

Eagle Mountain City Council Agendas 2009

Dates of City Council Meetings:

- January 6, 2009
- January 20, 2009
- January 24, 2009
- February 3, 2009
- February 17, 2009
 - March 3, 2009
 - March 17, 2009
 - March 31, 2009
- April 7, 2009
- April 21, 2009
- April 22, 2009
- April 23, 2009
- April 28, 2009
- May 5, 2009
- May 19, 2009
- June 2, 2009
- June 16, 2009
- June 23, 2009
- July 7, 2009
- July 21, 2009
- August 4, 2009
- August 18, 2009
- September 1, 2009
- September 22, 2009
 - October 6, 2009
 - October 20, 2009
- November 11, 2009
- November 17, 2009
- December 1, 2009
- December 16, 2009

AGENDA
EAGLE MOUNTAIN CITY COUNCIL MEETING

January 6, 2009

Work Session at 4:00 p.m. - Policy Session at 7:00 p.m.

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

*** This meeting may be held telephonically to allow a member of the City Council to participate ***

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

1. PRESENTATION – Fiscal Year 2008 Audit Approval *(Presented by City Auditor)*
2. AGENDA REVIEW – The City Council will review items on the Consent Agenda and Policy Session Agenda.
3. CITY ADMINISTRATOR INFORMATION ITEMS – This is an opportunity for the City Administrator to provide information to the City Council. These items are for information and do not require action by the City Council.
 - A. Update on the Sewer Treatment Facility *(Presented by Chris Trusty)*
 - B. Status of UTA Agreement *(Presented by Jerry Kinghorn)*
4. ADJOURN TO A CLOSED EXECUTIVE SESSION
The City Council will adjourn into a Closed Executive Session for the purpose of discussing reasonably imminent litigation and acquisition of real property, pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

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

5. CALL TO ORDER
6. PLEDGE OF ALLEGIANCE
7. INFORMATION ITEMS/UPCOMING EVENTS
8. PUBLIC COMMENTS – Time has been set aside for the public to express their ideas, concerns and comments. *(Please limit your comments to three minutes each.)*
9. CITY COUNCIL/MAYOR’S ITEMS – Time has been set aside for the City Council and Mayor to make comments. *(Comments are limited to three minutes each.)*
10. PROCLAMATION – “Silver Star Banner Day” requested by Silver Star Families of America
11. APPOINTMENTS
 - A. Mayor Pro Tem
 - B. Library Board – Nathan Osborne and Brenda Park

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please call the City Recorder’s Office at least 3 working days prior to the meeting at 789-6611.**

- C. Parks and Recreation Advisory Council – Doug Comeau
- D. Senior Advisory Council – Joyce Hauber

CONSENT AGENDA

- 12. MINUTES
 - A. December 2, 2008 – Regular City Council Meeting
- 13. PLAT
 - A. Vacation and Amendment of the Recorded Plat of Eagle Point I and Final Plat of the Eagle Point Plat I Chapel.
- 14. FINAL PAYMENT
 - A. Clear Construction – Wells #2 and #4
- 15. REIMBURSEMENT
 - A. Reimbursement to Ames Construction for Work Done Without Contract but Required by City Engineer – Mt. Airey/Clubhouse Dry Utilities and Paving.
- 16. AUDIT REVIEW – FY 2008 Audit Report
- 17. FINAL BOND RELEASES – Entering Into Warranty
 - A. Eagle Point Plat F Phase 1
 - B. Eagle Point Plat I
 - C. Northmoor Phase 1
 - D. Southmoor Phase 1

SCHEDULED ITEMS

- 18. PUBLIC HEARING & ORDINANCE – Consideration and Approval of an Ordinance Amending the General Plan Regarding Scenic Mountain.

BACKGROUND: *(Presented by Planning Staff)* The 39-acre Scenic Mountain area, located along SR-73 in the northeast area of the city, was recently the object of a boundary adjustment that took place with Saratoga Springs, and has been officially annexed into Eagle Mountain City. This application is to designate this area as Mixed Use Residential on the City’s Future Land Use Map.

- 19. PUBLIC HEARING & ORDINANCE – Consideration and Approval of FY 2009 Budget Amendments.

BACKGROUND: *(Presented by John Hendrickson)* Administration of the adopted budget includes monitoring and amending the budget document from time to time. The budget process is a continuous effort to ensure that revenues are collected as project and that expenses do not exceed appropriate funds. The City Council must approve any amendments which alter the total expenditures of a fund.

- 20. MOTION – Consideration and Approval of a Resolution of Eagle Mountain City Appointing a Successor Trustee for Special Improvement District 98-1 and 2000-1.

BACKGROUND: *(Presented by Jerry Kinghorn)* Certain property owners within the boundaries of Special Improvement District No. 2000-1 and No. 98-1 have failed to pay the annual assessments due and owing for their properties. As a result, Eagle Mountain City is proposing that Eagle Mountain City Attorney Gerald H. Kinghorn be appointed Successor Trustee for the purpose of foreclosing on properties in default of the annual assessment payments.

21. MOTION – Consideration and Approval of a Resolution of Eagle Mountain City Amending the Policies and Procedures Manual.

BACKGROUND: *(Presented by John Hendrickson)* The amendments being proposed will clarify the City’s policy on volunteer service and holiday hours for firefighters.

22. MOTION – Consideration and Approval of an Agreement with UAMPS for the Natural Gas Project.

BACKGROUND: *(Presented by John Hendrickson)* Entering into the Natural Gas Project with UAMPS will provide Eagle Mountain City with an additional source for the purchase of natural gas.

23. BID AWARD – Consideration and Approval of a Bid Award to Skip Dunn Construction for the Porter’s Crossing Extension.

BACKGROUND: *(Presented by Chris Trusty)* The extension of Porter’s Crossing will allow for an additional access onto Pony Express Parkway from Smith Ranch Road. The lowest responsible bidder for this project was Skip Dunn Construction.

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

25. COMMUNICATION ITEMS
A. Upcoming Agenda Items

26. ADJOURNMENT

CERTIFICATE OF POSTING

The undersigned duly appointed recorder or deputy recorder does hereby certify that the above agenda notice was posted in four public places within Eagle Mountain City limits on this 31st day of **December, 2008**. These public places being bulletin boards located inside the City offices and located in the Eagle Mountain City Library, 1650 E. Stagecoach Run, Eagle Mtn., UT; and the bulletin board located inside the Prairie Gate professional office building, 3688 E. Campus Dr., Eagle Mountain, Utah. On this 31st day of **December, 2008**, the above agenda notice was sent by facsimile and/or email to New Utah located in American Fork, Utah; and local newspapers located in Eagle Mountain and Saratoga Springs, Utah.

