagle Mountain City and the School and Institutional Trust Lands Administration (SITLA).

City Attorney Jeremy Cook presented this item and item #16 together. In conjunction with the Glenmar Ranches subdivision, the developer was required to pave and complete other improvements to a portion of Lake Mountain Road located on property owned by the School Institutional Trust Lands Administration (SITLA). The agreement granted an easement to Eagle Mountain City to make the improvements, subject to the City agreeing to allow SITLA to relocate Lake Mountain Road in the future and relocate certain facilities in a utility easement adjacent to Lake Mountain Road.

Because Eagle Mountain was negotiating its master development agreement (MDA) with SITLA, the City wanted to roll the easement agreement into the MDA. The easement would be purchased with a deferred payment of \$15,000. If the easement was successfully rolled into the MDA, the City wouldn't pay for it. If it couldn't be rolled into the MDA, Eagle Mountain would pay the \$15,000. The payment agreement, item #16, would then require the developer to reimburse the City in the amount of \$15,000.

MOTION: *Councilmember Westmoreland moved to approve a development easement agreement between Eagle Mountain City and the School and Institutional Trust Lands Administration (SITLA) and authorize the Mayor to sign the agreement. Councilmember Gricius seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Tom Westmoreland. The motion passed with a unanimous vote.*

16. AGREEMENT – Payment for a Road Easement for the Glenmar Ranches Subdivision.

This item was presented by City Attorney Jeremy Cook along with item #15.

Councilmember Gricius asked the developer, Marianne Smith, if she was satisfied with this agreement. Ms. Smith said she was.

MOTION: *Councilmember Westmoreland moved to approve a payment agreement for a road easement for the Glenmar Ranches subdivision. Councilmember Gricius seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Tom Westmoreland. The motion passed with a unanimous vote.*

17. MOTION – Purchase of a Sewer Pump Truck.

The City Council previously approved \$400,000.00 to purchase a pump truck to be used for cleaning and maintaining the sewer lines. Freightliner of Utah had the State contract for the cab and chassis and Legacy Equipment had the State contract for the pump body.

Mr. Jerome explained this was an additional pump truck because both the Sewer and Storm Drain departments needed to clean out system lines. He noted that when the City's only pump truck has needed repairs, the City has had to hire TSSD to work on the City lines.

MOTION: *Councilmember Curtis moved to approve the purchase of a sewer pump truck in the amount of \$399,925 . Councilmember Westmoreland seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Tom Westmoreland. The motion passed with a unanimous vote.*

18. CITY COUNCIL/MAYOR'S BUSINESS – This time is set aside for the City Council's and Mayor's comments on City business.

Councilmember Gricius

Councilmember Gricius thanked those who attended the meeting.

Councilmember Curtis

Councilmember Curtis asked about the pump stations in the planned Stratton Estates development. He didn't want one pump station leading to another. Mr. Trusty said the existing lift station in Lone Tree would be moved to Stratton Estates and the size of the pump would be increased.

Councilmember Bradley

No comment.

Councilmember Westmoreland

No comment.

Mayor Painter

No comment.

19. CITY COUNCIL BOARD LIAISON REPORTS – This time is set aside for Councilmembers to report on the boards they are assigned to as liaisons to the City Council.

Councilmember Curtis asked for any ideas for civic involvement for the Youth Council. They did a lot of service, but they needed more experience in government operations. For example, Councilmember Reaves provided them with the opportunity to attend a leadership conference.

Councilmember Bradley stated when he was the Youth Council liaison, he wanted them to have more civic engagement. He suggested each Youth Councilmember be assigned to a City Councilmember.

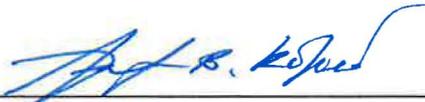
Marianne Smith stated her daughter's high school allowed many students to accompany city officials for a day.

20. COMMUNICATION ITEMS
A. Upcoming Agenda Items
B. Financial Report

21. ADJOURNMENT

MOTION: *Councilmember Gricius moved to adjourn the meeting at 7:49 p.m. Councilmember Bradley seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Tom Westmoreland. The motion passed with a unanimous vote.*

Approved by the City Council on October 3, 2017.



Fionnuala B. Kofoed, MMC
City Recorder



EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

October 3, 2017

Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

5:00 P.M. WORK SESSION – CITY COUNCIL CHAMBERS

ELECTED OFFICIALS PRESENT: Mayor John Painter, Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; David Mortensen, City Treasurer; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Chief Deputy City Recorder; Aaron Sanborn, Economic Development Manager; Evan Berrett, Management Analyst; Linda Peterson, Communications and Community Relations Director; Steve Mumford, Community Development Director; Mike Hadley, Planning Manager; Chris Trusty, City Engineer; Brad Hickman, Parks and Recreation Director; Jeff Weber, Facilities/Operations Director; Zac Hilton, Streets and Storm Drain Manager; Ross Fowlks, Fire Chief; Eric McDowell, Chief Sheriff's Deputy.

Mayor Painter called the meeting to order at 5:00 p.m.

1. **CITY ADMINISTRATOR INFORMATION ITEMS** – This is an opportunity for the City Administrator to provide information to the City Council. These items are for information only and do not require action by the City Council.

A. DISCUSSION – Branding / City Signage

Communications and Community Relations Director Linda Peterson stated City staff had been researching the City's branding. They found that some of Eagle Mountain's signage and branding were outdated and were not presenting the desired message. She requested the Council's feedback as to whether the subject merited further research.

Due to Eagle Mountain's rapid growth, Ms. Peterson and her department have been considering how consistent branding and signage might help increase City unity. All areas should give a similar impression, building a sense of community throughout the City.

Ms. Peterson noted older logos were in use in some areas around the City. The Streets Department has been updating street signs, including adding the current City logo to the signs. The streetlight posts and some of the amenities installed by The Ranches HOA didn't use the City's current logo.

Mr. Peterson asked whether Eagle Mountain should continue using The Ranches branding since the demise of The Ranches Master HOA.

The SilverLake entrance had no City signage, except for a small, street-style sign further in from the entrance. The entrance at the intersection of Mt. Airey Drive and Wride Memorial Highway had a very small entry sign without any City branding. The entrance at the intersection of Ranches Parkway and Wride Memorial Highway had only The Ranches branding, which could be confusing for visitors. The entrance at Eagle Mountain Blvd. and Wride Memorial had a large metal eagle.

Ms. Peterson said a professional, consistent look enhanced community unity and facilitated economic development.

Evan Berrett, Management Analyst, discussed the economic development benefits of branding on Eagle Mountain. "Place-making" was the concept of actively developing a reputation that preceded itself. Staff controlled the impression made by each city on newcomers. The entrance monuments set a powerful first impression. Other cities around the nation have used place-making effectively in their economic development efforts.

Mr. Berrett stated that another effect of place-making was bringing in a highly-educated workforce, a local talent pool that attracted businesses. It improved a city's rating in a business' site selection process. Poor physical branding, including inconsistent entrance signs, was an easy reason to remove a city from the sites under consideration.

Ms. Peterson recommended adding digital signs to the new, consistent entrance monuments to enhance communication from City government to residents. Eagle Mountain had temporary roadside message boards, but they had to be placed and removed by a staff member and were only useful for one message at a time. If an event was held on a weekend, staff generally didn't remove it until after the weekend. Digital signs have been shown in research studies to increase citizen involvement. They would cost approximately \$50,000 per sign, including the digital component.

Ms. Peterson recommended replacing the current monuments with consistent ones. Her department was investigating grant opportunities and other financing options.

Councilmember Curtis stated Mayor Pengra recommended placing eagles on City monuments. He asked how much those would cost. Ms. Peterson said she didn't have that information.

City Administrator Ifo Pili said Mayor Pengra had researched the cost, so Administration had that information.

Councilmember Bradley was pleased with the presentations, except for the digital signs. He didn't like digital signs because they were ugly and dangerous. He reminded the Council of the complaints they received about the digital sign on Frontier Middle School. Any digital signs would have to be shielded from residents' view. He liked the consistent monuments and the idea of place-making.

Councilmember Gricius discussed the placement of an entry monument at the intersection of Ranches Parkway and Wride Memorial Highway. The plan already suggested a monument at Mt. Airey Drive.

Mr. Berrett stated he and his wife had a hard time determining where Eagle Mountain began and ended when they were house-hunting.

Councilmember Westmoreland thanked Mr. Berrett for tying branding, reputation and economic development together. He said the combination was essential for presenting a clear message. He doubted whether digital signs would fit into branding. He felt they were useful, but would degrade the quality of the image Eagle Mountain presented.

Councilmember Curtis said he was willing to invest some time into looking further into how digital signs could be made to look appropriate for Eagle Mountain's branding. For instance, the Eagle Mountain Arts Alliance had requested a digital sign at the SilverLake Amphitheater.

Ms. Peterson stated Lehi placed its digital signs at activity areas such as a park and a baseball field.

Councilmember Reaves agreed with much of what had been presented. He thought digital signs on all entry monuments might be too many. He asked whether the digital message boards the City was using were doing an effective job. Ms. Peterson said they were helpful, but they had to be moved into place by a staff member each time they were used. They could not be controlled remotely. City staff had to request a permit each time a digital message board was placed on Wride Memorial Highway.

Councilmember Reaves also felt permanent digital signs might be used for advertising by local businesses. Ms. Peterson stated City information would take up all the space available on the digital signs.

Councilmembers felt it would be useful for Ms. Peterson and her staff to continue researching the topic. They wanted a proposed budget and an accounting of where the funds would come from.

Councilmember Westmoreland asked Ms. Peterson to consider other dimensions rather than just rectangles.

2. AGENDA REVIEW – The City Council reviewed items on the Consent Agenda and Policy Session Agenda.

10. MINUTES

A. September 19, 2017 – Regular City Council Meeting.

No comments.

11. MOTION – Simpson Hollow Preliminary Plat.

Planning Manager Mike Hadley described the Simpson Hollow project, located between the Willow Springs condominiums and The Village at Simpson Springs. The project consisted of 59 units on 5.9 acres. Twenty-two units were already built in The Village at Simpson Springs subdivision, for a total of 81. Issues for the Council's consideration included

zoning, open space, bonus density, fencing, buffering, setbacks and multi-family design standards.

Mr. Hadley indicated where the developers would be installing fencing on the south and west sides of the project.

Staff requested a drainage plan from the developers. The Planning Commission requested additional detailing and more varied exterior materials on the side facades most visible from the streets.

Councilmember Gricius asked Travis Taylor, the developers' representative, how tall the screening fence would be. Mr. Taylor said it would be six feet tall and match the fence on Half Mile Road.

Councilmember Westmoreland asked Mr. Taylor how many parking stalls were planned. Mr. Taylor said the parking, without counting the driveways, would be seven more stalls than the required number. The driveways would add 28 additional stalls.

Mr. Taylor stated Cedar Springs Road, along the east side of the project, was fronted by condominiums. Many children ran across the road. The developers planned to restrict parking on the west side of the road. He didn't want to change the use of the east side because the condominium owners were used to using it for overflow parking. He didn't think the road needed to be widened. Widening it would naturally increase the speed of cars driving down the road.

City Engineer Chris Trusty stated the cars parked on the east side of the road had parking available within the condominium project. He felt "no parking" signs would be useful on the west side.

The traffic level of service in the area was a D. With the new subdivision, it would remain a D. D was the typical level of service on larger roads in Eagle Mountain.

Mr. Taylor stated a lot of thought and effort went into this project. It strictly complied with all of the City's Municipal Code.

Mayor Painter stated he had a petition from 63 people who objected to the Simpson Hollow project. Mr. Taylor reiterated the project was in compliance with the Code.

Councilmember Gricius stated most of the residents who objected to the project would be satisfied by the changes discussed. The other request was upgraded garage doors. Mr. Taylor agreed to that, as well.

12. **BID AWARD – Purchase and Installation of a Pergola for the Pony Express Memorial Cemetery.**

Parks and Recreation Director Brad Hickman stated that earlier in the spring, the City Council approved the purchase of a pergola for the east entrance of the cemetery, using \$14,000 from the TRCC grant administered through Utah County, along with \$10,000 that

was included in the 2017 budget. Staff wanted to finish the green space around the entrance to the cemetery, as well.

The 15' by 15' octagonal pergola the Cemetery Board chose was larger than most of the others they reviewed and was available through the State purchasing contract. The installed price was \$44,965. The concrete floor, fence, turf, irrigation and trees would bring the total project cost to \$63,326. Funding would come from utility sale proceeds, the TRCC grant from Utah County, \$10,000 approved in last year's City budget, and revenue from sales of gravesites.

Mr. Hickman said the structure was powder-coated steel. The Cemetery Board hadn't chosen a color yet, but was thinking of black to match the wrought-iron fence. The roof color had yet to be chosen.

Councilmember Bradley asked what the purpose of the pergola was. City Recorder Fionnuala Kofoed said it would provide shade for the Memorial Day celebration and for families coming for interments and visits to their relatives' graves.

Ms. Kofoed said the Cemetery Board had researched various pergolas. Prices increased as the quality of the materials increased. They tried to reach a median between cost and quality.

3. ADJOURN TO A CLOSED EXECUTIVE SESSION – The City Council will adjourn into a Closed Executive Session for the purpose of discussing reasonably imminent litigation or the purchase, lease or exchange of real property pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

No Closed Executive Session was held.

Mayor Painter adjourned the meeting at 6:21 p.m.

7:00 P.M. POLICY SESSION – CITY COUNCIL CHAMBERS

ELECTED OFFICIALS PRESENT: Mayor John Painter, Councilmembers Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Chief Deputy City Recorder; Steve Mumford, Community Development Director; Mike Hadley, Planning Manager; Chris Trusty, City Engineer; Brad Hickman, Parks and Recreation Director; Ross Fowlks, Fire Chief; Eric McDowell, Chief Sheriff's Deputy.

4. CALL TO ORDER

Mayor Painter called the meeting to order at 7:10 p.m.

5. PLEDGE OF ALLEGIANCE

Addison Gwilliams led the Pledge of Allegiance.

6. INFORMATION ITEMS/UPCOMING EVENTS

- Library Extended Hours – The Eagle Mountain City Library has recently extended its hours on Friday and Saturday. The new hours are 10:00 a.m. to 6:00 p.m. on Friday and 10:00 a.m. to 4:00 p.m. on Saturday.
- Bag the Leaf Service – The City is once again providing the Bag the Leaf service. Free leaf bags will be available for residents to pick up at City Hall from October 17 through November 24. Once leaves are bagged at residences, please place on top of curb and contact Larry Diamond at ldiamond@emcity.org for pick up. More details available at emcity.org/news.
- Jr. Jazz Basketball – Registration is open through November 6 for Jr. Jazz basketball for grades Kindergarten through 6th. Visit emcity.org/sports for more info and to register.
- Immunization Clinic – The Utah County Health Department will hold an Immunization Clinic at Eagle Mountain City Hall in the Council Chambers on Wednesday, October 25 from 3:00 p.m. to 5:00 p.m. You can pre-register online at www.utahcountyonline.org/Dept/Health/flushots.
- Golden Eagle Rd. Extension – The extension of Golden Eagle Rd., providing additional access to Skyline Ridge, Kiowa Valley, and adjacent neighborhoods is scheduled to be completed and open by Saturday, October 7. Eagle Mountain City would like to thank the developer, Goldsworth Real Estate, for their partnership in getting this road finished ahead of the road improvement requirement.
- Flags at Half-Staff – Flags will remain at half-staff through Friday, October 6 in honor of the victims of the mass shooting in Las Vegas. We send our prayers and love to all those affected.
- Trick or Treat Village – The Trick or Treat Village event will be held on Saturday, October 28 from 10:00 a.m. to 1:00 p.m. at Nolen Park. Information and vendor registration can be found at emcity.org/events.