Melanie A. Lahman, Deputy City Recorder

AGENDA
EAGLE MOUNTAIN CITY COUNCIL MEETING

January 20, 2009

Work Session at 4:00 p.m. - Policy Session at 7:00 p.m.

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

*** This meeting may be held telephonically to allow a member of the City Council to participate ***

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

1. INTRODUCTION – Introduction of new Sheriff’s Office personnel.
2. DISCUSSION – Pole Canyon Annexation *(Presented by Nate Shipp/DAI - no action will be taken)*
3. DISCUSSION – Proposed changes the Disposal of Public Land Ordinance *(Presented by Staff)*
4. AGENDA REVIEW – The City Council will review items on the Consent Agenda and Policy Session Agenda.
5. CITY ADMINISTRATOR INFORMATION ITEMS – This is an opportunity for the City Administrator to provide information to the City Council. These items are for information and do not require action by the City Council.
 - A. Update on the Sewer Treatment Facility *(Presented by Chris Trusty)*
6. ADJOURN TO A CLOSED EXECUTIVE SESSION – The City Council will adjourn into a Closed Executive Session for the purpose of discussing reasonably imminent litigation and acquisition of real property, pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

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

7. CALL TO ORDER
8. PLEDGE OF ALLEGIANCE
9. INFORMATION ITEMS/UPCOMING EVENTS
10. PUBLIC COMMENTS – Time has been set aside for the public to express their ideas, concerns and comments. *(Please limit your comments to three minutes each.)*
11. CITY COUNCIL/MAYOR’S ITEMS – Time has been set aside for the City Council and Mayor to make comments. *(Comments are limited to three minutes each.)*
12. APPOINTMENT
 - A. Public Works Board – Brian Richards

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CONSENT AGENDA

13. MINUTES

- A. January 6, 2009 – Regular City Council Meeting
- B. April 4, 2006 – Regular City Council Meeting
- C. September 5, 2006 – Regular City Council Meeting

14. CHANGE ORDERS

- A. Staker Parsons – Valley Drive Improvements
- B. Horrocks – Capital Facilities Plan
- C. Horrocks – Water Model
- D. Nelson Brothers – Water Reclamation Facility

15. FINAL PAYMENT

- A. Staker Parsons – Valley Drive Improvements
- B. Triple Excavation – Ranches Storm Drain
- C. Tempest – North Ranch Natural Gas

16. REIMBURSEMENT

- A. Reimbursement to Ames Construction for work done without contract but required by City Engineer – Mt. Airey/Clubhouse Dry Utilities and Paving.

17. WARRANTY RELEASE

- A. SilverLake 1a

18. BOND RELEASE – ENTERING INTO WARRANTY

- A. Colonial Park Phase 2

SCHEDULED ITEMS

19. PUBLIC HEARING & RESOLUTION – Consideration and Adoption of a Resolution of Eagle Mountain City, Utah, Adopting an Amended Annexation Policy Plan.

BACKGROUND: *(Presented by Planning Staff)* The amendment to the Eagle Mountain Annexation Policy Plan includes the addition of approximately 3,370 acres and the removal of approximately 5,660 acres from the boundary. The 3,370 acres includes approximately 3,091 acres located west of Eagle Mountain City between Cedar Fort and Fairfield (referred to as the Pole Canyon area, including the White Hills subdivision), as well as approximately 280 acres located just north of the northwest corner of the existing annexation boundary. The 5,660 acres to be removed from the boundary includes property that has been annexed into Saratoga Springs and Fairfield.

20. MOTION – Consideration and Approval of a Warranty Release for Point Lookout A & B.

BACKGROUND: *(Presented by Chris Trusty)* Point Lookout is a subdivision located in the southwest quadrant of The Ranches. The developers of this project believed they had reached substantial completion of this project prior to November of 2007. Last January, the engineering staff presented the City Council with a list of several subdivisions that had never been requested to enter, or entered into warranty. During this discussion, the developers for Point Lookout requested

to be placed on this list, believing that they should have been eligible for a release from warranty in November 2008.

21. BID AWARD – Consideration and Approval of a Bid Award to Western Fence for the Installation of a Chain Linked Fence for the Eagle Mountain Public Works Property.

BACKGROUND: *(Presented by Chris Trusty)* The proposed fencing was originally included with the upgrades to the wastewater treatment facility. However, the cost of the fence was markup substantial by the general contractor. Including the fence with that contract would have complicated the repayment process, as this facility is being partially funded by the State. Therefore, City staff requested bids for the fencing as a standalone project. For security reasons, time frame for this project has been accelerated for.

22. RESOLUTION – Consideration and Adoption of a Resolution of Eagle Mountain City, Utah, Acknowledging and Approving an Assignment of Banked Water Entitlement.

BACKGROUND: *(Presentation by Jerry Kinghorn)* Oquirrh Mountain Ranch, LLC has banked water rights for use within the City on various projects. The Assignment before the Council for approval is an Assignment to Bishop Special Asset Management of the banked water entitlement which will be held as collateral by Bishop Special Asset Management. This assignment was presented to the City Council on July 1, 2008 but the loan wasn't executed. The Assignment has been reviewed and is in proper form.

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

24. COMMUNICATION ITEMS

- A. Upcoming Agenda Items
- B. Financial Report

25. ADJOURNMENT

CERTIFICATE OF POSTING

The undersigned duly appointed recorder or deputy recorder does hereby certify that the above agenda notice was posted in four public places within Eagle Mountain City limits on this 15th day of **January, 2009**. These public places being bulletin boards located inside the City offices and located in the Eagle Mountain City Library, 1650 E. Stagecoach Run, Eagle Mtn., UT; and the bulletin board located inside the Prairie Gate professional office building, 3688 E. Campus Dr., Eagle Mountain, Utah. On this 15th day of **January, 2009**, the above agenda notice was sent by facsimile and/or email to New Utah located in American Fork, Utah; and local newspapers located in Eagle Mountain and Saratoga Springs, Utah.

Fionnuala B. Kofoed, City Recorder

AGENDA
EAGLE MOUNTAIN SPECIAL CITY COUNCIL MEETING
January 24, 2009
9:00 a.m.

Eagle Mountain City Training Room, 1650 East Stagecoach Run, Eagle Mountain, Utah 84005

*** This meeting may be held telephonically to allow an individual to participate ***

9:00 A.M. SPECIAL SESSION – Training Room

1. CALL TO ORDER

SCHEDULED ITEM

2. MOTION – Consideration and Approval of a Change Order for the Natural Gas System Extension.

BACKGROUND: The proposed change order is for the installation of a 4 inch and 8 inch natural gas line which will connect from the Lone Tree subdivision to Bobby Wren Boulevard. Gas lines will also be installed from the Town Center regulator station to the Waste Water regulator station.

3. ADJOURNMENT – Directly following the Special Session the City Council will adjourn into a Work Session to discuss FY 2009-2010 budget goals and priorities.

BUDGET RETREAT WORK SESSION – TRAINING ROOM

Discussion Items Only – no action will be taken at this meeting.

1. Review of FY 2009-2010 Goals – John Hendrickson (5 minutes)
2. Review of Department Goals and Major Expenditures – Department Heads (20 minutes)
3. Listing of Each Council Member’s Goals and Priorities (25 minutes)
4. Listing of Mayor’s Goals and Priorities (10 minutes)
5. Discussion of Goals and Priorities (30 minutes)
6. Tentative List of Goals and Priorities (Limit to 10, if possible) (30 minutes)
7. ADJOURNMENT

CERTIFICATE OF POSTING

The undersigned duly appointed Recorder or Deputy Recorder does hereby certify that the above agenda notice was posted in four public places within Eagle Mountain City limits on this 22nd day of **January, 2009**. These public places being bulletin boards located inside the City offices and located in the Eagle Mountain City Library, 1650 E. Stagecoach Run, Eagle Mtn., UT; and the bulletin board located inside the Prairie Gate Professional office building, 3688 E. Campus Dr., Eagle Mtn., UT. On this 22nd day of **January, 2009** the above agenda notice was sent by facsimile and/or email to New Utah located in American Fork, UT; and local newspapers located in Eagle Mountain and Saratoga Springs, UT.

FIONNUALA B. KOFOED, City Recorder

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AGENDA
EAGLE MOUNTAIN CITY COUNCIL MEETING

February 3, 2009

Work Session at 4:00 p.m. - Policy Session at 7:00 p.m.

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

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

1. AGENDA REVIEW – The City Council will review items on the Consent Agenda and Policy Session Agenda.
2. CITY ADMINISTRATOR INFORMATION ITEMS – This is an opportunity for the City Administrator to provide information to the City Council. These items are for information and do not require action by the City Council.
 - A. Update on the Sewer Treatment Facility *(Presented by Chris Trusty)*
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 and acquisition of real property, pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

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

4. CALL TO ORDER
5. PLEDGE OF ALLEGIANCE
6. INFORMATION ITEMS/UPCOMING EVENTS
7. PUBLIC COMMENTS – Time has been set aside for the public to express their ideas, concerns and comments. *(Please limit your comments to three minutes each.)*
8. CITY COUNCIL/MAYOR'S ITEMS – Time has been set aside for the City Council and Mayor to make comments. *(Comments are limited to three minutes each.)*
9. APPOINTMENTS
 - A. Public Works Board – Robert Clegg

CONSENT AGENDA

10. MINUTES
 - A. January 20, 2009 – Regular City Council Meeting
 - B. January 24, 2009 – Special City Council Meeting

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AGENDA
EAGLE MOUNTAIN CITY COUNCIL MEETING

February 3, 2009

Work Session at 4:00 p.m. - Policy Session at 7:00 p.m.

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

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

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

4. CALL TO ORDER
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6. INFORMATION ITEMS/UPCOMING EVENTS
7. PUBLIC COMMENTS – Time has been set aside for the public to express their ideas, concerns and comments. (*Please limit your comments to three minutes each.*)
8. CITY COUNCIL/MAYOR’S ITEMS – Time has been set aside for the City Council and Mayor to make comments. (*Comments are limited to three minutes each.*)
9. APPOINTMENTS
 - A. Public Works Board – Robert Clegg

CONSENT AGENDA

10. MINUTES
 - A. January 20, 2009 – Regular City Council Meeting
 - B. January 24, 2009 – Special City Council Meeting

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11. REDUCED BOND
 - A. Meadow Ranch Phase 4
12. FINAL BOND RELEASE – Out of Warranty
 - A. Pony Express Parkway (street project)
13. CHANGE ORDER
 - A. Porters Crossing Extension Change Order # 1 – Skipp Dunn Excavating
 - B. Porters Crossing Extension Change Order # 2 – Skipp Dunn Excavating

SCHEDULED ITEMS

14. MOTION – Consideration of a Reimbursement Agreement for the Valley View Tank.

BACKGROUND: *(Presented by Chris Trusty)* The development agreement for the Valley View water tank stipulated that the developer of this project was required to build a 0.6 million gallon tank for the upper Valley View subdivision. This tank was designed not only to accommodate the higher pressure zone in the Valley View subdivision, but would also include the upper North Ranch subdivision in a new pressure zone, and would provide for additional fire protection for the City with the installation of a pressure reducing valve. The developer for this project already had a reimbursement agreement with the City which allows him to be reimbursed as impact fees are collected by the City. However, because of the excess capacity that has been built into the tank, he is asking to renegotiate this reimbursement agreement to be structured such that an initial payment be made by the City for that portion of the tank which is providing a benefit to the current system, specifically that portion that was allocated to upper North Ranch and for fire suppression.

15. MOTION – Consideration and Approval of an Amendment to a Tolling Agreement Between Cedar Valley Water Company, LLC and Eagle Mountain City, Extending the Expiration Date to September 5, 2009.

BACKGROUND: *(Presented by Jerry Kinghorn)* Eagle Mountain City entered into a tolling agreement with Cedar Valley Water Company on October 21, 2008. Cedar Valley Water Company has requested that the agreement be extended until September 5, 2009 to explore a settlement of their claims against Eagle Mountain City.

16. BID AWARD – Consideration and Award of Bid for the 2 Million Gallon Tank for Well # 5 Construction Project.

BACKGROUND: *(Presented by Chris Trusty)* The City operates three existing water tanks with a total capacity of 4 million gallons (MG). Eagle Mountain City’s Capital Facilities Plan recommended that a new 1.0 MG water storage tank be built in 2007, in addition to the Valley View Tank, which has a capacity of 0.6 MG. It then recommended that a 2.0 MG tank be built in 2010. Because the 1.0 MG tank was never built and to take advantage of the economy of scale, the City elected to design the 2MG tank to be built in the 2008-09 timeframe. Earlier this year, the City Council approved a contract with Horrocks Engineering to locate and design this tank. The City prequalified several contractors for the construction of this project, and is recommending that the bid be awarded to Build Inc.