7. PUBLIC COMMENTS – Time has been set aside for the public to express their ideas, concerns and comments.

None.

8. CITY COUNCIL/MAYOR'S ITEMS – Time has been set aside for the City Council and Mayor to make comments.

Councilmember Gricius

Councilmember Gricius welcomed everyone to the meeting.

Councilmember Westmoreland

Councilmember Westmoreland welcomed everyone to the meeting.

Councilmember Reaves

Councilmember Reaves was happy to be there, having missed the previous meeting due to a work obligation.

Councilmember Bradley

Councilmember Bradley welcomed everyone to the meeting.

Councilmember Curtis

Councilmember Curtis encouraged youth ages 14 – 18 to join the Youth Council, which meets on the 2nd and 4th Wednesdays of each month at 5:30 p.m. in the Council Chamber. He expressed his condolences to those affected by the mass shooting in Las Vegas.

Mayor Painter

Mayor Painter thanked Addison Gwilliams for giving the opening prayer. He expressed condolences to those suffering physically and emotionally from the shootings in Las Vegas. His family living in Las Vegas said the emotional pain there cast a shadow over the whole city.

9. RECOGNITION

A. Daniel Boles, Eagle Mountain Planning Commissioner

Mayor Painter presented a plaque to Mr. Boles in recognition of his service on the Planning Commission.

CONSENT AGENDA

10. MINUTES

A. September 19, 2017 – Regular City Council Meeting

MOTION: *Councilmember Bradley moved to approve the Consent Agenda. Councilmember Curtis seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

SCHEDULED ITEMS

11. MOTION – Simpson Hollow Preliminary Plat.

This item was presented by Planning Manager Mike Hadley. The proposed 5.98 acre, 59 twin home unit development was located between Willow Springs and The Village at Simpson Springs.

Items presented for discussion included fencing/buffering, setbacks and the multi-family design standards.

Travis Taylor, representing the applicants, stated the fencing along Half Mile Road and west of the project would match the existing fencing.

Mayor Painter stated City staff had received a petition with 63 signatures objecting to the project and requested that the Planning Commission deny the project. They asked that something else be built on that land that would not lessen their property values and would contribute to the

community in a positive way. The developers made some changes to the project after the Planning Commission meeting to address the petitioners' objections.

Councilmember Bradley appreciated the residents going through the effort of circulating the petition so they could have their voices heard. He asked what the buffering was between the multi-family housing and the third- to half-acre lots. He said, while they may meet the letter of the Municipal Code, it didn't meet the spirit of the Code. Having only a 5' vinyl fence was not enough. He would have liked to have more of the plans in the Council meeting packet, such as the drainage, landscape and entry monument plans. He confirmed with Mr. Taylor that the garage doors facing the streets would have windows, and thanked him for his cooperation.

Councilmember Curtis asked Mr. Mumford if the City could collect an escrow bond for the open space.

Mr. Mumford said the clubhouse was required to be completed by the time 10% of the building permits were issued and completed by the time 50% were issued. The developers could place a bond or complete the open space before they recorded the plat.

Councilmember Curtis asked what would be done about the dry utilities being too close to the road. Mr. Hadley said a couple of units' utilities would have to be too close to the sidewalk. Rocky Mountain Power would have to be consulted as to whether it could install utilities in the smaller space.

Mr. Taylor said the Code required buildings to be 20' apart. He asked if he could work with staff to place a few buildings 15' apart to make more room for utility installation.

Discussion followed on articulation of the building facades. The Council decided to require the garages visible from public roads to be articulated.

Councilmember Reaves asked if the residents of the area had concerns the Council could address. Councilmember Gricius stated the concerns and said they had all been addressed.

Mr. Trusty agreed to have City personnel stripe dedicated turn lanes onto several intersections to alleviate traffic concerns.

- MOTION:** *Councilmember Bradley moved to approve the Simpson Hollow preliminary plat, with the conditions stated in the staff report, as well as the following conditions:*
- 1. Separation between buildings may be reduced to 15', only as needed, to install dry utilities.*
 - 2. Fencing must be installed with the adjacent phase, with the exception of Phase 5 fencing being completed with Phase 3.*
 - 3. Garages visible from Quarter Mile and Cedar Springs Roads shall be staggered according to Municipal Code.*
 - 4. Garages visible from Quarter Mile and Cedar Springs Roads shall have windows.*
- Councilmember Westmoreland seconded the motion.*

Councilmember Gricius asked Councilmember Bradley if he intended to include "no parking" signs along Cedar Springs Rd. Councilmember Bradley amended the motion.

AMENDED MOTION: *Councilmember Bradley moved to approve the Simpson Hollow preliminary plat, with the conditions stated in the staff report, as well as the following conditions:*

- 1. Separation between buildings may be reduced to 15', only as needed, to install dry utilities.*
- 2. Fencing must be installed with the adjacent phase, with the exception of Phase 5 fencing being completed with Phase 3.*
- 3. Garages visible from Quarter Mile and Cedar Springs Roads shall be staggered according to Municipal Code.*
- 4. Garages visible from Quarter Mile and Cedar Springs Roads shall have windows.*
- 5. "No parking" signs shall be posted on the west side of Cedar Springs Rd.*

Councilmember Westmoreland seconded the motion.

Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.

The conditions stated in the staff report were as follows:

1. Applicant shall submit a drainage plan showing the proposed drainage between the buildings.
2. The landscape plan needs to be stamped and signed by a licensed landscape architect.
3. Applicant shall provide details for the fencing that will be installed.
4. An entry monument sign shall be added to the project.
5. Additional exterior materials (stone, fiber cement siding) shall be added to the side facades that are most visible from the public streets, along with additional architectural detailing.
6. Fencing on the west side of the project shall be consistent with the existing fencing.
7. A fence shall be provided on the south side of Phase 5.

12. BID AWARD – Purchase and Installation of a Pergola for the Pony Express Memorial Cemetery.

This item was presented by Parks and Recreation Director Brad Hickman. The City Council approved the purchase of a pergola for the City cemetery, using funds allocated from the TRCC grant administered through Utah County earlier this spring. The total cost for the purchase and installation of the pergola required City Council approval. Staff also requested funds to complete the east entrance of the cemetery in conjunction with the construction of the pergola.

Mr. Hickman reported that 87 gravesites had been sold in the cemetery and there had been 26 burials. The pergola was designed to give families a shady place to sit when they visited the graves of their loved ones.

The total cost of the project was \$63,326. Utah County allocated approximately \$14,430 to Eagle Mountain City from the 2017 TRCC grant. The rest of the cost came from fund balance, utility sale proceeds and revenue from the sale of gravesites. The project included seating around the interior perimeter of the pergola, as well as lighting and a flagpole.

MOTION: *Councilmember Reaves moved to approve the purchase and installation of a pergola for the Pony Express Memorial Cemetery in the amount of \$63,326, with an additional \$5,000 for lighting and seating, and authorize the Cemetery Board and City staff to assess the cost of flags and use the existing cemetery budget. Councilmember Curtis seconded the motion. Those voting aye: Adam Bradley,*

Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.

13. CITY COUNCIL/MAYOR'S BUSINESS – This time is set aside for the City Council's and Mayor's comments on City business.

Councilmember Curtis

Councilmember Curtis announced the Youth Council has a new Youth Mayor, Hannah Clark, and two new Youth Councilmembers, Michaela Watters and Carter Morrison. The Planning Commission has been carefully scrutinizing incoming development projects. City staff has been very helpful in responding to his requests for information.

Councilmember Gricius

Councilmember Gricius reported there is an opening on the Economic Development Board. Interested persons can send Mayor Painter a letter of intent.

Councilmember Westmoreland

Councilmember Westmoreland stated two Planning Commissioners will be vacating their terms. Interested persons can send Mayor Painter a letter of intent.

Councilmember Reaves

No comment.

Councilmember Bradley

Councilmember Bradley appreciated the work done by the Parks and Recreation Advisory Board.

Mayor Painter

Mayor Painter

14. CITY COUNCIL BOARD LIAISON REPORTS – This time is set aside for Councilmembers to report on the boards they are assigned to as liaisons to the City Council.
15. COMMUNICATION ITEMS
A. Upcoming Agenda Items
16. ADJOURNMENT

MOTION: *Councilmember Curtis moved to adjourn the meeting at 8:40 p.m. Councilmember Westmoreland seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

Approved by the City Council on October 17, 2017.



Fionnuala B. Kofoed, MMC
City Recorder



EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

October 17, 2017

Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

4:00 P.M. WORK SESSION – CITY COUNCIL CHAMBERS

ELECTED OFFICIALS PRESENT: Mayor John Painter, Councilmembers Adam Bradley, Colby Curtis, Stephanie Gricius and Tom Westmoreland. Benjamin Reaves was excused.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Chief Deputy City Recorder; Aaron Sanborn, Economic Development Manager; Evan Berrett, Management Analyst; Linda Peterson, Communications and Community Relations Director; Steve Mumford, Community Development Director; Mike Hadley, Planning Manager; Chris Trusty, City Engineer; Brad Hickman, Parks and Recreation Director; Jeff Weber, Facilities/Operations Director; Mack Straw, Public Utilities Manager; Zac Hilton, Streets and Storm Drain Manager; Ross Fowlks, Fire Chief; Eric McDowell, Chief Sheriff's Deputy.

Mayor Painter called the meeting to order at 4:04 p.m.

1. **CITY ADMINISTRATOR INFORMATION ITEMS** – This is an opportunity for the City Administrator to provide information to the City Council. These items are for information only and do not require action by the City Council.

A. PRESENTATION – Aquatic Center / VCBO

City Administrator Ifo Pili reviewed the history of attempts to build a recreation center in Eagle Mountain. The latest was a proposal from the YMCA, in partnership with the City and SK Hart Management; however, the YMCA has been unable to raise its portion of the funds needed to build the center.

City staff looked for another partner to avoid having to bond for the center and subsidize its annual operating expenses. SK Hart Management has agreed to partner with the City on this small, phasable proposal.

Economic Development Manager Aaron Sanborn stated City staff had reviewed a number of preliminary ideas with VCBO Architects. The first phase would include a warm recreation pool with a few lap lanes, an office, equipment room, lobby, locker rooms and an outdoor pool deck. The next phase would include a competition pool, two-level fitness/exercise area and gymnasium. Once an outside entity, possibly the YMCA, took over operation of the center, it would be responsible for additional expansion.

The cost of the initial phase would be just over \$5.1M. SK Hart would donate approximately half of the cost.

B. UPDATE – Well #5 Repairs

Public Utilities Manager Mack Straw said staff noticed a decrease in gallons per minute from Well #5 last September. They called Kyle Widdison, a Utah well repair expert, who determined the pump was faulty, but said it could continue in use through this summer. In August sand appeared in the pump, which indicated it needed to be repaired quickly. The Water Department had already reserved funds in the budget for the repair.

C. UPDATE – Fencing at Cory Wride Memorial Park

Melissa Clark, a member of the Parks and Recreation Advisory Board, presented fencing options for Wride Memorial Park. The first was to fence each playground pod individually. That would address the need for children’s safety, but would interfere with the open flow of park activities. The second option was not to fence Wride Park, and possibly fence another park in the City. This would leave Wride Park inaccessible to residents who needed a barrier for children inclined to run out of the park. The third option, which the board favored, was to fence the perimeter of the playground area, which would allow for flow between activities.

Parks and Recreation Director Brad Hickman reviewed fencing prices. Specific linear-foot prices would vary depending on what kind of surface each section of fencing was installed on. The Parks and Recreation Board hadn’t come up with a final, recommended style of fencing, but it would be similar in scale and price to what was shown to the Council.

2. AGENDA REVIEW – The City Council reviewed items on the Consent Agenda and Policy Session Agenda.

10. MINUTES

A. October 3, 2017 – Regular City Council Meeting

Councilmember Gricius requested a correction to page 8. Travis Taylor was referred to as “Mr. Travis” instead of “Mr. Taylor.”

11. CHANGE ORDER

A. Cory Wride Memorial Park, Phase 1A

No comment.

12. BOND RELEASE – Into Warranty

A. Hidden Hollow Phase A, Plat 2

No comment.

13. BOND RESOLUTIONS

A. Resolution of Eagle Mountain City, Utah (The “Issuer”), Authorizing the Issuance and Sale of Not More Than \$5,000,000 Aggregate Principal Amount of Water and Sewer Revenue Refunding Bonds, Series 2017A; and Related Matters.

David Robertson of Lewis Young Robertson & Burningham explained that bond refunding was similar to mortgage refinancing. The bond market moved much lower

than it was ten years previously when the bonds were first issued, creating an opportunity to issue the 2017 bonds at a lower 1.9% interest rate. The refunding would save the City approximately \$50,000 per year.

This resolution was a parameters resolution, allowing designated City officials to accept, sign and close on bids.

Councilmember Curtis asked why staff was requesting \$5M in bonds if the amount being refinanced was \$3.8M. Mr. Robertson explained it was to give LYRB some leeway to work through transactions without having to return to City Council for a slightly higher amount.

Councilmember Curtis asked if a lower cushion would be acceptable. Mr. Robertson said \$4.5M would be an adequate total amount.

Assistant City Administrator/Finance Director Paul Jerome stated a parameters resolution didn't commit the City to acquiring additional debt. It gave clear bounds under which a transaction could take place.

Mr. Robertson said the net present value savings, after all costs, would be \$435,000, or 11.5%. By contrast, in the bond market, 3% savings was considered a good transaction.

B. Resolution of Eagle Mountain City, Utah (The "Issuer"), Authorizing the Issuance and Sale of Not More Than \$1,500,000 Aggregate Principal Amount of Water and Sewer Revenue Bonds, Series 2017B; and Related Matters.

Mr. Robertson stated this was also a parameters resolution and didn't commit the City to acquiring additional debt. It did allow Eagle Mountain to accept a loan from the State at a 1% interest rate to correct deficiencies in the White Hills sewer system.

Councilmember Curtis asked why the City was funding this project, rather than the Pole Canyon developers. City Attorney Jeremy Cook stated there was disagreement between the parties as to who was responsible for the improvements to the sewer system. The developers felt they had committed to cure some of the problems, not to fix the system entirely. Much of the City's cost would be covered by a State grant and sewer impact fees.

Mayor Painter noted White Hills was annexed eight years ago, and the sewer system had still not been repaired.

Mr. Pili said the goal was to have a solution that didn't cost the White Hills residents who were on the system before the annexation. The solution was a mixture of grant money, impact fees and user fees.

Mr. Cook stated the Pole Canyon Investment Group was obligated to purchase the sewer pond property for \$218,000. With that money and the commitment to pay a certain amount of impact fees annually for five years, the City would be protected for thirteen years even if no lots were sold.

14. MOTION – SilverLake 17 Preliminary Plat.

City Planner Tayler Jensen stated this project was 10.25 acres with 52 units, located south of the Tickville Wash. Some of the traffic impact would be mitigated by the Pony Express widening project, a separate project being constructed in the same general area as Plat 17. Plat 17 would provide a link through the currently open space between SilverLake Plat 16 and Evans Ranch Plat G-1. The link would be important to facilitate access to the elementary school planned for the area.

Because there was no park plan, the Planning Department recommended requiring a 150% pro rata park cash escrow.

Mayor Painter felt the traffic study, dated in May of 2015, was too old to accurately reflect the current traffic situation. City Engineer Chris Trusty noted that the traffic study extrapolated data from 2013-2015 to get approximate 2017 numbers and then added the project data.

Councilmember Curtis asked about the parks that Rockcross Development has left incomplete. Mr. Mumford stated he had spoken with the developers about parks, transportation and the Tickville Wash. Landscaping along Pony Express Parkway was just completed. A trail section and some trail landscaping were just completed, as well as landscaping in the powerline corridor along Woodhaven Blvd. The building permit has been issued for the clubhouse for Plats 14-15.