17. CITY COUNCIL/MAYOR'S BUSINESS – This time is set aside for the City Council's and Mayor's comments on city business.
18. COMMUNICATION ITEMS
 - A. Upcoming Agenda Items
19. ADJOURNMENT

CERTIFICATE OF POSTING

The undersigned duly appointed recorder or deputy recorder does hereby certify that the above agenda notice was posted in four public places within Eagle Mountain City limits on this 2nd day of **February, 2009**. These public places being bulletin boards located inside the City offices and located in the Eagle Mountain City Library, 1650 E. Stagecoach Run, Eagle Mtn., UT; and the bulletin board located inside the Prairie Gate professional office building, 3688 E. Campus Dr., Eagle Mountain, Utah. On this 2nd day of **February, 2009**, the above agenda notice was sent by facsimile and/or email to New Utah located in American Fork, Utah; and local newspapers located in Eagle Mountain and Saratoga Springs, Utah.

Fionnuala B. Kofoed, City Recorder

AGENDA
EAGLE MOUNTAIN CITY COUNCIL MEETING

February 17, 2009

Work Session at 5:00 p.m. - Policy Session at 7:00 p.m.

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

*** This meeting may be held telephonically to allow a member of the City Council to participate ***

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

*** Please note the time change for the Work Session ***

1. AGENDA REVIEW – The City Council will review items on the Consent Agenda and Policy Session Agenda.
2. CITY ADMINISTRATOR INFORMATION ITEMS – This is an opportunity for the City Administrator to provide information to the City Council. These items are for information and do not require action by the City Council.
 - A. Update on the Sewer Treatment Facility *(Presented by Chris Trusty)*
 - B. Utah County Dispatch District *(Presented by John Hendrickson)*
3. PRESENTATION – Utah County Association of Realtors
4. ADJOURN TO A CLOSED EXECUTIVE SESSION – The City Council will adjourn into a Closed Executive Session for the purpose of discussing reasonably imminent litigation and acquisition of real property, pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

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

5. CALL TO ORDER
6. PLEDGE OF ALLEGIANCE
7. INFORMATION ITEMS/UPCOMING EVENTS
8. PUBLIC COMMENTS – Time has been set aside for the public to express their ideas, concerns and comments. *(Please limit your comments to three minutes each.)*
9. CITY COUNCIL/MAYOR’S ITEMS – Time has been set aside for the City Council and Mayor to make comments. *(Comments are limited to three minutes each.)*

CONSENT AGENDA

10. MINUTES
 - A. February 3, 2009 – Regular City Council Meeting

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11. FINAL BOND RELEASES – Out of Warranty
 - A. Mt. Airey Plat B
 - B. Mt. Airey Plat F

12. CHANGE ORDERS
 - A. Pony Express Irrigation Line for Well #4 Change Order #1– Skip Dunn & Sons Excavating
 - B. Well #1 & #5 – Clear Construction
 - C. 2MG Water Tank #5 – Horrocks Engineering

SCHEDULED ITEMS

13. RESOLUTION – Consideration and Adoption of a Resolution of the City Council of Eagle Mountain, Utah Amending and Approving the Eagle Mountain City Policies and Procedures Manual (2008 edition).

BACKGROUND: *(Presented by John Hendrickson)*. The proposed amendments will clarify the City’s policy on travel and includes new terms for the Armed Forces with respect to the Family and Medical Leave Act.

14. RESOLUTION – Consideration and Adoption of a Resolution of the City Council of Eagle Mountain, Utah Amending the Consolidated Fee Schedule.

BACKGROUND: The proposed amendment to the Consolidated Fee Schedule is to reduce the winter natural gas rate from \$9/decatherm to \$8/decatherm and the summer natural gas from \$10.50/decatherm to \$8/decatherm. The new rate would take effect on March 1, 2009 and be reflected in the April billing.

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

16. COMMUNICATION ITEMS
 - A. Upcoming Agenda Items
 - B. Financial Report

17. ADJOURNMENT

CERTIFICATE OF POSTING

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Fionnuala B. Kofoed, City Recorder

AGENDA
EAGLE MOUNTAIN CITY COUNCIL MEETING

March 3, 2009

Work Session at 4:00 p.m. - Policy Session at 7:00 p.m.

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

*** This meeting may be held telephonically to allow a member of the City Council to participate ***

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

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6:00 P.M. MAYOR AND COUNCIL WILL ATTEND THE DEDICATION OF HIDDEN HOLLOW ELEMENTARY SCHOOL AT 2546 EAST PONY EXPRESS PARKWAY IN EAGLE MOUNTAIN.

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

4. CALL TO ORDER
5. PLEDGE OF ALLEGIANCE
6. INFORMATION ITEMS/UPCOMING EVENTS
7. PUBLIC COMMENTS – Time has been set aside for the public to express their ideas, concerns and comments. (*Please limit your comments to three minutes each.*)
8. CITY COUNCIL/MAYOR’S ITEMS – Time has been set aside for the City Council and Mayor to make comments. (*Comments are limited to three minutes each.*)
9. APPOINTMENTS
 - A. Firefighters Scott Bringham and Jeremiah Jensen - Oath of Office Administered by Fire Chief Rand Andrus
 - B. Robert Hill & Alicia Hill to the Youth Council Advisory Board

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CONSENT AGENDA

- 10. MINUTES
 - A. February 17, 2009 – Regular City Council Meeting
- 11. WARRANTY BOND RELEASE – Out of Warranty
 - A. Mt. Airey Plat C
- 12. CHANGE ORDER
 - A. Porter’s Crossing Change Order # 3 – Skip Dunn Excavating
- 13. FINAL PAYMENT
 - A. Eagle Mountain 2008 City Parks Project - MSCI

SCHEDULED ITEMS

PUBLIC HEARING

- 14. MOTION – Consideration of an Amendment to the Woods Subdivision Final Plat and Development Agreement to Delete Improvement Requirements.

BACKGROUND: *(Presented by Staff)* The applicant has requested that the City Council consider a request to remove certain requirements of the final plat approval and development agreement for The Woods Subdivision, specifically, that the requirement to construct an asphalt trail adjacent to the equestrian corridor and the installation of a vinyl fence buffering the subdivision from the trail corridor be removed. Additionally, the applicant requested that the requirement to construct an 8-foot concrete sidewalk on the east side of Waddell Street be reduced to a 4-foot sidewalk.

- 15. MOTION – Consideration of a Claim against Eagle Mountain City by McArthur Homes.