Councilmember Curtis stated the developers' permits for some of the landscaping projects were expired. He'd been trying to have these projects completed for two years and he felt they were past due.

Nate Hutchinson of Rockcross Development stated his landscape crews had been unable to keep up with the number of outstanding projects in Eagle Mountain and other cities. He apologized for the City's and the residents' frustration. He thought the City should feel reassured because all of the projects had been bonded. Mr. Hutchinson expected to have the landscaping for Plats 14 and 15 done this year and for Plat 13 done in the spring. Plat 17 would create a second traffic access point. He said the amended traffic study showed all of the interior roads were performing as they should, but Woodhaven turning left onto Pony Express Parkway was failing.

Mr. Hutchinson pointed out Rockcross cooperated with the City a couple of years previously to allow a lift station to be constructed on the site of Plat 17. This limited Rockcross' choices as to the design of the plat.

Mayor Painter took issue with the idea that a 2.7% linear traffic increase matched the explosive growth in the area. Mr. Hutchinson agreed growth in the area was high, but it wasn't caused by the Rockcross project. He felt Rockcross had helped the City by deeding acreage and parks to the City at no charge, at a faster rate than required by the development agreement.

15. MOTION – Request to Resubmit a Rezone/MDP Application for Sunset Flats.

Councilmember Gricius thanked the developers for complying with everything the Council requested. Councilmember Curtis agreed.

16. AGREEMENT – Reimbursement Agreement between Eagle Mountain City and Porter Ranch Town Homes, LLC, for St. Andrews Drive.

City Attorney Jeremy Cook said one of the conditions of approval for the Porter's Crossing Master Development Agreement was that the developers extend St. Andrews beyond their development area, which was a system improvement. The City agreed to reimburse Porter Ranch Town Homes through transportation impact fees. This agreement set the criteria for that reimbursement.

17. AGREEMENT – Interlocal Cooperative Purchase Agreement between Eagle Mountain City and the Houston-Galveston Area Council.

Public Utilities Manager Mack Straw stated this agreement would give Eagle Mountain the ability to purchase large and specialty equipment not available through the Utah State purchasing contract. The H-GAC had no membership fee or minimum purchase requirement, although there might be a small administrative fee. Its membership included jurisdictions from all over the country.

Councilmember Curtis asked why an agreement was necessary.

Mr. Cook said entering into an interlocal agreement with H-GAC, which had vetted the item(s) being purchased, allowed the City to comply with H-GAC's bid procedures. Contracting with H-GAC would also allow the City to get the best possible price due to H-GAC's large purchasing power, similar to the Utah State purchasing contract. If the H-GAC agreement wasn't useful, the City could invoke the 30-day termination clause.

Councilmember Curtis asked if this agreement made H-GAC an exclusive supplier for certain items. Mr. Cook said it did not.

18. RESOLUTION – Resolution of Eagle Mountain City, Utah, Amending the Consolidated Fee Schedule for a Construction Water Hydrant Rental Deposit.

Mr. Straw stated the City's refundable deposit for water hydrant meter rentals was \$900. The cost of a meter was \$1500. The Water Department wanted to raise the deposit to \$1500. The amount would be fully refundable once the builder returned the meter in good condition.

Councilmember Curtis asked if the Water Department always used the same supplier for the meters. Mr. Straw stated they normally used the same supplier because they consistently had the lowest price.

19. BID AWARD – Award of Bid to PEC Engineers for the Construction Management of the Pony Express Widening Project.

City Engineer Chris Trusty said UDOT selected PEC Engineers for construction management of the Pony Express Widening Project. The project has since been converted to local government management rather than State management. City staff recommended retaining PEC as construction manager. Doing so would allow the staff to have PEC complete a constructability review as part of the design process before the project was put out for bid in November.

Councilmember Westmoreland asked if this agreement would affect the City's matching funds. Mr. Trusty said it wouldn't affect the matching funds.

Councilmember Gricius asked if MAG had obtained the funds from UDOT for reimbursements to Eagle Mountain. Mr. Trusty said MAG was expected to receive the funds this month.

20. BID AWARD – Award of Bid to Black Forest Paving for the Community Development Building Parking Lot Extension Project.

Facilities/Operations Director Jeff Weber explained the Community Development Building parking lot was too small to accommodate parking for the employees working there, much less for contractors who came to the building for meetings. This agreement would add 24 parking stalls. The agreement excluded asphalt paving. Doing the paving in-house would save nearly \$10,000.

Councilmember Curtis asked if the General Capital Fund balance would be able to cover this expense. Mr. Jerome said funds would be transferred from the General Fund to the Capital Projects Fund. A budget amendment would be presented to the Council in the near future, authorizing the transfer.

21. BID AWARD – Award of Bid to Advanced Civil Engineering for the Design of High School Road.

Mr. Trusty stated Alpine School District would construct a road for the high school from its western property boundary to Pony Express Parkway. To improve traffic flow, the City planned to construct a road from the school district's property boundary to the east boundary of Sage Park, a subdivision under construction adjacent to Eagle Mountain Blvd.

Councilmember Westmoreland asked if the road would have a median. Mr. Trusty said it wasn't in the plan, but it might be a good idea to include a median in the final design.

Community Development Director Steve Mumford said Mid Valley Rd. was in the master transportation plan as an arterial. High School Rd. was planned as a minor collector.

3. ADJOURN TO A CLOSED EXECUTIVE SESSION

No Closed Executive Session was held.

The meeting was adjourned at 6:07 p.m.

7:00 P.M. POLICY SESSION – CITY COUNCIL CHAMBERS

ELECTED OFFICIALS PRESENT: Mayor John Painter, Councilmembers Adam Bradley, Colby Curtis, Stephanie Gricius and Tom Westmoreland. Benjamin Reaves was excused.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Chief Deputy City Recorder; Aaron Sanborn, Economic Development Manager; Linda Peterson, Communications and Community Relations Director; Steve Mumford, Community Development Director; Mike Hadley, Planning Manager; Chris Trusty, City Engineer; Brad Hickman, Parks and Recreation Director; Jeff Weber, Facilities/Operations Director; Mack Straw, Public Utilities Manager; Ross Fowlks, Fire Chief; Eric McDowell, Chief Sheriff's Deputy.

4. CALL TO ORDER

Mayor Painter called the meeting to order at 7:07 p.m.

5. PLEDGE OF ALLEGIANCE

Justin Beckstead led the Pledge of Allegiance.

6. INFORMATION ITEMS/UPCOMING EVENTS

- **Bag the Leaf Service** – The City is once again providing the Bag the Leaf service. Free leaf bags are available for residents to pick up at City Hall or the Community Development Building through November 24. Once leaves are bagged at residences, please place on top of curb and contact Larry Diamond at ldiamond@emcity.org for pick up. More details are available at emcity.org/news.
- **Jr. Jazz Basketball** – Registration is open through November 6 for Jr. Jazz basketball for grades kindergarten through 6th. Visit emcity.org/sports for more information and to register.
- **Immunization Clinic** – The Utah County Health Department will hold an immunization clinic at Eagle Mountain City Hall in the Council Chambers on Wednesday, October 25 from 3:00 p.m. to 5:00 p.m. You can pre-register online at www.utahcountyonline.org/Dept/Health/flushots.
- **Trick or Treat Village** – The Trick or Treat Village event will be held on Saturday, October 28 from 10:00 a.m. to 1:00 p.m. at Nolen Park. Information and vendor registration can be found at emcity.org/events.
- **General Election** – In the 2017 Municipal General Election, Eagle Mountain voters will elect a Mayor and two Councilmembers. Terms will run from 2018 through 2022. Eagle Mountain City will conduct Vote by Mail for the 2017 municipal election. Ballots should start arriving in mailboxes this week for the Nov. 7 election. The deadline to register to vote in person or online is October 31.

7. PUBLIC COMMENTS – Time has been set aside for the public to express their ideas, concerns and comments.

Garion Hall introduced his Eagle Scout project. He and a group of volunteers planned to install a base radio and antenna in City Hall to assist with communications during emergencies. After the installation was completed, Garion and his group planned to teach a class on emergency communications.

8. CITY COUNCIL/MAYOR'S ITEMS – Time has been set aside for the City Council and Mayor to make comments.

Councilmember Curtis

Councilmember Curtis invited youth ages 14 – 18 to participate in Youth Council on the 2nd and 4th Wednesday of each month.

Councilmember Bradley

Councilmember Bradley welcomed everyone to the meeting, especially the Scouts. He was excited about the ham radio class.

Councilmember Westmoreland

Councilmember Westmoreland said October 17, 1781 was the date General Cornwallis asked General Washington for terms of surrender. The Revolutionary War officially ended two days later.

Councilmember Gricius

Councilmember Gricius thanked everyone for attending the meeting and told Garion Hall she was looking forward to attending the emergency communications class. She reported there was a vacancy on the Economic Development Board and invited those interested in serving on the board to send a letter of interest to the Mayor.

Mayor Painter

Mayor Painter mentioned his article in this month's newsletter was about emergency preparedness, which went along nicely with Mr. Hall's Eagle Scout project. He noted that Golden Eagle Road was completed last Saturday. He expressed appreciation to Goldsworth Real Estate for completing the road, which went above what they were required to do.

9. RECOGNITION

- A. Chris Pengra, Mayor of Eagle Mountain City

CONSENT AGENDA

10. MINUTES

- A. October 3, 2017 – Regular City Council Meeting

During Work Session, Councilmember Gricius requested a correction to a developer's name. The correction was made by the Recorder's Office.

11. CHANGE ORDER

- A. Cory Wride Memorial Park, Phase 1A

12. BOND RELEASE – Into Warranty

- A. Hidden Hollow Phase A, Plat 2

MOTION: *Councilmember Bradley moved to approve the Consent Agenda, with the correction to the minutes requested by Councilmember Gricius. Councilmember Gricius seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Tom Westmoreland. The motion passed with a unanimous vote.*

SCHEDULED ITEMS

13. BOND RESOLUTIONS

This item was discussed after item 15.

- A. Resolution of Eagle Mountain City, Utah (The "Issuer"), Authorizing the Issuance and Sale of Not More Than \$5,000,000 Aggregate Principal Amount of Water and Sewer Revenue Refunding Bonds, Series 2017A; and Related Matters.

This item was presented by Assistant City Administrator/Finance Director Paul Jerome. This bond issue, called Series 2017A, was for the refunding of the City's 2007 Water and Sewer Revenue Bonds at a reduced rate. The term of the bonds would not increase, but a lower interest rate would lower the annual payments. The money saved would be used to shorten the term of the bonds by one year. This action was a parameters resolution, stating a "not more than" amount for the bond issue and allowing designated City officials to make a bond offer. It did not incur debt for the City.

Councilmember Bradley pointed out that refunding a bond was the same as refinancing other financial products.

MOTION:

Councilmember Curtis moved to adopt a resolution of Eagle Mountain City, Utah (the "Issuer"), authorizing the issuance and sale of not more than \$5,000,000 aggregate principal amount of Water and Sewer Revenue Refunding Bonds, Series 2017A, and related matters, with the expectation that all attempts will be made to ensure the money saved will be used to shorten the term of the bonds. Councilmember Bradley seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Tom Westmoreland. The motion passed with a unanimous vote.

B. Resolution of Eagle Mountain City, Utah (The "Issuer"), Authorizing the Issuance and Sale of Not More Than \$1,500,000 Aggregate Principal Amount of Water and Sewer Revenue Bonds, Series 2017B; and Related Matters.

This item was presented by Assistant City Administrator/Finance Director Paul Jerome. This bond issue, called Series 2017B, was for the authorization and issuance of Water and Sewer Revenue Bonds for the construction of a sewer pipeline and pump station and repairs to the existing sewer system for the White Hills subdivision. The bonds would have a 32-year term and be paid back primarily by a 1% State loan and a State grant. The pipeline would connect the White Hills sewer system to Eagle Mountain's wastewater plant.

Councilmember Gricius asked what the total cost of the project would be. Mr. Cook said it would be approximately \$1.7M.

Councilmember Westmoreland asked Mr. Cook to explain the revenue sources that would be used to pay off the bonds.

Mr. Cook stated the existing White Hills sewer system was operated by the White Hills Special Service District. It was a lagoon system, and the lagoons failed. They needed to be replaced by a pipeline to the wastewater plant. User rates for the new system would normally be over \$50/month; however, the City had promised the residents of White Hills essentially the same user rate as the South Service Area. Because these fees would be inadequate to operate the sewer system, other revenue for payments was necessary. These bonds would make up part of that revenue.

Councilmember Bradley asked what the developer's responsibility was for the sewer system. Mr. Cook said the tentative arrangement was for the developers to pay enough impact fees to cover any shortfall in the debt service payment for the first five years.

The City would also receive funds from the sale of the lagoon property. The combination would provide enough to cover the debt service payments for the first ten years.

Councilmember Bradley asked if the developers were making any progress in developing the property. Mr. Cook said construction wasn't being permitted until the sewer system was functional. Mr. Mumford stated there were about twenty lots which had been improved with the original White Hills subdivisions.

City Recorder Fionnuala Kofoed said the developers had completed the park in White Hills.

Councilmember Westmoreland asked if the financial agreement with the developers had any exit clause for them.

Mr. Cook said the developer's obligations would be tied to their master development agreement. A violation of the financial agreement would be a violation of the development agreement.

Councilmember Curtis asked about the Pole Canyon Local District. Mr. Cook said it was an assessment district for financing infrastructure, separate from the White Hills Special Service District which operated the sewer system.

Mr. Cook noted this agreement was a compromise, due to ongoing disputes between the parties. While it was not ideal, it was usable and gave Eagle Mountain access to the State grant and loan funds.

Councilmember Westmoreland asked if this agreement covered water also. Mr. Cook said the City had a separate agreement with the water company. The water system would be transferred once its deficiencies were corrected.

MOTION: *Councilmember Bradley moved to adopt a resolution of Eagle Mountain City, Utah (the "Issuer"), authorizing the issuance and sale of not more than \$1,500,000 aggregate principal amount of Water and Sewer Revenue Bonds, Series 2017B; and Related Matters. Councilmember Westmoreland seconded the motion. Those voting aye: Adam Bradley, Stephanie Gricius and Tom Westmoreland. Those voting no: Colby Curtis. The motion passed with a vote of 3:1.*

14. MOTION – SilverLake 17 Preliminary Plat.

This item was presented by City Planner Tayler Jensen. The proposed 10.25 acre, 52 unit, preliminary plat was located in the SilverLake subdivision, south of the Tickville Wash. The project would connect Evans Ranch to SilverLake Plat 16 and provide a secondary access for the SilverLake subdivision south of the wash.

Mr. Jensen said City staff recommended the developer post a park escrow bond, which would be refunded as parks were developed in the project. Staff also requested a context plan with the next plat, SilverLake 18, showing how the developer will meet the mix of housing types called for in the master development plan.

Councilmember Westmoreland asked about the timing of adjacent plats. Mr. Jensen said Evans Ranch F-1 was already recorded. Evans Ranch G-1 had a pre-construction meeting with City staff and would be recorded shortly.

Councilmember Bradley asked about the park shown on the plat. Mr. Jensen said it was a pedestrian walk-through, which will connect to a future trail. The walk-through allowed street blocks to be 800' long rather than the usual limit of 600'.

Councilmember Bradley referred to the assistance Rockcress gave the City two years earlier when a failed lift station created a need for a lift station in the SilverLake 17 area.

Councilmember Curtis stated Rockcress left a long list of promised projects, such as parks, unfinished. Withholding building permits and certificates of occupancy hadn't solved the problems. He was reluctant to approve another plat until those projects were completed.

City Attorney Jeremy Cook said the master development agreement specified time limits for completing certain items.

Councilmember Bradley asked if the time limits had been met.

Mr. Hutchinson stated Phases 14 and 15, consisting of townhomes and cluster homes, were the last two major areas needing landscaping. The buildings had to be completed before the landscaping could be planted or the landscaping would be trampled. He met with Mayor Pengra recently and showed that Rockcress was not responsible for many of the incomplete projects in SilverLake. However, Rockcress did agree to pay for some of those improvements. The landscaping along Woodhaven Blvd. was in progress. He expected the landscaping in Plat 15 to be finished in the spring, when the construction was complete.

Discussion continued between Mr. Hutchinson, staff and the Council on the issue of parks and open space.

MOTION: *Councilmember Bradley moved to approve the SilverLake 17 preliminary plat, with the conditions stated in the staff report, as well as an emphasis that Rockcress meet its agreement of 40%, except for Phase 15, and that they install the necessary tot lot and landscaping for the pocket park at the intersection of Brookwood and Ainsley, the details of the tot lot to be worked out with staff, and that the clubhouse under construction be completed. Councilmember Gricius seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Tom Westmoreland. The motion passed with a unanimous vote.*

The conditions listed in the staff report were as follows:

1. The SilverLake 17 plat shall not be recorded until a connection is provided to Golden Eagle Road in SilverLake or through Evans Ranch.
2. The applicant shall comply with the mitigation measures recommended by the slope stability study.
3. A context plan for SilverLake south of the Tickville Wash shall be provided with Plat 18, showing that a mixture of lot sizes will be utilized south of the Tickville Wash.
5. The applicant shall pay a park cash escrow of \$2,810.40 per lot (total escrow: \$146,140.90) prior to recording this plat.

Mr. Cook clarified that the tot lot will be paid for with fees-in-lieu already collected by the City.

15. MOTION – Request to Resubmit a Rezone/MDP Application for Sunset Flats.

This item was presented by Planning Manager Mike Hadley. The City Council recently denied a master development plan (MDP) application for the Sunset Flats development. The applicant has since made significant changes to the proposal and, according to the Municipal Code, requested that the City Council consider a Request to Resubmit a Rezone/MDP Application. If the City Council approves the application, the MDP will be presented to the Planning Commission for recommendation to the City Council.

Councilmember Bradley expressed appreciation for the developers' willingness to comply with the Council's requests. He still had reservations about building more homes in the area until traffic and school capacities were adequate to serve additional residents.

MOTION: *Councilmember Gricius moved to approve the rezone/MDP resubmittal application for Sunset Flats. Councilmember Bradley seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Tom Westmoreland. The motion passed with a unanimous vote.*

16. AGREEMENT – Reimbursement Agreement between Eagle Mountain City and Porter Ranch Town Homes, LLC, for St. Andrews Drive.

This item was presented by City Attorney Jeremy Cook. The reimbursement agreement was for the completion of a portion of St. Andrews Drive and relocation of certain park improvements that were City-owned and outside of the developers' project area. As such, they were eligible to be funded by impact fees. The developers agreed to complete the improvements at their expense and be reimbursed by transportation impact fees. The impact fees will be refunded to the developers quarterly, as they are collected.

Councilmember Westmoreland asked if the improvements included sidewalks. Mr. Cook said they did. The improvements also included moving playground equipment and placing sod at the playground's new location.

MOTION: *Councilmember Westmoreland moved to approve a reimbursement agreement between Eagle Mountain City and Porter Ranch Town Homes, LLC, for the St. Andrews Drive completion project in the amount of \$192,841.25. Councilmember Bradley seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Tom Westmoreland. The motion passed with a unanimous vote.*

Councilmember Gricius noted that she initially opposed the project, but she acknowledged the Council had agreed to this solution. It wouldn't be fair to expect the developers to pay for improvements outside the scope of their project.

17. AGREEMENT – Interlocal Cooperative Purchase Agreement between Eagle Mountain City and the Houston-Galveston Area Council.

This item was presented by Public Utilities Manager Mack Straw. The proposed agreement was for an interlocal cooperative purchasing program with the Houston-Galveston Area Council (H-GAC) for goods and services with eligible entities.

The agreement would allow the City to purchase large, specialty equipment unavailable through the Utah State purchasing agreement. H-GAC purchasing operated similarly to Utah's.

MOTION: *Councilmember Westmoreland moved to approve an interlocal cooperative purchase agreement between Eagle Mountain City and the Houston-Galveston Area Council. Councilmember Bradley seconded the motion.*

Councilmember Bradley asked why Eagle Mountain was contemplating this interlocal agreement when Houston-Galveston was nowhere near Utah. Mr. Straw explained jurisdictions from all over the country, including several from Utah, joined H-GAC to make use of its group purchasing power. There was no obligation to purchase anything.

Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Tom Westmoreland. The motion passed with a unanimous vote.

18. RESOLUTION – Resolution of Eagle Mountain City, Utah, Amending the Consolidated Fee Schedule for a Construction Water Hydrant Rental Deposit.

This item was presented by Public Utilities Manager Mack Straw. The proposed increase to the water hydrant rental deposit would raise the deposit to cover the actual replacement cost of a water hydrant meter and/or damage to a hydrant. The current \$900 deposit could leave the City to pay for the difference.

Mr. Straw stated that the monthly rental fees were being deducted from the \$900 deposit, which created a billing problem. The Water Dept. planned to change the process, holding the entire deposit instead, and charge the fees monthly in addition to the deposit. The deposit would be returned to the developer upon completion of the construction.

MOTION: *Councilmember Bradley moved to adopt a resolution of Eagle Mountain City, Utah, amending the Eagle Mountain City Consolidated Fee Schedule for a construction water hydrant rental deposit, amending Section 1.8.5.5 of the Consolidated Fee Schedule to raise the fire hydrant construction deposit from \$900 to \$1500. Councilmember Westmoreland seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Tom Westmoreland. The motion passed with a unanimous vote.*

19. BID AWARD – Award of Bid to PEC Engineers for Construction Management of the Pony Express Widening Project.

This item was presented by City Engineer Chris Trusty. The bid award was for construction management of the Pony Express widening project. Eagle Mountain City partnered with Saratoga Springs, MAG and UDOT to widen Pony Express Parkway to five lanes. Phases 1 and 2 of the widening project were combined and it was anticipated that the road expansion would be completed in 2018. All funds paid by Eagle Mountain City to PEC for this project would be reimbursed by MAG.

MOTION: *Councilmember Curtis moved to award a bid to PEC Engineers for the construction management of the Pony Express widening project from Porter's Crossing in Eagle Mountain to 800 West in Saratoga Springs in the amount of \$415,047.20 and authorize the Mayor to sign the contract. Councilmember Gricius seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Tom Westmoreland. The motion passed with a unanimous vote.*

20. BID AWARD – Award of Bid to Black Forest Paving for the Community Development Building Parking Lot Extension Project.

This item was presented by Facilities/Operations Director Jeff Weber. The proposed bid award was for 24 additional parking stalls in the Community Development Building parking lot. Several departments recently relocated to the building, which created a need for additional parking.

Councilmember Bradley asked how much money would be saved by doing the paving in-house. Mr. Weber said Black Forest would have charged about \$9,000 for that part of the project. Doing the paving in-house would limit the cost to materials, plus the labor of several City employees.

MOTION: *Councilmember Gricius moved to award a bid to Black Forest Paving for the Community Development Building parking lot extension project in the amount of \$45,185.00 and authorize the Mayor to sign the contract. Councilmember Westmoreland seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

21. BID AWARD – Award of Bid to Advanced Civil Engineering for the Design of High School Road.

This item was presented by City Engineer Chris Trusty. The proposed bid was for the design of High School Road, which will access the high school scheduled to open in 2018. It would provide a second access from Pony Express Parkway to Eagle Mountain Boulevard. The opening of the high school will cause considerably more traffic in the area.

Councilmember Bradley asked if the design would extend all the way to Wride Memorial Highway. Mr. Trusty said it would extend from the west side of the high school to the east side of the new Patterson development. Patterson would design the road going through its subdivision to the highway.

Mr. Trusty said the road would be one lane in each direction, with an extra eight feet on each side. Mr. Trusty was considering medians to control left turns.

MOTION: *Councilmember Gricius moved to award a bid to Advanced Civil Engineering for the design of High School Road in the amount of \$5,500 and authorize the Mayor to sign the contract. Councilmember Curtis seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

22. CITY COUNCIL/MAYOR'S BUSINESS – This time is set aside for the City Council's and Mayor's comments on City business.

Councilmember Curtis

Councilmember Curtis stated the Youth Councilmembers would like to shadow City Councilmembers. Councilmember Bradley felt each Youth Councilmember should have the opportunity to do that. The Mayor and Council discussed how the Youth Mayor and Council could successfully shadow them.

Councilmember Bradley

No comment.

Councilmember Westmoreland

No comment.

Councilmember Gricius

No comment.

Mayor Painter

No comment.

23. CITY COUNCIL BOARD LIAISON REPORTS – This time is set aside for Councilmembers to report on the boards they are assigned to as liaisons to the City Council.

None.

24. COMMUNICATION ITEMS
A. Upcoming Agenda Items
B. Financial Report

25. ADJOURNMENT

MOTION: *Councilmember Gricius moved to adjourn the meeting at 9:24 p.m. Councilmember Curtis seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Tom Westmoreland. The motion passed with a unanimous vote.*

Approved by the City Council on November 21, 2017.



Fionnuala B. Kofoed, MMC
City Recorder



EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

November 21, 2017

Eagle Mountain City Council Chambers

1650 East Stagecoach Run, Eagle Mountain, Utah 84005

4:00 P.M. WORK SESSION – CITY COUNCIL CHAMBERS

ELECTED OFFICIALS PRESENT: Mayor John Painter, Councilmembers Adam Bradley, Colby Curtis, Benjamin Reaves and Tom Westmoreland. Stephanie Gricius was excused.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Chief Deputy City Recorder; Aaron Sanborn, Economic Development Manager; Evan Berrett, Management Analyst; Maria Loza, Utility Billing Manager; Linda Peterson, Communications and Community Relations Director; Steve Mumford, Community Development Director; Tayler Jensen, City Planner; Chris Trusty, City Engineer; Brad Hickman, Parks and Recreation Director; Jeff Weber, Facilities/Operations Director; Zac Hilton, Streets and Storm Drain Manager; Mack Straw, Public Utilities Manager; Ross Fowlks, Fire Chief; Eric McDowell, Chief Sheriff's Deputy.

Mayor Painter called the meeting to order at 4:07 p.m.

1. **CITY ADMINISTRATOR INFORMATION ITEMS** – This is an opportunity for the City Administrator to provide information to the City Council. These items are for information only and do not require action by the City Council.

A. **PRESENTATION – Unified Fire Service Area (UFSA) Tax Increase**

City Administrator Ifo Pili introduced Chief Dan Peterson, Section Chief Jay Ziolkowski, Nile Easton, Coralee Moser and Tony Hill. Mr. Pili stated he has been the District Administrator of UFSA for about four months, since the reorganization of the Unified Fire Authority (UFA). He explained that UFSA was a taxing entity, which was established to fund UFA. UFSA had no employees. It had a Board and two contracted positions: attorney and administrator.

The amount of taxes being collected was no longer adequate to cover the expenses of proper firefighting. While there had been no tax increase for eight years, there had been a 2-3% annual increase in costs. The increase in expenses was being paid for with fund balance in order to avoid raising taxes, but that had become untenable. The district was required to maintain a 15% fund balance, which would not be possible without a tax increase.

Chief Dan Petersen said UFA would balance expenses and revenue, whether the tax increase was approved or not. They would begin by reducing support services. If that was inadequate to balance the budget, they would reduce four-person crews to three-person crews. However, the law didn't allow a three-person crew to enter a burning building unless there was a victim inside. The crew would have to use outside methods to deal with fires until a second crew arrived.

UFA has also set up a strategic plan to replace outdated equipment on a rotating basis, averaging the cost of new equipment over several years.

Mr. Pili stated there would be a public hearing on December 12 regarding the proposed tax increase. After the public hearing, the UFSA Board would meet and decide whether to approve the tax increase. UFA officers have been visiting City Councils in all member cities to explain the reasons for the possible increase.

Mayor Painter said he was a member of the Board and planned to vote in favor of the tax increase.

B. UPDATE – Blasting Ordinance

Community Development Director Steve Mumford reported that the Planning Commission reviewed a proposed blasting ordinance at its last meeting. Blasting in preparation for home-building has been a contentious issue recently. The proposed ordinance would call for a written blasting plan early in the subdivision application process, either with the preliminary plat if possible, or before final plats. The blasting plan would include notification to neighbors, total cubic yards of material to be blasted and moved, where the stockpiles would be located, whether they would be crushed on-site, all blasting locations and the timeline, slope analysis, reduction of negative impacts such as noise and vibration, and a State permit for air quality and dust control.

Pre-inspection paid for by the builder/developer, with a third-party inspector chosen jointly by the developer and the City, was being considered as part of the ordinance.

Some residents came to the Planning Commission meeting and had provided input that the Planning Department was considering incorporating into the ordinance. The department has also researched blasting ordinances in other cities in Utah. Very few have one, generally leaving approval to the fire chief. They recently learned that Unified Fire Authority requires pre-inspections for homes near property about to be blasted.

Councilmember Curtis asked if this proposal included a limit to the slope percentage allowed to be blasted. Mr. Mumford said the plan would have to be approved by the City Council, with very clear requirements. Denials would not be based on objections from neighbors.

Councilmember Reaves asked if the Planning Department would be able to determine whether blasting would be allowed or not. Mr. Mumford said it would depend on geotechnical studies of the property.

Mr. Mumford pointed out that the original ordinance could be revisited and revised as the City learned from experience.

Councilmember Bradley asked if the current Municipal Code addressed the allowable slope of building lots, and if blasting would be allowed on those lots. Mr. Mumford said that wouldn't be allowed.

C. UPDATE – SITLA Master Development Agreement and Plan

Mr. Mumford stated SITLA's master development plan was approved by the Planning Commission. This review of the plan and agreement by the City Council was an informational item, not an item to be voted on. It would probably be a voting item on the next City Council agenda. The area of focus was the Mid Valley area. The Pony Express parcel would be kept essentially the same, except for the school site being moved.

The Mid Valley area was vested with 3,564 residential units, with an average density of three units per acre. It was split into eight "villages." Village 5 was designed to be a commercial, mixed-use area and would have higher density.

The open space plan included a donation to Cory B. Wride Memorial Park and construction of a variety of other parks. Ten-foot-wide asphalt trails would connect to existing City trails.

The portion of the agreement referring to widening Pony Express Parkway called for enhanced native landscaping on the west side of the road and improved landscaping on the east side. SITLA would donate the land for the widening and Eagle Mountain would install and maintain the landscaping.

A conceptual plan will be submitted for each village, showing the placement of lots, roads, trails and parks. These plans would be informational; final plats would come later in the approval process.

Because the land was owned by the State (SITLA), the City had limited authority to hold the developers to bond requirements. The State would have to hold them to their agreements.

Mayor Painter stated each of the Councilmembers needed to review these plans and provide feedback to the developer, so there was a clear vision of what would be approved at the next City Council meeting on December 5.

The Planning Department had been working with SITLA on a sunset clause, which gave deadlines to various aspects of the agreement.

Councilmember Reaves asked how many homes would be impacted by the Pony Express widening. Mr. Mumford said no homes would be impacted. Airport Road would have to be slightly realigned.

2. AGENDA REVIEW – The City Council reviewed items on the Consent Agenda and Policy Session Agenda.

9. PROCLAMATION – Type 1 Diabetes Awareness

The proclamation set the dates for Type 1 Diabetes Awareness Week in Eagle Mountain as November 21-26. City Hall will be lit by blue lights to raise awareness of this week and information will be posted on the City's social media outlets.

These appointees replaced Mike Owens, who moved out of the City, and Muriel Xochimitl, who had other obligations.