BACKGROUND: *(Presented by Chris Trusty)* McArthur Homes filed a claim against Eagle Mountain City for damages to the basements of two homes, lots 407 and 408 in the Lone Tree subdivision. The damages were caused by a sewer backup in the main line under Bristle Cone Road. Eagle Mountain City submitted the claim to the Utah Local Government Trust who denied the claim as the City had no liability. McArthur Homes is requesting an appeal of the denial of the claim to the City Council.

- 16. ORDINANCE – Consideration and Adoption of an Ordinance of Eagle Mountain City, Utah Amending Prior Ordinances Authorizing the Disposal of Public Land and Repealing all Provisions in Conflict with the Ordinance and Providing for the Disposal of Certain Parcels of Real Property Owned by the City.

BACKGROUND: *(Presented by Staff)* The proposed ordinance amends the existing City ordinance providing for disposal of City owned land and clarifies the lands available for disposal. The ordinance also provides a procedure for administrative disposal of approved parcels.

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

- 18. COMMUNICATION ITEMS
 - A. Upcoming Agenda Items

- 19. ADJOURNMENT

CERTIFICATE OF POSTING

The undersigned duly appointed recorder or deputy recorder does hereby certify that the above agenda notice was posted in four public places within Eagle Mountain City limits on this 26th day of **February, 2009**. These public places being bulletin boards located inside the City offices and located in the Eagle Mountain City Library, 1650 E. Stagecoach Run, Eagle Mtn., UT; and the bulletin board located inside the Prairie Gate professional office building, 3688 E. Campus Dr., Eagle Mountain, Utah. On this 26th day of **February, 2009**, the above agenda notice was sent by facsimile and/or email to New Utah located in American Fork, Utah; and local newspapers located in Eagle Mountain and Saratoga Springs, Utah.

Fionnuala B. Kofoed, City Recorder

AGENDA
EAGLE MOUNTAIN CITY COUNCIL MEETING

March 17, 2009

Work Session at 4:00 p.m. - Policy Session at 7:00 p.m.

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

*** This meeting may be held telephonically to allow a member of the City Council to participate ***

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

1. PRESENTATION – Camp Williams COL Dunton will discuss artillery exercises scheduled for March through June.
2. AGENDA REVIEW – The City Council will review items on the Consent Agenda and Policy Session Agenda.
3. CITY ADMINISTRATOR INFORMATION ITEMS – This is an opportunity for the City Administrator to provide information to the City Council. These items are for information and do not require action by the City Council.
 - A. Update on the Sewer Treatment Facility (*Presented by Chris Trusty*)
4. ADJOURN TO A CLOSED EXECUTIVE SESSION – The City Council will adjourn into a Closed Executive Session for the purpose of discussing reasonably imminent litigation and acquisition of real property, pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

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

5. CALL TO ORDER
6. PLEDGE OF ALLEGIANCE
7. INFORMATION ITEMS/UPCOMING EVENTS
8. PUBLIC COMMENTS – Time has been set aside for the public to express their ideas, concerns and comments. (*Please limit your comments to three minutes each.*)
9. CITY COUNCIL/MAYOR’S ITEMS – Time has been set aside for the City Council and Mayor to make comments. (*Comments are limited to three minutes each.*)

CONSENT AGENDA

10. MINUTES
 - A. March 3, 2009 – Regular City Council Meeting
11. CHANGE ORDER
 - A. Waste Water Treatment Plant Change Order #2 – Nelson Brothers Company

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.
If you need a special accommodation to participate in the City Council Meetings and Work Sessions,
please call the City Recorder’s Office at least 3 working days prior to the meeting at 789-6611.

B. Sweetwater Road Gas Line Connection – Tempest Enterprises

12. FINAL PAYMENT

- A. Porter’s Crossing Extension Box Culvert – Oldcastle Precast Amcor
- B. Public Works Chain Link Fence – Western Chain Link Fence Company
- C. Sweetwater Road Gas Line Connection to the Waste Water Treatment Plant – Tempest Enterprises

SCHEDULED ITEMS

PUBLIC HEARING

13. MOTION – Consideration and Approval of a Conditional Use Permit for the Executive Manor at the Ark of Eagle Mountain.

BACKGROUND: *(Presented by Planning Staff)* The proposed Ark of Eagle Mountain is a residential group home for adults being treated for mental health, behavior, and chemical addictions. The Ark would be located at 2590 Prairie View Drive, within the Westview Heights subdivision.

14. RESOLUTION – Consideration and Adoption of a Resolution of the City Council of Eagle Mountain City, Utah, Appointing a Board of Equalization and Review for the Eagle Mountain City, Utah North Ranch Special Assessment Area No. 2008-2: Setting the Dates for the Board of Equalization to Hear and Consider Objections and Corrections to any Proposed Assessments; Authorizing the City Recorder to Publish and Mail a Notice of Meetings of the Board of Equalization and Review; and Related Matters.

BACKGROUND: *(Presented by Jerry Kinghorn)* Eagle Mountain City Council created an Assessment Area in North Ranch for natural gas on September 16, 2008. The proposed Resolution appoints the City Council as the Board of Equalization and Review for Eagle Mountain City. The Board will consider any objections and corrections to the assessment list created by the City Engineer as it pertains to the Assessment Area. The City Council will discuss and set dates for the hearings.

15. ORDINANCE – Consideration and Adoption of an Ordinance of Eagle Mountain City, Utah Amending Prior Ordinances Authorizing the Disposal of Public Land and Repealing all Provisions in Conflict with the Ordinance and Providing for the Disposal of Certain Parcels of Real Property Owned by the City.

BACKGROUND: *(Presented by Jerry Kinghorn)* The proposed ordinance amends the existing City ordinance providing for disposal of City owned land and clarifies the lands available for disposal. The ordinance also provides a procedure for administrative disposal of approved parcels. This ordinance was presented to the City Council at the March 3, 2009 meeting but no action was taken. At the Council’s request and appeals process has been included in the Ordinance.

16. AGREEMENT – Consideration and Approval of an Agreement for Professional Services between Eagle Mountain City and Canon Business Solutions for IT Services.

BACKGROUND: *(Presented by John Hendrickson)* Eagle Mountain City published a Request for Proposals for providing the City with IT services in December 2008. A pre-proposal conference

was held on December 16, 2008, where interested parties could tour the facilities prior to submitting a bid. After evaluating the bids, staff recommends that the City Council approves the agreement with Canon Business Solutions for IT services.

17. AGREEMENT – Consideration and Approval of the State of Utah School and Institutional Trust Lands Administration Certificate of Sale and Water System Agreement.

BACKGROUND: *(Presented by Jerry Kinghorn)* The Agreement between Eagle Mountain City and the State of Utah School and Institutional Trust Lands Administration is for property located in Hidden Valley. The City intends to build a water tank and lines to expand the City's water system and in exchange for the property, the City will increase the capacity of the tank and water lines to service the Hidden Valley project. The tank capacity and water lines will be increase to an amount comparable to the value of the land where the proposed tank will be located.

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

19. COMMUNICATION ITEMS

- A. Upcoming Agenda Items
- B. Financial Report

20. ADJOURNMENT

CERTIFICATE OF POSTING

The undersigned duly appointed recorder or deputy recorder does hereby certify that the above agenda notice was posted in four public places within Eagle Mountain City limits on this 12th day of **March, 2009**. These public places being bulletin boards located inside the City offices and located in the Eagle Mountain City Library, 1650 E. Stagecoach Run, Eagle Mtn., UT; and the bulletin board located inside the Prairie Gate professional office building, 3688 E. Campus Dr., Eagle Mountain, Utah. On this 12th day of **March, 2009**, the above agenda notice was sent by facsimile and/or email to New Utah located in American Fork, Utah; and local newspapers located in Eagle Mountain and Saratoga Springs, Utah.

Fionnuala B. Kofoed, City Recorder

AGENDA
EAGLE MOUNTAIN CITY BUDGET WORK SESSION
March 31, 2009 – 6:00 p.m.
FY 2009/2010 Budget Planning
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

1. CALL TO ORDER
2. DISCUSSION OF PRELIMINARY BUDGET BY DEPARTMENTS
3. ADJOURNMENT

CERTIFICATE OF POSTING

The undersigned duly appointed recorder or deputy recorder does hereby certify that the above agenda notice was posted in four public places within Eagle Mountain City limits on this **27th day of March, 2009**. These public places being bulletin boards located inside the City offices and located in the Eagle Mountain City Library, 1650 E. Stagecoach Run, Eagle Mtn., UT; and the bulletin board located inside the Prairie Gate professional office building, 3688 E. Campus Dr., Eagle Mountain, Utah. On this **27th day of March, 2009** the above agenda notice was sent by facsimile and/or email to New Utah located in American Fork, Utah; and local newspapers located in Eagle Mountain and Saratoga Springs, Utah.

Fionnuala B. Kofoed, City Recorder

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.
If you need a special accommodation to participate in the City Council Meetings and Work Sessions,
please call the City Recorder's Office at least 3 working days prior to the meeting at 789-6610

AGENDA
EAGLE MOUNTAIN CITY COUNCIL MEETING

April 7, 2009

Work Session at 4:00 p.m. - Policy Session at 7:00 p.m.

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

*** This meeting may be held telephonically to allow a member of the City Council to participate ***

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

1. EMPLOYEE RECOGNITION - Jordan Harris/Lineman Certification
2. DISCUSSION – Capital Facilities Plan and Impact Fee Updates
3. AGENDA REVIEW – The City Council will review items on the Consent Agenda and Policy Session Agenda.
4. CITY ADMINISTRATOR INFORMATION ITEMS – This is an opportunity for the City Administrator to provide information to the City Council. These items are for information and do not require action by the City Council.
 - A. Update on the Sewer Treatment Facility (*Presented by Chris Trusty*)
 - B. Park and Trails Master Plan Update (*Presented by Steve Mumford*)
5. ADJOURN TO A CLOSED EXECUTIVE SESSION – The City Council will adjourn into a Closed Executive Session for the purpose of discussing reasonably imminent litigation, the acquisition of real property, and the professional competence of an individual, pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

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

6. CALL TO ORDER
7. PLEDGE OF ALLEGIANCE
8. INFORMATION ITEMS/UPCOMING EVENTS
9. PUBLIC COMMENTS – Time has been set aside for the public to express their ideas, concerns and comments. (*Please limit your comments to three minutes each.*)
10. CITY COUNCIL/MAYOR’S ITEMS – Time has been set aside for the City Council and Mayor to make comments. (*Comments are limited to three minutes each.*)
11. PROCLAMATION – “Clean Out the Cabinet” requested by Intermountain Health Care, American Fork City and supported by the Utah County Council of Governments.

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- 12. APPOINTMENTS
 - A. Public Works Board – Clint Moser and David Dunn
 - B. Parks and Recreation Board – Amanda Hammond

CONSENT AGENDA

- 13. MINUTES
 - A. March 17, 2009 – Regular City Council Meeting
- 14. CHANGE ORDER
 - A. Well #1 and Well # 5 Project Change Order #2 – Clear Construction Company

SCHEDULED ITEMS

- 15. MOTION – Consideration and Approval of a Conditional Use Permit for the Ark of Eagle Mountain.

BACKGROUND: *(Presented by Planning Staff)* The proposed Ark of Eagle Mountain is a residential group home for adults being treated for mental health, behavior, and chemical addictions. The Ark would be located at 2590 Prairie View Drive, within the Westview Heights subdivision. The City Council held a public hearing on March 17, 2009 but no action was taken. The application for Conditional Use was tabled until the April 7th, 2009 meeting.

- 16. BID AWARD – Consideration and Award of Bid to Clear Construction Company to Construct a Waterline to Feed the Evaporative Cooler at Well Pump Station #4.

BACKGROUND: *(Presented by Chris Trusty)* The City began pumping Well #4 last summer. It quickly became evident that although the water was safe to drink there was a taste and odor problem. It was decided that the water would not be used as a normal culinary source. A new secondary water line is being installed so the water can be used to irrigate Pony Express Parkway, Ranches Parkway and Nolan Park. The evaporative cooling system is currently using the well water to cool the building. The hydrogen sulfide in the water is beginning to corrode the electrical equipment and brass pipes inside the pump building. In order to prolong the life of the electrical motor and motor control centers, it is necessary to connect the evaporative cooler waterline to the City’s existing water system.

- 17. BID AWARD – Consideration and Award of Eagle Mountain Open Space Maintenance Agreement Bid to Elite Grounds.

BACKGROUND: *(Presented by Chris Trusty)* The City Council asked City staff to investigate the value of outsourcing the City’s park maintenance. This duty has always been performed by the City in the past. City staff evaluated outsourcing and issued an RFP for that service. The maintenance contract will require the bidder to remove trash and leaves, and to mow and trim turf areas on a weekly basis. The work will be supervised by the Parks Department supervisor.