11. MINUTES
 - A. October 17, 2017 – Regular City Council Meeting
12. BOND RELEASES – Into Warranty
 - A. Colonial Park Phase III
 - B. City Center Commercial Phase A, Plats 1 and 3
 - C. Evans Ranch Plat D
13. BOND RELEASE – Out of Warranty
 - A. Pioneer Addition Plat 7C
 - B. Sweetwater Plats 5 and 6

Plat 5 was removed from the Consent Agenda; Plat 6 remained.

14. 2018 MEETING SCHEDULE
15. CHANGE ORDER
 - A. Sunset Drive Trail Project
16. MOTION – Canvass of the Eagle Mountain City General Election.

City Recorder Fionnuala Kofoed held her presentation until the Policy Session.

17. RESOLUTION/PUBLIC HEARING – Public Hearing to Allow Public Input Regarding (A) the Issuance and Sale of Not More Than \$1,500,000 Aggregate Principle Amount of Water and Sewer Revenue Bonds, Series 2017B and (B) the Potential Economic Impact that the Improvements to be Financed with the Proceeds of the Series 2017B Bonds Will Have on the Private Sector; and Related Matters.

City Attorney Jeremy Cook explained that the bond parameters approved at the last meeting were subject to public comment. However, this was a public hearing only, with no vote required from the City Council.

18. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Amending the Fiscal Year 2017-2018 Annual Budget.

Finance Director Paul Jerome stated these were the first budget amendments of the 2017-2018 fiscal year.

- The Parks Dept. needed a snow plow for clearing trails and a van trailer for hauling equipment, due to work they took over when The Ranches HOA disbanded.
- Funds were carried over for construction of a 2.5 million gallon water tank because the project was not completed in the previous fiscal year.

- Funds were carried over for construction of a 2.5 million gallon water tank because the project was not completed in the previous fiscal year.
- A \$3M purchase of Central Water Project water shares was a pass-through for a developer's water shares purchase. He paid Eagle Mountain, which passed the payment through to the Central Utah Water Conservancy District.
- \$1.1M of capital projects were carried over from the last fiscal year.
- Funds were allocated for the previously-approved cemetery gazebo.

19. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Adopting a Ridgeline Protection Overlay Zone.

City Planner Tayer Jensen said the Planning Commission recently reviewed a draft ridgeline overlay zone map. They recommended the Council adopt a 50' ridgeline setback because they felt the 100' setback could be construed as a taking.

Councilmember Westmoreland asked that the final plan support connectivity.

Councilmember Reaves asked Mr. Jensen to explain "viewshed." Mr. Taylor explained that it meant being able to see the top of a ridgeline from a given vantage point without a building extending above it. It could also mean viewing a valley from the top of a ridgeline, and being able to see the valley without buildings in the way.

Mr. Mumford stated the Council needed to decide which protection should be provided for ridgelines: protecting ridges for public use, protecting them for views down to the valley, or protecting views from the valley to the ridges.

Councilmember Curtis preferred protecting the views from the valley to the ridgelines.

Councilmember Westmoreland wanted connectivity preserved.

Mr. Mumford noted the Upper Hidden Valley developers chose not to build near the ridgelines, but to preserve them.

Mr. Jensen pointed out this Municipal Code amendment would create the overlay zone, but it would have to be applied to properties at a later time.

20. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Rezoning the Foothills at Unity Pass from Agriculture to Residential.

Mr. Jensen said the applicant requested this 126.25 acre property be rezoned from Agriculture to Residential, consisting of 1/3 acre lots, one acre lots and substantial open space. Most of the open space would be on hillsides and a ridgeline. The property surrounding the project was approved for smaller lots.

21. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Rezoning Pacific Springs from Agriculture to Single Family Residential.

This item was removed from the agenda.

22. **ORDINANCE** – An Ordinance of Eagle Mountain City, Utah, Amending Section 17.60.150 of the Eagle Mountain Municipal Code for Lot Size Transitioning.

Mr. Jensen explained this amendment would improve transitioning between lot sizes. Rather than having five-acre lots bordered by one-acre lots, it would reduce the minimum lot size for buffering from five acres to four acres. From there, lots would go to two acres, then one acre, then ½ acre, then ¼ acre and finally small single-family or cottage lots, twin homes, triplexes or townhomes. Conservation subdivisions would be another option. These projects would cluster homes on smaller lots, leaving at least 50% of the land area as unimproved open space.

23. **AGREEMENT** – Purchase Agreement between Eagle Mountain City and Legacy Equipment for a Street Sweeper.

Streets and Storm Drains Manager Zac Hilton stated the City's annual budget for street sweeping was \$60,000.00, enough for a one-month rental period, which typically allowed the Streets Department to sweep all city roadways.

A payment of approximately \$60,000.00 per year for five years would allow the City to lease-purchase a street sweeper from Legacy Equipment without increasing the annual budget. This would make the maintenance schedule more flexible and make a machine available for emergency situations. Legacy Equipment's State purchasing contract cost for the street sweeper was \$274,587.00, payable over a five-year period.

It will take 7 – 10 months to build the street sweeper. The City will not have to make a payment for this equipment until time of delivery. Ordering the equipment immediately would allow for delivery in July, 2018, the beginning of fiscal year 2019.

24. **AGREEMENT** – Purchase Agreements for a Sewer Camera Truck through the H-GAC Interlocal Purchasing Agreement.
- A. Purchase of a Truck Box and Equipment from RS Technical for \$145,923.50.
 - B. Purchase of a 2017 Ford E450 Chassis from Chastain Ford for \$40,988.00.

Public Utilities Director Mack Straw stated the City Council approved \$250,000 to purchase a camera truck during the 2018 budget year, to be used for video inspections and maintenance of the sewer collection system. The City would be able to purchase the equipment through its interlocal purchasing agreement with H-GAC. The items to be purchased included a 2017 Ford E450 chassis from Chastain Ford, as well as a truck box and camera equipment from RS Technical, for a total of \$186,911.50.

25. **BID AWARD** – Award of Bid to Utelight Corporation for the Purchase of Light Weight Chip Seal Aggregate.

Mr. Hilton explained this item was for the purchase and freight of light weight aggregate chips in preparation for chip seal projects budgeted in this fiscal year. The product will be installed on SilverLake Parkway, Porter's Crossing, Sandpiper Road and Heritage Drive. The installation for these projects will be bid in the spring of 2018 and will be completed before the end of fiscal year 2018.

26. **BID AWARD** – Award of Bid to CKC Asphalt for the 2018 Crack Seal Project.

Mr. Hilton stated City staff planned to have crack seal installed on seven roadways and 27 subdivisions covering 6,299,019 sq. ft. of surface. Crack seal, a preventative maintenance tool for asphalt, prevented the infiltration of water into the base material underneath the asphalt, eliminating settling, subgrade failure and potholes and extending the life of the pavement.

27. **BID AWARD** – Award of Bid to Prime Solutions for a Dewatering Fan Press.

Mr. Straw stated the Wastewater Department spent several years evaluating improvements to its solids handling process. The result of the evaluations was an improvement plan estimated to save the City more than \$100,000 per year over the current operations. One key component of the improvements was a dewatering fan press.

Items 23 – 27 were moved to the Consent Agenda after being discussed in Work Session.

3. **ADJOURN TO A CLOSED EXECUTIVE SESSION** – The City Council adjourned into a Closed Executive Session for the purpose of discussing the purchase reasonably imminent litigation and lease or exchange of real property pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

MOTION: *Councilmember Westmoreland moved to adjourn into a Closed Executive Session for the purpose of discussing reasonably imminent litigation and the purchase, lease or exchange of real property pursuant to Section 52-4-205(1) of the Utah Code, Annotated. Councilmember Bradley seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

7:00 P.M. POLICY SESSION – CITY COUNCIL CHAMBERS

ELECTED OFFICIALS PRESENT: Mayor John Painter, Councilmembers Adam Bradley, Colby Curtis, Benjamin Reaves and Tom Westmoreland. Stephanie Gricius was excused.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Chief Deputy City Recorder; Aaron Sanborn, Economic Development Manager; Linda Peterson, Communications and Community Relations Director; Steve Mumford, Community Development Director; Tayler Jensen, City Planner; Chris Trusty, City Engineer; Brad Hickman, Parks and Recreation Director; Zac Hilton, Streets and Storm Drain Manager; Mack Straw, Public Utilities Manager; Ross Fowlks, Fire Chief; Eric McDowell, Chief Sheriff's Deputy.

4. **CALL TO ORDER**

Mayor Painter called the meeting to order at 7:08 p.m.

5. **PLEDGE OF ALLEGIANCE**

Boy Scout Troop 1089 presented a flag ceremony.

6. INFORMATION ITEMS/UPCOMING EVENTS

- **Bag the Leaf Service** – Friday is the last day to request pick-up of bagged leaves for the Bag the Leaf service. Please note: due to demand and other requirements for staff time it may take up to a week for bags to be picked up. Once leaves are bagged at residences, please place on top of curb and contact Larry Diamond at ldiamond@emcity.org for pick up. More details are available at emcity.org/news.
- **Military Care Packages** – Eagle Mountain City's Military and Veterans Advisory Board is planning to distribute care packages to military service members from Eagle Mountain who will be gone during the holidays for a significant deployment. Information on donating to the boxes, as well as how to contact the board if you are a family member of someone who is deployed is available at emcity.org/news.
- **Turkey Trot** – Pre-registration for the City's annual Thanksgiving Day Turkey Trot walk/run is open until 11:00 p.m. today. After that, only day-of registration will be available. This event is free and includes treats and prizes. Info at emcity.org/events.
- **Christmas Village** – The City has expanded its traditional Deck the Halls event to a new Christmas Village experience. On Saturday, December 2 from 6:00 – 9:00 p.m. at City Hall we will have the tree lighting ceremony and carol sing-along, followed by the arrival of Santa. The village will include a petting zoo, live reindeer, mini-pony carriage rides, a holiday boutique, blacksmith demo, visits with Santa, and free donuts and hot chocolate. Children may bring a letter for Santa including their name and address and will receive a return response before Christmas.

7. PUBLIC COMMENTS – Time has been set aside for the public to express their ideas, concerns and comments.

Marianne Smith requested application of curb reflectors for turn lane medians. Without reflectors, the medians were difficult to see at night, especially for older people.

8. CITY COUNCIL/MAYOR'S ITEMS – Time has been set aside for the City Council and Mayor to make comments.

Councilmember Westmoreland

Councilmember Westmoreland thanked everyone who attended the meeting.

Councilmember Reaves

Councilmember Reaves welcomed the audience to the meeting. He said he had the opportunity to attend the Veterans' Day breakfast organized by the Military and Veterans Advisory Board. He hoped people were listening to announcements of City events and taking advantage of them.

Councilmember Bradley

Councilmember Bradley welcomed the Boy Scouts and first responders who attended the meeting. He thanked the new members of the Planning Commission for their willingness to serve the community. He attended the Veterans' Breakfast and appreciated the service of the many residents who were veterans. Councilmember Reaves spoke at the event.

Councilmember Curtis

Councilmember Curtis stated Youth Council would not be meeting on Wednesday the 6th. He invited the youth to join Youth Council. He thanked Councilmember Bradley for his service to the community and Mrs. Bradley for supporting his Council membership.

Mayor Painter

Mayor Painter echoed Councilmember Curtis' thanks to Councilmember Bradley. He noted Councilmember Bradley was receiving thanks at this meeting because he would have to participate in December's meeting by phone. That will be his last meeting as a member of the City Council.

9. PROCLAMATION – Type I Diabetes Awareness

Mayor Painter read the proclamation, declaring November 21-26, 2018 Type 1 Diabetes Awareness Week in Eagle Mountain City. City Hall will be lit up with blue lights for the week and information will be posted on the City's social media outlets. Sydney Glass, an Eagle Mountain resident and type 1 diabetes patient, suggested these awareness activities to City Administration.

MOTION: *Councilmember Curtis moved to approve a proclamation for Type 1 Diabetes Awareness. Councilmember Westmoreland seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

10. APPOINTMENTS

- A. Planning Commission – 2 year terms
 - i. DeLin Anderson
 - ii. Brett Wright

MOTION: *Councilmember Reaves moved to appoint DeLin Anderson to the Planning Commission for a term ending on December 31, 2019. Councilmember Bradley seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

MOTION: *Councilmember Reaves moved to appoint Brett Wright to the Planning Commission for a term ending on December 31, 2019. Councilmember Bradley seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

CONSENT AGENDA

11. MINUTES

- A. October 17, 2017 – Regular City Council Meeting

12. BOND RELEASES – Into Warranty

- A. Colonial Park Phase III
- B. City Center Commercial Phase A, Plats 1 and 3

- C. Evans Ranch Plat D
- D. Sweetwater Plats 5 and 6

- 13. BOND RELEASE – Out of Warranty
 - A. Pioneer Addition Plat 7C
- 14. 2018 MEETING SCHEDULE
- 15. CHANGE ORDER
 - A. Sunset Drive Trail Project

The following items were moved from the Scheduled Items to the Consent Agenda:

- 23. AGREEMENT – Purchase Agreement between Eagle Mountain City and Legacy Equipment for a Street Sweeper.
- 24. AGREEMENT – Purchase Agreements for a Sewer Camera Truck through the H-GAC Interlocal Purchasing Agreement.
 - A. Purchase of a Truck Box and Equipment from RS Technical for \$145,923.50.
 - B. Purchase of a 2017 Ford E450 Chassis from Chastain Ford for \$40,988.00.
- 25. BID AWARD – Award of Bid to Utelight Corporation for the Purchase of Light Weight Chip Seal Aggregate.
- 26. BID AWARD – Award of Bid to CKC Asphalt for the 2018 Crack Seal Project.
- 27. BID AWARD – Award of Bid to Prime Solutions for a Dewatering Fan Press.

MOTION: *Councilmember Curtis moved to approve the Consent Agenda, with the exception of the bond release for Sweetwater Plat 5, and with the removal of March 20 and June 19 from the 2018 City Council meeting schedule. Councilmember Reaves seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

SCHEDULED ITEMS

- 16. MOTION – The City Council will Recess the Meeting and Convene as the Official Board of Canvassers to Canvass the Eagle Mountain City General Election.

MOTION: *Councilmember Curtis moved to recess the meeting and convene as the official Board of Canvassers to canvass the Eagle Mountain City General Election. Councilmember Bradley seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

This item was presented by City Recorder Fionnuala Kofoed. Pursuant to State law, it was necessary that the City Council, as the Board of Canvassers, canvass the 2017 General Election no sooner than seven (7) days and no later than fourteen (14) days after the election. The Board of

Canvassers reviewed the report of election results, prepared by the City Recorder as the Election Official, and considered and approved the report of the results, the execution of the report and the certification of the final vote totals for persons on the ballot.

The Utah County Elections Office, which administered and canvassed the vote-by-mail election, reported the following numbers:

- 10,721 ballots were mailed and a total of 3,082 were cast for a 28.75% return rate.
- 166 provisional ballots were processed along with the returns.
 - 164 provisional ballots were validated
 - 1 was rejected because the voter wasn't registered
 - 1 was rejected because the voter had already voted

Ms. Kofoed stated turnout in municipal elections was usually quite low unless there was a contentious issue on the ballot or a contentious campaign between candidates. The vote-by-mail process had been expected to increase voter turnout. It did increase the turnout considerably over previous years.

Mayor Painter asked how many votes were mailed in and how many were cast at the voting center in City Hall. Ms. Kofoed said the 166 provisional ballots were those cast in the voting center on Election Day. Approximately 500 were cast in a secure ballot box in the Recorder's Office during early voting and on Election Day.

Ms. Kofoed stated the City had just over 100 voters at its first election in 1997, with a 94% return rate.

- A. MOTION – Consideration and Approval of the Report of the Eagle Mountain City General Election of November 7, 2017, Verifying the Results of the Election by Ratifying the Results of the Canvass; Accepting the Report of the Election Official and Certifying the Election Results; and Declaring the City Council Candidates, Reported by the Election Official as Receiving the Highest Number of Ballots, to be Elected.

MOTION: *Board Member Bradley moved that the Board of Canvassers verify the results of the election by ratifying the results of the canvass; accept the report of the election and certify the election results; and declare 4-year City Council candidates Donna Burnham and Melissa Clark and Mayoral candidate Tom Westmoreland elected. Board Member Curtis seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, John Painter, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

- B. MOTION – The Board of Canvassers will Adjourn and Reconvene as the City Council.

MOTION: *Board Member Curtis moved that the Board of Canvassers adjourn and reconvene as the City Council. Board Member Reaves seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, John Painter, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

PUBLIC HEARING

17. RESOLUTION – Public Hearing to Allow Public Input Regarding (A) the Issuance and Sale of Not More Than \$1,500,000 Aggregate Principle Amount of Water and Sewer Revenue Bonds,

Series 2017B and (B) the Potential Economic Impact that the Improvements to be Financed with the Proceeds of the Series 2017B Bonds Will Have on the Private Sector; and Related Matters.

Mayor Painter stated the parameters of these bonds were thoroughly discussed at the October 17 meeting and the Council voted to approve them. This hearing was required by the legal bond process to solicit public comments on the bonds before the Council decided to issue them.

Mayor Painter opened the public hearing at 7:52 p.m.

Jeff Ruth supported issuing the bonds. He felt a proper role of government was to provide sewer services. Failing to issue the bonds would negatively impact the residents of White Hills.

Mayor Painter closed the public hearing at 7:55 p.m.

PUBLIC HEARING

18. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending the Fiscal Year 2017-2018 Annual Budget.

Finance Director Paul Jerome explained that budget amendments were made throughout the fiscal year to account for revenue and expenses that were carry-overs from the previous fiscal year or that were new in the current fiscal year.

The General Fund amendment was for the purchase of a snow plow and an equipment trailer for the Parks Dept. This was primarily due to the disbanding of The Ranches HOA. City personnel took over many of the landscape maintenance functions formerly attended to by the HOA.

There were two carry-over projects from fiscal year 2017 in the Enterprise Funds: construction of a water tank and purchase of \$3M in Central Water Project water shares. The revenue to pay for the water shares came from developers who wished to purchase the water use for development. The City acted as a pass-through agent from the developers to the water district.

There were Capital Projects totaling \$1M which were not completed in fiscal year 2017. Of that, \$350,000 was for two projects: reimbursement to the developer who paved the final section of Golden Eagle Road and installation of a traffic signal at the intersection of Pony Express Parkway and Porter's Crossing. The traffic signal was related to MAG and UDOT's Pony Express Parkway widening project. With miscellaneous projects, the total Capital Projects carry-over amounted to approximately \$1M. In addition, \$13,000 remained on the purchase order for the General Plan update. The last amendment was allocation of funds for the gazebo to be installed at the cemetery.

Mayor Painter opened the public hearing at 7:58 p.m. As there were no comments, he closed the hearing.

MOTION: *Councilmember Bradley moved to adopt an ordinance of Eagle Mountain City, Utah, amending the fiscal year 2017-2018 annual budget. Councilmember Westmoreland seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

PUBLIC HEARING

19. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Adopting a Ridgeline Protection Overlay Zone.

This item was presented by City Planner Tayler Jensen. City staff was asked to write a Municipal Code amendment protecting significant ridgelines from development that could result in hazardous conditions, reduced quality of life, or visual scarring of important natural features. City staff reviewed various options, with a focus on the amendment being easily understood, interpreted and enforced. Options included protecting viewsheds, adopting vertical setbacks and horizontal setbacks, designating unbuildable lands, and applying an overlay zone.

Staff presented a proposal for 50-foot or 100-foot setbacks to the Planning Commission. The Commission recommended adopting a 50-foot setback, with no roofline extending above 15' below the ridgeline. Either setback could render some buildable land unbuildable.

Mr. Jensen requested direction from the Council on the purposes of the proposed Code amendment. For instance, if the goal was to preserve ridgetops as public open space with trail systems and overlook locations, then the proposed amendment and map (further refined) might accomplish that goal, but might also have unintended consequences of preventing development of some buildable land due to its proximity to ridgelines. If the goal was to preserve views of ridgetops from below, the ordinance wouldn't adequately accomplish that goal. There was also a question of which ridgelines should be protected, as certain ridges might be more appropriate for protection than others.

Mayor Painter opened the public hearing at 8:04 p.m.

Ken Olson, an owner of property which included ridgelines, said he had always been in favor of protecting ridgelines in his property. However, the proposal as written would make some of his best land unbuildable. Much of his property at Unity Pass was a valley beneath a ridgeline. He felt the proposal constituted an overreach and was willing to help refine the proposal.

Jeff Ruth said the hill and ridgeline Mr. Olson was referring to should be protected. He approved of building on the lower, plowed land nearby.

Marianne Smith agreed with Mr. Olson. She felt too much of his property would be affected by this proposal, including buildable land. She noted Mr. Olson had had soil testing done which showed the lower land was based on soil, not rock. She asked what method the Planning Department had used to collect data.

Mayor Painter asked how staff determined where to place the setbacks.

Mr. Jensen said the setbacks were vertical, which didn't account for the slope of the land. Mr. Mumford stated the ridgelines were measured by the City's GIS software. He said the setbacks could be reviewed and refined.

Elise Erler, representing SITLA, thanked the Council for the opportunity to comment. She commended the Council for considering this issue. She endorsed the City's efforts on ridgeline protection, and encouraged protecting the ridgelines themselves and some of the views; however, the views should be a lower priority. Some of the viewshed concerns could be remedied by

landscaping, which could soften the edges of buildings. She suggested considering how public facilities such as water tanks were placed in order to preserve viewsheds. She also recommended prohibiting all reflective materials, not just metals.

Jan Preece noted that ridgeline protection was not just about views; it was also about protection of wildlife.

Steve McCleery explained he was working with Marianne Smith on her development. His experience in Tooele was that their code amendment didn't allow for varying slopes. A property owner's land was rendered unbuildable by a code amendment after he had invested a great deal of money in the property.

Mayor Painter closed the public hearing at 8:25 p.m.

Councilmember Curtis felt much of Mr. Olson's land was unbuildable because of slope. He didn't think the proposed overlay would affect much of his buildable land.

Councilmember Bradley said that question illustrated the issue of what the proposal was meant to accomplish. He suggested allowing decisions on a case-by-case basis. There was a fine line between property rights and preserving the feel of the City. He said this was a good start on the Code amendment, but it wasn't ready for approval.

Councilmember Reaves felt the Council needed to make a decision. Without adequate Code, builders would build to the minimum specifications. It was important to him to preserve the trail system and the viewsheds. He wasn't sure if the 50' setback was adequate. He was open to applying a standard case-by-case, but the City had to have a standard.

Mr. Mumford agreed this proposal didn't accomplish everything discussed. Viewshed protection up to a ridgeline was especially hard to accomplish without restricting development.

Councilmember Westmoreland stated the vertical setback needed to take the slope into account to avoid restricting development on too much property.

Councilmember Reaves suggested calling for a 100' vertical setback unless it affected buildable land within 50' of the ridgeline.

After further discussion on decision-making on a case-by-case basis, City Attorney Jeremy Cook said the proposal needed more work. He pointed out this proposal was an overlay zone, so no property would be subject to this section of Code unless the Council applied the overlay zone. He recommended tabling the amendment.

MOTION: *Councilmember Bradley moved to table an ordinance of Eagle Mountain City, Utah, adopting a ridgeline protection overlay zone, with direction to City staff to further specify which ridgelines should be protected and how much distance from ridgelines should be restricted from building. Councilmember Reaves seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

PUBLIC HEARING

20. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Rezoning Foothills at Unity Pass from Agriculture to Residential.

This item was presented by City Planner Tayler Jensen. The proposed ordinance rezoned a 126.25 acre parcel known as the Foothills at Unity Pass from Agriculture to Residential. The property, located east of Pony Express Parkway and Lake Mountain Road, and north of Glenmar Ranches, would be developed into a subdivision consisting of 1/3 acre lots, one acre lots and substantial open space. Most of the open space would be on hillsides and a ridgeline. The surrounding property was approved for smaller lots.

The proposal was discussed at previous Planning Commission and City Council meetings. The Planning Commission recommended approval, conditioned on a minimum lot size of 1/3 acre.

Mayor Painter opened the public hearing at 9:25 p.m.

Ken Olson, the applicant, offered to answer any questions from the Council.

Councilmember Westmoreland felt Mr. Olson and the Council were close to agreement.

Mr. Olson expressed a preference for septic systems over connecting to the City's sewer system for the larger lots.

Councilmember Curtis was concerned about the transition from larger to smaller lots. He suggested the south section of the property be platted in one-acre and half-acre lots, with third-acre lots north of the ridge.

Mr. Olson said if he could use septic systems on the one-acre lots, he could plat the south area in one-acre lots and the north in quarter-acre lots. Since the two areas were on opposite sides of the ridge, there wouldn't be any buffering issue. The lots already north of the ridge are fifth- to quarter-acre lots.

Mayor Painter asked if the item on this agenda required as much detail as what was being discussed. Mr. Cook said the Council could make conditions, such as lot sizes, on the rezone.

Councilmember Westmoreland asked if the Council should specify the open space in the approval. Mr. Cook said there was no metes and bounds measurement, but in general it could be called out.

There was discussion of sewer connections vs. septic systems. Mr. Cook pointed out a sewer line might be needed to run through the property to service other properties.

Mr. Olson stated the south side of his development wouldn't cut any properties off from sewer service. The north side lines would flow north. Without septic systems, the development wouldn't work financially.

Mayor Painter thanked Mr. Olson for his comments and called for any other public comments.

Jeff Ruth reiterated his objection to developing the land on the hillside.

Jan Preece stated that she agreed with Mr. Ruth.

Elise Erler, representing SITLA, said SITLA was the landowner just west of Mr. Olson's property. SITLA supported the rezone from Agriculture to Residential.

Mayor Painter closed the public hearing at 9:45 p.m.

Councilmember Reaves said he had difficulty with discussing lot sizes on this property before the ridgeline Code amendment was in place. He felt the item should be tabled.

MOTION: *Councilmember Reaves moved to table an ordinance of Eagle Mountain City, Utah, rezoning the Foothills at Unity Pass from Agriculture to Residential. Councilmember Bradley seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

Mayor Painter said this vote created more of a sense of urgency to pass a ridgeline ordinance because it was holding up a development.

PUBLIC HEARING

21. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Rezoning Pacific Springs from Agriculture to Single Family Residential.

This item was removed from the agenda.

PUBLIC HEARING

22. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending Section 17.60.150 of the Eagle Mountain Municipal Code for Lot Size Transitioning.

This item was presented by City Planner Tayler Jensen. This amendment to the Lot Size Transition section of the Municipal Code would refine lot size transition standards and allow for conservation subdivisions as an alternative to traditional lot size transitioning.

Key changes to section 17.60.150 of the Eagle Mountain Municipal Code (EMMC) included the following:

- Large building lots requiring buffering were reduced in size from 5 acres to 4+ acres.
- A new lot size (2 acres) was required between large lots (4+ acres) and one-acre lots.
- A buffering exhibit was created showing the buffering required on the entire scale of large lots to condo developments.
- A table was created detailing transitioning requirements.
- Conservation subdivisions were added as an alternative to traditional lot size transitioning.

Mr. Jensen described conservation development as a controlled-growth land use development allowing limited sustainable development while protecting the area's natural environmental features in perpetuity. Conservation subdivisions preserved the rights and/or restrictions associated with a property's approved density by clustering homes on smaller lots and preserving the remaining property (at least 50% of total project area) perpetually as unimproved open space.

Councilmember Westmoreland asked how third-acre lots would fit into this transition plan.

Mr. Jensen said it would depend on whether the existing subdivision had a higher or lower density. Details were shown in the section of the Code.

Councilmember Curtis said his intent with transitioning was to protect larger lots. This plan controlled transition from both directions. He felt that would force higher density where it wasn't wanted. One-acre lots wouldn't be allowed adjacent to existing quarter-acre lots.

Mr. Jensen said the Planning Department had considered that. Buffering from smaller to larger lots protected against incompatible uses.

Councilmember Curtis preferred a more flexible buffering plan. A two-acre lot should be acceptable next to an existing half-acre lot.

Mayor Painter opened the public hearing at 10:09 p.m.

Elise Erler, representing SITLA, asked how to buffer property against an existing conservation subdivision.

Mr. Mumford said there was no requirement to buffer open space.

Mayor Painter closed the public hearing at 10:13 p.m.

MOTION: *Councilmember Curtis moved to approve an ordinance of Eagle Mountain City, Utah, amending Section 17.60.150 of the Eagle Mountain Municipal Code for Lot Size Transitioning, with the following conditions: lots must buffer from the smallest adjacent lots, the conservation subdivision be removed, and the wording on Table 17.60.150(2) be changed from "lot maximum" to "lot minimum," the intent being to prevent forced buffering from smaller lots to larger lots, and the wording in Table 17.60.150(1) be changed to reflect the graphic. Councilmember Bradley seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

Mayor Painter asked Councilmember Curtis if he had an expectation as to when conservation subdivisions should come before the Council again. Councilmember Curtis said he was interested in seeing it whenever it was ready.

Items 23 - 27 were moved to the Consent Agenda.

23. AGREEMENT – Purchase Agreement between Eagle Mountain City and Legacy Equipment for a Street Sweeper.
24. AGREEMENT – Purchase Agreements for a Sewer Camera Truck through the H-GAC Interlocal Purchasing Agreement.
 - A. Purchase of a Truck Box and Equipment from RS Technical for \$145,923.50.
 - B. Purchase of a 2017 Ford E450 Chassis from Chastain Ford for \$40,988.00.

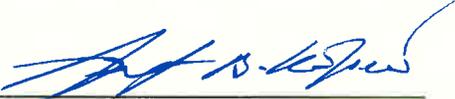
25. BID AWARD – Award of Bid to Utelight Corporation for the Purchase of Light Weight Chip Seal Aggregate.
26. BID AWARD – Award of Bid to CKC Asphalt for the 2018 Crack Seal Project.
27. BID AWARD – Award of Bid to Prime Solutions for a Dewatering Fan Press.
28. CITY COUNCIL/MAYOR’S BUSINESS – This time is set aside for the City Council’s and Mayor’s comments on City business.

None.
29. CITY COUNCIL BOARD LIAISON REPORTS – This time is set aside for Councilmembers to report on the boards they are assigned to as liaisons to the City Council.

None.
30. COMMUNICATION ITEMS
 - A. Upcoming Agenda Items
 - B. Financial Report
31. ADJOURNMENT

MOTION: *Councilmember Curtis moved to adjourn the meeting at 10:17 p.m. Councilmember Reaves seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

Approved by the City Council on the 5th day of December, 2017.



Fionnuala B. Kofoed, MMC
City Recorder



EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

December 5, 2017

Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

4:00 P.M. WORK SESSION – CITY COUNCIL CHAMBERS

ELECTED OFFICIALS PRESENT: Mayor John Painter, Councilmembers Colby Curtis, Stephanie Griecius, Benjamin Reaves and Tom Westmoreland. Adam Bradley was excused.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; David Mortensen, City Treasurer; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Chief Deputy City Recorder; Aaron Sanborn, Economic Development Manager; Evan Berrett, Management Analyst; Linda Peterson, Communications and Community Relations Director; Steve Mumford, Community Development Director; Mike Hadley, Planning Manager; Chris Trusty, City Engineer; Jeff Weber, Facilities/Operations Director; Mack Straw, Public Utilities Manager; Zac Hilton, Streets and Storm Drain Manager; Ross Fowlks, Fire Chief; Eric McDowell, Chief Sheriff's Deputy.