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

- 19. COMMUNICATION ITEMS
 - A. Upcoming Agenda Items

B. Lobbyist Report

20. ADJOURNMENT

CERTIFICATE OF POSTING

The undersigned duly appointed recorder or deputy recorder does hereby certify that the above agenda notice was posted in four public places within Eagle Mountain City limits on this 2nd day of **April, 2009**. These public places being bulletin boards located inside the City offices and located in the Eagle Mountain City Library, 1650 E. Stagecoach Run, Eagle Mtn., UT; and the bulletin board located inside the Prairie Gate professional office building, 3688 E. Campus Dr., Eagle Mountain, Utah. On this 2nd day of **April, 2009**, the above agenda notice was sent by facsimile and/or email to New Utah located in American Fork, Utah; and local newspapers located in Eagle Mountain and Saratoga Springs, Utah.

Fionnuala B. Kofoed, City Recorder

AGENDA
EAGLE MOUNTAIN CITY BOARD OF EQUALIZATION FOR THE
NORTH RANCH SPECIAL ASSESSMENT AREA

April 21, 2009

5:00 p.m.

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

*** This meeting may be held telephonically to allow a member of the City Council to participate ***

5:00 P.M. – CITY COUNCIL CHAMBERS

1. CALL TO ORDER
2. REVIEW AND DETERMINE APPLICATIONS FOR EQUALIZATION OF ASSESSMENTS
3. ADJOURNMENT

CERTIFICATE OF POSTING

The undersigned duly appointed recorder or deputy recorder does hereby certify that the above agenda notice was posted in four public places within Eagle Mountain City limits on this 16th day of April, 2009. These public places being bulletin boards located inside the City offices and located in the Eagle Mountain City Library, 1650 E. Stagecoach Run, Eagle Mtn., UT; and the bulletin board located inside the Prairie Gate professional office building, 3688 E. Campus Dr., Eagle Mountain, Utah. On this 16th day of April, 2009, the above agenda notice was posted to the Utah State public notice website at <http://www.utah.gov/pmn/index.html>.

Fionnuala B. Kofoed, City Recorder

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please call the City Recorder's Office at least 3 working days prior to the meeting at 789-6610.**

AGENDA
EAGLE MOUNTAIN CITY COUNCIL MEETING

April 21, 2009

Work Session at 4:00 p.m. - Policy Session at 7:00 p.m.

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

*** This meeting may be held telephonically to allow a member of the City Council to participate ***

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

1. AGENDA REVIEW – The City Council will review items on the Consent Agenda and Policy Session Agenda.
2. CITY ADMINISTRATOR INFORMATION ITEMS – This is an opportunity for the City Administrator to provide information to the City Council. These items are for information and do not require action by the City Council.
 - A. Update on the Sewer Treatment Facility (*Presented by Chris Trusty*)
3. **5:00 P.M. ADJOURN AND CONVENE AS THE BOARD OF EQUALIZATION FOR THE NORTH RANCH SPECIAL ASSESMENT AREA** – The City Council will adjourn and convene as the Board of Equalization for the North Ranch Special Assessment Area.
4. RECONVENE AS THE EAGLE MOUNTAIN CITY COUNCIL – The City Council will reconvene as the Eagle Mountain City Council immediately following the Board of Equalization hearing.
5. ADJOURN TO A CLOSED EXECUTIVE SESSION – The City Council will adjourn into a Closed Executive Session for the purpose of discussing reasonably imminent litigation and the acquisition of real property, pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

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

6. CALL TO ORDER
7. PLEDGE OF ALLEGIANCE
8. INFORMATION ITEMS/UPCOMING EVENTS
9. PUBLIC COMMENTS – Time has been set aside for the public to express their ideas, concerns and comments. (*Please limit your comments to three minutes each.*)
10. CITY COUNCIL/MAYOR’S ITEMS – Time has been set aside for the City Council and Mayor to make comments. (*Comments are limited to three minutes each.*)
11. APPOINTMENT
 - A. Public Works Advisory Board – Allen Martin for a one-year term

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CONSENT AGENDA

12. MINUTES
 - A. April 7, 2009 – Regular City Council Meeting
13. CHANGE ORDER
 - A. Capital Facilities Plan Change Order #2 – Horrocks Engineering
 - B. South Service Area Waste Water Facility Change Order #3 – Nelson Brothers
14. FINAL PAYMENT
 - A. SR 68 Guy Wire Relocation Project – Probst Electric
15. REIMBURSEMENT AGREEMENT
 - A. Reimbursement Agreement with Eagle Mountain Communities for the Rerouting of a Storm Drain Located within the Sweetwater Subdivision without an Easement.

SCHEDULED ITEMS

PUBLIC HEARING

16. ORDINANCE – Consideration and Adoption of an Ordinance of Eagle Mountain City, Utah, Amending and Reenacting Title 17 of the Eagle Mountain City Municipal Code Concerning Residential Group Homes.

BACKGROUND: *(Presented by Steve Mumford)* The proposed Ordinance amends Title 17 of the Eagle Mountain City Municipal Code, adding a separation requirement between group homes within the City.

PUBLIC HEARING

17. MOTION – Consideration and Approval of the Simpson Springs Final Plat Amending and Vacating Lots 4 and 5.

BACKGROUND: *(Presented by Steve Mumford)* The Simpson Springs Final Plat was a 17-lot subdivision that the City Council approved on July 20, 1999. Later in 2006, the City Council approved a Site Plan for an LDS church site for lots 4 and 5. The two lots were not combined at the time of approval. This application proposes to vacate Simpson Springs Plat A lots 4 and 5 and combine the vacated lots as the Simpson Springs Road Church.

18. BID AWARD – Consideration and Award of Bid to AGECE for Geotechnical Services for Soil Testing at the Wastewater Treatment Facility.

BACKGROUND: *(Presented by Chris Trusty)* When the City bid the SSA Wastewater Treatment Facility, there was confusion as to who was responsible to pay for the concrete and material testing for this project. Nelson Brothers, the contractor for this project, solicited bids from three geotechnical companies: AGECE, Geo Strata, and Earthtec. Nelson Brothers has suggested that they will cover the costs for the concrete testing if Eagle Mountain City will pay for the soils testing. All trip charges for soils testing only will be billed to Eagle Mountain City, while trip charges for concrete testing only or concrete and soils testing will be billed to Nelson Brothers.

19. RESOLUTION – Consideration and Adoption of a Resolution of the City Council of Eagle Mountain City, Utah, Authorizing Natural Gas Transactions with UAMPS.

BACKGROUND (*Presented by Jerry Kinghorn*) Earlier this year, Eagle Mountain City entered into a Natural Gas Project Master Agreement with UAMPS which provided the City with a mechanism to participate with UAMPS to purchase gas. This Resolution formalizes the Agreement and allows the City to purchase gas through UAMPS if the need arises.