Mayor Painter called the meeting to order at 4:09 p.m.

1. **CITY ADMINISTRATOR INFORMATION ITEMS** – This was an opportunity for the City Administrator to provide information to the City Council. These items were for information only and did not require action by the City Council.

A. DISCUSSION – Holiday Lights Display

Linda Peterson, Communications and Community Relations Director, explained that the Events staff had been looking into creating a drive-through holiday lights display as part of Eagle Mountain's "place-making" project to develop a distinct identity for the City. Ms. Peterson referenced a study which showed that entertainment and social offerings contributed to resident satisfaction. The study indicated that cities with the highest resident satisfaction, also known as resident attachment, had the highest income growth as well.

Ms. Peterson said the Events staff felt Eagle Mountain's display could be differentiated from other cities' displays by using the history of Eagle Mountain and Utah as its theme. She requested direction from the Council as to whether they wanted the department to develop a more detailed proposal for a holiday display.

After discussion, the Council requested a detailed proposal.

B. UPDATE – Porter's Crossing Town Center

Community Development Director Steve Mumford stated this was a site plan for a portion of the Porter's Crossing Town Center. This amendment would be scheduled for a vote in a January meeting. He said the Planning Commission voted to recommend approval of the

master development plan amendment and the preliminary plat. Planning Department staff has been working on amendments to the master development agreement.

The amendment would place a church site near the power substation. Pods 9A and 9B would be altered from residential and park space to a recreation center, which would be built in partnership with the Porter's Crossing Town Center developers. Next to that would be housing for senior living and assisted living. A wash area would become improved open space. Commercial space would be located above some of the multi-family residential development. Single-family residential would have smaller lot frontages than allowed by the Municipal Code.

A representative of the developers stated there was potential park space for a soccer field in the power corridor.

2. AGENDA REVIEW – The City Council reviewed items on the Consent Agenda and Policy Session Agenda.

CONSENT AGENDA

9. MINUTES

- A. November 21, 2017 – Regular City Council Meeting

10. BOND RELEASES – Into Warranty

- A. Evans Ranch, Plat F-2
- B. Evans Ranch, Plat K-2
- C. Evans Ranch, Plat K-6

Councilmembers had no comments on the Consent Agenda.

SCHEDULED ITEMS

11. MOTION – Gateway Park Business Center Site Plan.

Planning Manager Mike Hadley said this item was a site plan for lots 101 and 102, the flex space fronting Mt. Airey Drive in the Gateway Park Business Center. "Flex space" referred to there being no specific plan yet for tenants or uses.

Councilmember Curtis asked about the buildings' noncompliance with some of the City's design standards. He wanted to know if the Municipal Code required or recommended parking to be in the back of a commercial building. Mr. Mumford said it was a recommendation; however, the purpose of placing parking in the front in this case was to accommodate offices in the front, and trucks and roll-up doors in the back. It had been discussed during approval of the Gateway Park master site plan.

Mayor Painter asked if bringing more customers into a business park next to a mining operation presented a safety risk.

Scot Hazard, representing the developers, stated the nature of an office/warehouse building called for large trucks, approximately the same size as the mine's trucks. Mr. Hazard noted

the diagonal end section of the building on lot 101 was designed to make a safer access to Mt. Airey Drive.

Mr. Mumford said some uses might be requested that required a conditional use permit, but the buildings were designed for industrial uses.

Mayor Painter announced the Council would adjourn to a brief Closed Executive Session, then return to finish the Work Session.

ADJOURN TO A CLOSED EXECUTIVE SESSION

The City Council adjourned into a Closed Executive Session at 4:58 p.m. for the purpose of discussing reasonably imminent litigation pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

MOTION: *Councilmember Curtis moved to adjourn into a Closed Executive Session for the purpose of discussing reasonably imminent litigation pursuant to Section 52-4-205(1) of the Utah Code, Annotated. Councilmember Westmoreland seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

Work Session was reconvened at 5:38 p.m.

12. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending Chapters 17.10 Definitions and 17.20 Agriculture Zone, of the Eagle Mountain Municipal Code.

Taylor Jensen, City Planner, stated three conditional uses would be added to the Agriculture Zone: equestrian center, commercial riding area and stables.

Councilmember Gricius asked if these changes would apply to small stables on residential property. Mr. Jensen said it would only apply to property in the Agriculture Zone.

Councilmember Reaves asked about the reference to general care of large animals. He wanted to know if that included butchering. Mr. Jensen said it did not. Butchering was covered by other sections of the Municipal Code.

13. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Rezoning Pacific Springs from Agriculture to Residential.

Mr. Jensen said Pacific Springs was a new project which would be located between the Eagle Mountain high school and Wride Memorial Park. A rezone from Agriculture to Residential was required in order to build the project. The developers planned to build single-family homes, which would be compatible with surrounding uses.

Councilmember Curtis asked if approval could be conditioned on a connection to Eagle Mountain Blvd. Mr. Mumford said City staff had discussed that with the developers, who were considering asking the developers of Sage Park to amend their plat to allow for a road through the subdivision to Eagle Mountain Blvd.

14. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending Chapters 8.25, 15.30, & 16.20 of the Eagle Mountain Municipal Code for Blasting.

A number of projects and developments in Eagle Mountain have used blasting of bedrock as a method of excavation and grading. Residents have complained that the blasting damaged existing property, and/or posed a safety concern, and detracted from their overall quality of life. As blasting has occurred more frequently, and closer to existing residences, these concerns have grown.

This Municipal Code section was drafted to help ensure that blasting was done in a safe and responsible manner, under the guidelines and direction of the City Council, City Engineer, Unified Fire Authority, and the State Division of Air Quality. The version being presented was a draft that the Planning Department expected to amend and bring back to the Council for approval.

The proposed Code section would make the City Engineer the approving official. Before blasting was allowed, developers would have to submit a blasting plan, including the following:

- Blasting operations timeline & proposed hours
- Detailed site plan with blasting locations
- Number and intensity of blasts in each location
- Existing structures and utilities within 1,320 feet (1/4 mile)
- Slope analysis showing pre and post blast slopes
- Planned efforts to reduce negative impacts
- Public notification plan
- State permits for air quality and dust control
- Pre-blast structural inspection plan
- Blast monitoring of selected structures within 300 feet of blast
- Application fee
- Additional information required by City Engineer

City Attorney Jeremy Cook noted an important concern was not to create unnecessary consequences for small projects such as utility blasting.

Councilmember Westmoreland asked if the fee would be the same for large and small blasting projects. Mr. Cook said it would. Councilmember Westmoreland felt that might be untenable for smaller users. Mr. Cook said most companies had the ability to place a bond. A cash bond would be more secure, but more difficult to obtain.

Councilmember Westmoreland stated the amendment would improve communication between the parties. While more could be done to improve it, it represented a great deal of progress.

Mayor Painter asked Mr. Mumford about the notification to properties within 500' of the property being blasted. Mr. Mumford it was a practical amount of houses to be inspected. He said residents outside of that radius could do their own video inspections as long as they included a time stamp.

Mayor Painter asked why the City Engineer had the option of waiving the blasting plan requirement. Mr. Cook said it was to give the City Engineer flexibility for very small blasting projects and allow him to prevent unintended consequences.

Councilmember Westmoreland asked whether the blasting ordinance should include other earth-moving activities such as the use of jackhammers. Mr. Cook said they were handled separately under provisions in the City's materials processing code. A certain amount of noise and motion was part of any construction project.

Mr. Cook said the quarter-mile blasting notice was for those who might hear blasting. The 500' notice was for people who might have actual damage.

15. A. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending the SITLA/Ivory Master Development Plan for Overland.

B. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving the First Amendment to the SITLA/Ivory Master Development Agreement for Overland.

Mr. Mumford said this item was an amendment to the Mid-Valley (now Overland) Master Development Plan. It made a very few, minor changes to the Pony Express parcel of SITLA's property.

The developers proposed the following amendments:

- The name of the Mid-Valley portion of the project was changed to Overland.
- The zoning was changed to Residential and Commercial, in accordance with the Municipal Code, rather than Town Core Residential, Village Core Mixed, Satellite Commercial, etc.
- A 104-acre commercial area was included in the plan.
- A 13.4-acre recreational parcel was shown on the north end of the Cory Wride Memorial Park, to be deeded to the City.
- The plan was divided into 8 villages, with maximum, minimum, and proposed unit counts for each village.
- The maximum number of residential units was increased from 3,564 to 3,800.
- The master plan included planned park locations and approximate sizes.
- Transportation changes:
 - Pony Express Parkway was amended to be a major arterial, with a 152-foot right-of-way.
 - High School Road (also shown as West Ball Street) would be a collector road, rather than having Bobby Wren Boulevard continue northwest.
 - The proposed bypass road east of Pony Express Parkway was removed from the plan.

The applicants proposed a 20% maximum increase or decrease in density, called a density transfer, in each village. The Planning Commission recommended 10%. The applicants then redistributed the densities in the villages and corrected the acreage for most of the villages. They amended their density proposal to 10% in some villages and 20% in the others.

Councilmember Reaves asked if SITLA/Ivory would comply with these plans as the villages were built. Mr. Mumford stated a conceptual plan would be brought in before each plat approval. During the conceptual plan phase, the City and the developers could negotiate the design of the village. However, products permitted by the master development plan, such as townhomes in a particular village, wouldn't be negotiable.

Mr. Mumford pointed out that some lots fronted onto a major arterial road. Those would have to be reconfigured.

Mayor Painter asked if the Pony Express Trail would be returned to some version of its historical condition.

Mr. Mumford said Eagle Mountain's original intent was to retain the trail's historical condition as the City was built around it. The original deed restriction limited the property to native landscaping or slightly enhanced native landscaping. After Pony Express Parkway was widened beyond four lanes plus a median, Eagle Mountain would be required to improve 30' of landscaping on each side.

Mr. Cook stated that he spoke to SITLA and Ivory just prior to this meeting. They committed to revegetating the native landscape west of the existing trail after the temporary detention pond was removed. The City's commitment would be 30' of landscaping on the east side of Pony Express Parkway and landscaping on the west side up to the existing trail. The developers would be responsible for replacing the native landscaping past that. Mr. Cook made it very clear that the City hoped SITLA, Ivory and the City could negotiate uses or improvements, something other than flat weeds. They've had several discussions, but haven't come to a resolution yet. There will be more discussions.

Bryon Prince, representing Ivory Development, stated it was important to remember that everyone developing the property inherited the project from a 2003 agreement. Eagle Mountain had changed from what it was in 2003. He said the deed restrictions on the park were not as restrictive as had been communicated. The developers committed to work with the City to modify those restrictions. The restrictions would allow the City to install benches, trash cans, and modified native landscape. The developers were committed to adjusting those restrictions to accommodate Eagle Mountain's future vision for that corridor area. The developers were open to improvements that would comply with SITLA's original vision of an open-space corridor.

Mr. Cook read paragraph 12.3 of the master development agreement, which stated, "Owner shall cooperate in good faith with City to consider amending the deed restrictions on the Pony Express Trail park to allow for additional improvements or uses within this park, provided such improvements or uses are compatible with the purpose for which the park was dedicated." He said for purposes of this agreement, the parties hadn't come to a resolution as to exactly what those amended deed restrictions would say and what sort of additional uses would be allowed. They might be as simple as contouring along the road. He felt that all the parties had the idea that strictly going back to flat, native landscaping might not be the best idea.

Mayor Painter agreed that the vision was much more than a return to what had been there. The language could be interpreted in several ways, including berming and trees as were found in The Ranches.

Mr. Prince stated Eagle Mountain had never presented a clear vision of what they would like to see. He encouraged conversations about specific improvements.

Mr. Cook said it would be helpful to have a design drafted for discussion. The City's vision was for landscaping similar to that along main roads in The Ranches.

Mayor Painter stated the issue was to try to avoid interpretation and litigation.

Mr. Prince said Ivory and SITLA had no problem with that now that the MDA would be amended. He noted the deed restrictions allowed several options, not just dirt and native growth. It made sense to address the issue with this agreement. After the temporary detention ponds, which were designed with the City's engineers, were removed, storm water would be piped to the park. Then the land would be revegetated.

Item 16, Porter's Crossing Town Center amendment, will be discussed at the January 2, 2018 City Council meeting.

17. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Amending the Eagle Mountain City Policies and Procedures Manual.

Mayor Painter postponed a discussion of item 17 until Policy Session.

3. ADJOURN TO A CLOSED EXECUTIVE SESSION – The City Council adjourned into a Closed Executive Session for the purpose of discussing reasonably imminent litigation pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

MOTION: *Councilmember Curtis moved to adjourn into a Closed Executive Session for the purpose of discussing reasonably imminent litigation pursuant to Section 52-4-205(1) of the Utah Code, Annotated. Councilmember Westmoreland seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

The meeting was adjourned at 6:46 p.m.

7:00 P.M. POLICY SESSION – CITY COUNCIL CHAMBERS

ELECTED OFFICIALS PRESENT: Mayor John Painter, Councilmembers Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. Adam Bradley was excused.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; David Mortensen, City Treasurer; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Chief Deputy City Recorder; Aaron Sanborn, Economic Development Manager; Linda Peterson, Communications and Community Relations Director; Steve Mumford, Community Development Director; Mike Hadley, Planning Manager; Chris Trusty, City Engineer; Ross Fowlks, Fire Chief; Eric McDowell, Chief Sheriff's Deputy.

4. CALL TO ORDER

Mayor Painter called the meeting to order at 7:21 p.m.

5. PLEDGE OF ALLEGIANCE

Melissa Clark led the Pledge of Allegiance.

6. INFORMATION ITEMS/UPCOMING EVENTS

- **New Traffic Signal at Porter's Crossing** – The new traffic signal on Pony Express Parkway at Porter's Crossing is scheduled to be activated on Wednesday, December 6 at 1:00 p.m. Drivers should be watchful at that intersection.
- **Miss EM and Miss Teen EM Pageant Orientation** – The Miss Eagle Mountain Pageant is adding a Miss Eagle Mountain's Outstanding Teen Pageant next year. Both pageants will be held on March 10, 2018. An orientation meeting will be held on Wednesday, December 6 at 7:00 p.m. at City Hall. This orientation is for young women ages 13-24 who live, work, or attend school in Eagle Mountain City and are interested in participating in the pageants or getting more information.
- **City Offices & Library Closing Early** – The City offices and Library will be closing at 3:00 p.m. on Thursday, December 7 for an employee activity.
- **City Offices and Library Closed** – The City offices and Library will be closed December 21, 22, and 25 for the Christmas holiday.

7. PUBLIC COMMENTS – Time has been set aside for the public to express their ideas, concerns and comments.

None.

8. CITY COUNCIL/MAYOR'S ITEMS – Time has been set aside for the City Council and Mayor to make comments.

Councilmember Curtis

Councilmember Curtis thanked Mayor Painter for his service as Mayor, as Mayor Painter's term was ending on January 2.

Councilmember Reaves

Councilmember Reaves welcomed everyone to the meeting. He was always pleased to see residents being a part of City government. He echoed Councilmember Curtis' comments about Mayor Painter. He welcomed Donna Burnham and Melissa Clark to the Council beginning in January.

Councilmember Westmoreland

Councilmember Westmoreland thanked everyone attending the meeting. He thanked Mayor Painter for the great job he did during his four-month appointment as Mayor. He also expressed appreciation for Councilmember Bradley, whose term was going to end on January 2.

Councilmember Gricius

Councilmember Gricius said she would need to leave the meeting early because of pain from dental work she had done.

Mayor Painter
No comment.

CONSENT AGENDA

9. MINUTES
 - A. November 21, 2017 – Regular City Council Meeting
10. BOND RELEASES – Into Warranty
 - A. Evans Ranch, Plat F-2
 - B. Evans Ranch, Plat K-2
 - C. Evans Ranch, Plat K-6

MOTION: *Councilmember Gricius moved to approve the Consent Agenda. Councilmember Curtis seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

SCHEDULED ITEMS

Item 15, the SITLA/Ivory ordinance and resolution, was discussed ahead of item 11 at Councilmember Gricius' request.

11. MOTION – Gateway Park Business Center Site Plan.

Mr. Hadley made a presentation on this item during Work Session. No presentation was made during Policy Session.

Isaac Patterson, a principal on the project, requested a modification of the landscape design approved by City staff. The parking lot design had two landscape fingers which weren't required of other commercial parking lots. The fingers would make parking lot maintenance during snow storms much more difficult.

Mayor Painter asked Mr. Mumford if the landscape finger requirement should be removed for commercial parking lots. Mr. Mumford explained the various commercial parking lot configurations and said the landscape fingers could be removed.

Scot Hazard, one of the developers of the project, explained the Gateway Park entry monument facing Mt. Airey Drive would have landscaping appropriate for an entrance to the Eagle Mountain. He was willing to take the landscaping that would have been in the landscape fingers and add it to the entrance. He noted that the building façades were designed to be more attractive than the Municipal Code required because they would be located at an entrance to the City.

MOTION: *Councilmember Curtis moved to approve the Gateway Park Business Center site plan, with the condition that the two landscape fingers be removed from the landscaping and the plantings be used to enhance the area at the southeast corner of the project. Councilmember Westmoreland seconded the motion. Those voting aye: Colby Curtis, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

PUBLIC HEARING

12. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending Chapters 17.10 Definitions and 17.20 Agriculture Zone, of the Eagle Mountain Municipal Code.

The amendment to Chapter 17.10 Definitions and 17.20 Agriculture Zone would add three conditional uses to the Agriculture Zone: equestrian center, commercial riding area and stables.

Mayor Painter opened the public hearing at 8:40 p.m. As there were no comments, he closed the hearing.

Councilmember Reaves asked if the amendments would cause additional noise. Mr. Jensen said any excess noise would be a conditional use and would have to be approved by the Planning Commission.

MOTION: *Councilmember Curtis moved to approve an Ordinance of Eagle Mountain City, Utah, amending Chapters 17.10 Definitions and 17.20 Agriculture Zone, of the Eagle Mountain Municipal Code. Councilmember Reaves seconded the motion. Those voting aye: Colby Curtis, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

PUBLIC HEARING

13. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Rezoning Pacific Springs from Agriculture to Residential.

This item was presented by City Planner Tayler Jensen. The proposed rezone was for a 41.15 acre located north of the new Eagle Mountain high school and south of Cory Wride Memorial Park. The proposal complied with the General Plan and would be compatible with adjoining residential construction.

Councilmember Curtis asked Dan Ford of Pacific Springs, LLC if he planned to add a road access to the project that didn't lead to Pony Express Parkway. Mr. Ford said the company was working on several options. He would have the information by the time he presented the preliminary plat.

Mayor Painter opened the public hearing at 8:50 p.m. As there were no comments, he closed the hearing.

MOTION: *Councilmember Westmoreland moved to approve an Ordinance of Eagle Mountain City, Utah, rezoning Pacific Springs from Agriculture to Single Family Residential, based on Tier 1 and Tier 2 Residential. Councilmember Curtis seconded the motion. Those voting aye: Colby Curtis, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

PUBLIC HEARING

14. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending Chapters 8.25, 15.30, & 16.20 of the Eagle Mountain Municipal Code for Blasting.

This item was presented by Community Development Director Steve Mumford. This amendment to the Municipal Code was to ensure blasting was done in a safe and responsible manner under the

guidelines and direction of the City Council, City Engineer, Unified Fire Authority, and the State Division of Air Quality.

Mr. Mumford stated that blasting codes were rare in Utah cities. Most delegated that to their fire departments, as Eagle Mountain has been doing. This amendment was designed to begin the regulation of blasting in Eagle Mountain. Mr. Mumford asked the Council pass this amendment with whatever changes they saw necessary. He planned to present an additional amendment in the future to prohibit blasting to create buildable lots. He hoped that would influence developers to design subdivisions on more buildable property, decreasing problems with blasting, grading and flooding.

Councilmember Reaves asked what the 1320' notification radius around a blast zone was based on. Mr. Mumford said it was an attempt to include 2 – 3 streets beyond the blast site. Staff had to find a balance between protecting residents and making the requirements too onerous. Residents were encouraged to take pictures of their homes before and after a blast to document any damage.

Councilmember Reaves said the Municipal Code amendment should have language mitigating liability but not specifying exactly how it should be done.

Mr. Mumford felt pre-inspection of homes in a given distance should be required, with notification to residents within a certain additional distance. The Fire Chief spoke to the blasting supervisor at the Unified Fire Authority (UFA), who approved everything except the requirement for receiving UFA approval before City approval. He said Eagle Mountain should approve it first, then UFA.

City Engineer Chris Trusty gave some perspective to the distances being discussed. He said the most recent blasts were above Eagle Top Ct. A quarter-mile radius would reach the intersection of Golden Eagle Rd. and Ute Dr. Five hundred feet for pre-inspections would include most of the homes on Eagle Top Ct. and a few homes in the cul-de-sac on Sioux St.

Councilmember Westmoreland asked at what point in the plat approval process a blasting permit should be requested. He felt blasting should be completed before any houses were occupied.

Mr. Cook stated it would be better to pass an imperfect ordinance than to have nothing approved. Deficiencies could be corrected in a future amendment.

Mayor Painter opened the public hearing at 9:28 p.m.

Jeff Ruth said the east end of Eagle Mountain Blvd. would be under development at some point. Because the land was solid rock, there would be blasting. He agreed that residents should inspect their homes before blasting occurred nearby. He felt if insurance companies denied the claims, the City should require a mediator, hired by Eagle Mountain and paid by the company doing the blasting.

Councilmember Reaves pointed out the proposed ordinance included language calling for a mediator paid by the company doing the blasting.

Kiera Evans was a resident being affected by the blasting. She asked that the Council approve the ordinance and stop the blasting. The blasting was affecting both Skyline Ridge and Kiowa Valley. Residents felt they had nowhere to turn because the insurance companies were denying the claims. She said damage ranged from a few cracks to structural damage.

Mayor Painter closed the public hearing at 9:31 p.m.

MOTION: *Councilmember Reaves moved to approve an Ordinance of Eagle Mountain City, Utah, amending Chapters 8.25, 15.30, & 16.20 of the Eagle Mountain Municipal Code for blasting and include language for a minimum blasting zone, include in item B a permitted number of blasts, in item D add “blasting site” and change the language in 8.25.060 to have applicants get City approval before UFA approval. Councilmember Westmoreland seconded the motion. Those voting aye: Colby Curtis, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

Councilmember Reaves asked that minimum pre-inspection and self-inspection zones be based on studies rather than be set arbitrarily.

Item 15 was discussed before item 11 at Councilmember Gricius’ request.

PUBLIC HEARING

15. A. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending the SITLA/Ivory Master Development Plan for Overland.
- B. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving the First Amendment to the SITLA/Ivory Master Development Agreement for Overland.

Mr. Mumford reviewed the presentation given during Work Session.

Mr. Mumford said an accurate traffic study was important to determine which intersections would need traffic signals as the project was built out. However, it was difficult to generate one for such a large area. He asked the Council to condition an approval of the master development agreement on a review of the traffic study by the City Engineer, requiring the developers to comply with any recommendations of the traffic study. He advised that a traffic study should also be brought in with each final plat.

Mayor Painter invited the applicant to make comments.

Bryon Prince of Ivory Development stated his first meeting with Eagle Mountain staff was in 2015, making this a very long-term project. He was pleased with the new project being created out of the 2003 agreement. He felt the most difficult issue was the size, 2 miles long by 1 mile wide, larger than downtown Salt Lake City.

He stated that because of agreements made in the past, Eagle Mountain officials had a sense of concern about development agreements in general. He said the 2003 agreement gave the developers a lot of flexibility and a lot of room for interpretation. Because this was Ivory’s first project in Eagle Mountain, they wanted to build it particularly well. He felt the amended master development agreement was a good thing for the City because it clarified and eliminated many potential misunderstandings.

The old agreement had 250 acres approved for 6 units per acre. The new one consolidated most of that to Village 5, the Commercial/City Core area. Most of the land would now have approximately 3 units per acre. The draft agreement requested single family lots and townhomes in all villages

except Villages 5 and 8. Ivory committed to preserving over 100 acres for commercial property, which would be difficult for Ivory to monetize any time soon.

Councilmember Westmoreland asked if Mr. Prince expected any issues with revising Village 1 so that no lots fronted Mid Valley Road. Mr. Prince said Ivory had already begun redesigning those lots.

Mr. Prince said the project would have 27 acres of parks and 12 miles of trails. Ivory also committed to donate \$1.71M to Wride Memorial Park to help it become a core amenity quickly. They also dedicated 13 acres between Pony Express Parkway and the middle school for a future recreational use.

Mr. Mumford stated Ivory and SITLA had agreed to dedicate enough right-of-way to make Pony Express Parkway a major arterial through the entire length of this project.

Mr. Mumford said Ivory was dedicating right-of-way on the south side of High School Road, as well.

Mr. Mumford reiterated the discussion from Work Session about the landscaping on either side of Pony Express Parkway once it exceeds four traffic lanes and a center lane. Mr. Cook said there was an existing temporary detention basin on the west side. The developer committed to replace the basin with enhanced native landscaping. There had been numerous discussions regarding Eagle Mountain's desire for improved landscaping, for example contouring, slopes and hills, sod and native landscaping. The developer had committed to at least the minimum landscaping, and discussions would continue as to how to make that a more attractive area.

Councilmember Westmoreland asked Mr. Mumford if it would be appropriate to request additional property for a turn lane on High School Road to improve flow at the start and end of the school day. Mr. Mumford said it was designed to be two lanes with some emergency space on each side.

Mr. Trusty said it could be striped to allow a left-turn pocket, and "no parking" signs could be installed on one side of the road. It would be preferable not to have parking along that road.

Mr. Prince said Ivory sold Alpine School District a parcel of land to accommodate their site plan. In return, they committed to improve the full right-of-way from edge to edge of the road. City staff then gave Ivory an approximate acreage to expand the right-of-way on the edge of SITLA property.

Councilmember Westmoreland said he wanted to expand to another lane on the south side of High School Road. He asked Mr. Prince if Ivory would be willing to allow a larger right-of-way on the south side.

Mr. Trusty said High School Road as designed would already have 7 feet more than Thunder Blvd. at Westlake High School. A complete additional lane would need to be 12 feet wide. Discussion continued as to whether there should be another lane, a median or a turning lane and whether parking should be allowed on High School Road. No decision was made.

Mr. Prince stated he would be willing to allow the additional right-of-way.

Mayor Painter opened the public hearing at 8:14 p.m. As there were no comments, he closed the hearing.

MOTION: *Councilmember Gricius moved to approve an Ordinance of Eagle Mountain City, Utah, amending the SITLA/Ivory Master Development Plan for Overland. Councilmember Curtis seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

MOTION: *Councilmember Gricius moved that the City Council approve the Amended and Restated Master Development Agreement for the Overland Development and Pony Express Parcel with the conditions that the Village 1 Concept Plan not include lots fronting a connector road; that the City Engineer review a traffic study for the entire project; that the MDA include a condition that the applicant submit a traffic study with each village concept plan; and that the City Attorney, with the approval of the City Planner and City Administrator, is authorized make any final changes or revisions to the MDA provided that any changes or amendments do not change the material terms and conditions of the MDA as presented to the City Council. Councilmember Curtis seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

Councilmember Gricius was excused at 8:18 p.m.

PUBLIC HEARING – *The public hearing was canceled and postponed until January 2, 2018. This item was not discussed during the December 5, 2017 Policy Session.*

16. A. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending the Porter’s Crossing Town Center Master Development Plan Map.
- B. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving the Second Amendment to the Porter’s Crossing Town Center Master Development Agreement.
- C. MOTION – Porter’s Crossing Town Center Amended Preliminary Plat.

This amendment to the Porter's Crossing Town Center Master Development Plan and Agreement removed a small portion of proposed commercial development, replaced some multifamily development with small single family residential lots, changed a residential pod to civic use, and added an institutional component to the plan. Additionally, the applicant proposed the New Park preliminary plat, which was contingent on the approval of the MDP amendment, and contained 169 small single family lots on 35.58 acres with an overall density of 4.75 units per acre.

17. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Amending the Eagle Mountain City Policies and Procedures Manual.

This item was removed from the agenda.

Mayor Painter asked for a brief description of the purpose of the resolution. Ms. Peterson explained that City staff had researched policies for government use of media and found that Eagle Mountain’s media policy should be updated.

18. CITY COUNCIL/MAYOR'S BUSINESS – This time was set aside for the City Council's and Mayor's comments on City business.

Councilmember Reaves

No comment.

Councilmember Curtis

No comment.

Mayor Painter

Mayor Painter expressed appreciation for the experience of his four-month appointment as Mayor. He said he would not have been able to succeed without the assistance of City staff. He thanked them for their professionalism. He thanked the City Council for their ownership and commitment to serving the residents of Eagle Mountain. He had confidence that Mayor-Elect Tom Westmoreland and Councilmembers-Elect Donna Burnham and Melissa Clark would continue that level of governing.

Councilmember Westmoreland

Councilmember Westmoreland said Mayor Painter had set a high bar for performance.

19. CITY COUNCIL BOARD LIAISON REPORTS – This time is set aside for Councilmembers to report on the boards they are assigned to as liaisons to the City Council.

Mr. Mumford reminded the Council about the joint meeting with the Planning Commission on December 12 to discuss the General Plan update.

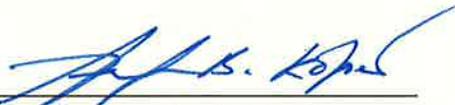
20. COMMUNICATION ITEMS

A. Upcoming Agenda Items

21. ADJOURNMENT

MOTION: *Councilmember Curtis moved to adjourn the meeting at 9:51 p.m. Councilmember Reaves seconded the motion. Those voting aye: Colby Curtis, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

Approved by the City Council on January 2, 2018.



Fionnuala B. Kofoed, MMC
City Recorder



EAGLE MOUNTAIN
JOINT CITY COUNCIL AND
PLANNING COMMISSION MEETING

December 12, 2017 7:00 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

7:00 P.M. - Eagle Mountain City Planning Commission and City Council Work Session

COUNCILMEMBERS PRESENT: Colby Curtis, Benjamin Reaves and Tom Westmoreland

COUNCILMEMBERS-ELECT PRESENT: Donna Burnham and Melissa Clark.

COMMISSION MEMBERS PRESENT: Rich Wood, DeLin Anderson, Brett Wright, John Linton, and Matthew Everett.

CITY STAFF PRESENT: Tayler Jensen, Planner; Mike Hadley, Senior Planner; Steve Mumford, Community Development Director; and Fionnuala Kofoed, City Recorder.

OTHERS PRESENT: Muriel Xochimitl, Former Planning Commissioner; Chris Huntsman, Consultant from CSRA; and Susie Perthera, Consultant from CSRA.

Councilmember Westmoreland opened the meeting at 7:09 p.m.

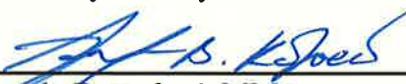
Susie Perthera, CSRA consultant, presented the proposed Eagle Mountain City General Plan.

The City Council and Planning Commission separated into two work groups and discussed the proposed Eagle Mountain City General Plan. Since the document was still in draft form it was not released to the public. It is anticipated that the plan will be presented to the public sometime in January 2018.

This was a work session only and no action was taken and no public comments were made.

The meeting was adjourned at 9:11 p.m.

Approved by the City Council on 16th day of January, 2018



Fionnuala B. Kofoed, MMC
City Recorder