20. AGREEMENT – Consideration and Approval of an Agreement Between Eagle Mountain City and Elite Grounds for Open Space Maintenance.

BACKGROUND: (*Presented by Chris Trusty*) The Eagle Mountain City Council awarded a bid for open space maintenance to Elite Grounds at the April 7, 2009, City Council meeting. The proposed agreement sets the terms, specifications and special conditions for the maintenance of the open space.

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

22. COMMUNICATION ITEMS

- A. Upcoming Agenda Items
- B. Financial Report

23. ADJOURNMENT

CERTIFICATE OF POSTING

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Fionnuala B. Kofoed, City Recorder

AGENDA
EAGLE MOUNTAIN CITY BOARD OF EQUALIZATION FOR THE
NORTH RANCH SPECIAL ASSESSMENT AREA

April 22, 2009

7:00 p.m.

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

*** This meeting may be held telephonically to allow a member of the City Council to participate ***

7:00 P.M. – CITY COUNCIL CHAMBERS

1. CALL TO ORDER
2. REVIEW AND DETERMINE APPLICATIONS FOR EQUALIZATION OF ASSESSMENTS
3. ADJOURNMENT

CERTIFICATE OF POSTING

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Fionnuala B. Kofoed, City Recorder

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please call the City Recorder's Office at least 3 working days prior to the meeting at 789-6610.**

AGENDA
EAGLE MOUNTAIN CITY BOARD OF EQUALIZATION FOR THE
NORTH RANCH SPECIAL ASSESSMENT AREA

April 23, 2009

7:00 p.m.

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

*** This meeting may be held telephonically to allow a member of the City Council to participate ***

7:00 P.M. – CITY COUNCIL CHAMBERS

1. CALL TO ORDER
2. REVIEW AND DETERMINE APPLICATIONS FOR EQUALIZATION OF ASSESSMENTS
3. ADJOURNMENT

CERTIFICATE OF POSTING

The undersigned duly appointed recorder or deputy recorder does hereby certify that the above agenda notice was posted in four public places within Eagle Mountain City limits on this 20th day of **April, 2009**. These public places being bulletin boards located inside the City offices and located in the Eagle Mountain City Library, 1650 E. Stagecoach Run, Eagle Mtn., UT; and the bulletin board located inside the Prairie Gate professional office building, 3688 E. Campus Dr., Eagle Mountain, Utah. On this 20th day of **April, 2009**, the above agenda notice was posted to the Utah State public notice website at <http://www.utah.gov/pmn/index.html>.

Fionnuala B. Kofoed, City Recorder

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AGENDA
EAGLE MOUNTAIN CITY BUDGET WORK SESSION
April 28, 2009 – 6:00 p.m.
FY 2009/2010 Budget Planning
Eagle Mountain City Conference Room
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

1. CALL TO ORDER
2. DISCUSSION OF PRELIMINARY BUDGET
3. ADJOURNMENT

CERTIFICATE OF POSTING

The undersigned duly appointed recorder or deputy recorder does hereby certify that the above agenda notice was posted in four public places within Eagle Mountain City limits on this **24th day of April, 2009**. These public places being bulletin boards located inside the City offices and located in the Eagle Mountain City Library, 1650 E. Stagecoach Run, Eagle Mtn., UT; and the bulletin board located inside the Prairie Gate professional office building, 3688 E. Campus Dr., Eagle Mountain, Utah. On this **24th day of April, 2009**, the above agenda notice was posted to the Utah State public notice website at <http://www.utah.gov/pmn/index.html>.

Fionnuala B. Kofoed, City Recorder

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If you need a special accommodation to participate in the City Council Meetings and Work Sessions,
please call the City Recorder's Office at least 3 working days prior to the meeting at 789-6610

AGENDA
EAGLE MOUNTAIN CITY COUNCIL MEETING

May 5, 2009

Work Session at 4:00 p.m. - Policy Session at 7:00 p.m.

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

*** This meeting may be held telephonically to allow a member of the City Council to participate ***

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

1. AGENDA REVIEW – The City Council will review items on the Consent Agenda and Policy Session Agenda.
2. CITY ADMINISTRATOR INFORMATION ITEMS – This is an opportunity for the City Administrator to provide information to the City Council. These items are for information and do not require action by the City Council.
 - A. Update on the Sewer Treatment Facility *(Presented by Chris Trusty)*
 - B. Park and Trails Master Plan Update *(Presented by Steve Mumford)*
 - C. Update on City Wide Computer System *(Presented by Canon Business Solutions)*
 - D. Update on Purchase of F7500 Brush Truck *(Presented by Chief Andrus)*
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 and the acquisition of real property pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

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

4. CALL TO ORDER
5. PLEDGE OF ALLEGIANCE
6. INFORMATION ITEMS/UPCOMING EVENTS
7. PUBLIC COMMENTS – Time has been set aside for the public to express their ideas, concerns and comments. *(Please limit your comments to three minutes each.)*
8. CITY COUNCIL/MAYOR’S ITEMS – Time has been set aside for the City Council and Mayor to make comments. *(Comments are limited to three minutes each.)*
 - A. Report from North Ranch Gas Special Assessment Area Board of Equalization Hearings.
9. PROCLAMATION
 - A. Military Appreciation Week May 18, 2009

**THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.
If you need a special accommodation to participate in the City Council Meetings and Work Sessions,
please call the City Recorder’s Office at least 3 working days prior to the meeting at 789-6611.**

CONSENT AGENDA

10. MINUTES

A. April 21, 2009 – Regular City Council Meeting

SCHEDULED ITEMS

11. MOTION – Consideration of Impact and Building Fee Waiver for Dr. Bart Gardiner for a Medical Building.

BACKGROUND: *(Presented by Ifo Pili)* Dr. Bart Gardiner has requested that the impact and building fees for his new medical building, which will be located in the Eagle Mountain Business Campus, be waived.

12. AGREEMENT – Consideration and Approval of an Interlocal Cooperation Agreement for Water Supply Purchase Funds Between Eagle Mountain City Redevelopment Agency and Eagle Mountain City.

BACKGROUND: *(Presented by Jerry Kinghorn)* Eagle Mountain City issued its Water and Sewer Bonds (2006 Series) to fund the purchase of interests in water to benefit the City and to fund the construction and improvement of water infrastructure. It is proposed to use \$250,000.00 of the bond proceeds to acquire banked water entitlements for the use of economic development of the Gateway Project to meet water standards for the commercial projects in the Community Development Area.

13. AGREEMENT – Consideration and Approval of an Agreement for Water Supply Purchase and Dedication and Funding Escrow for Certain Onsite Improvements Between Eagle Mountain City Redevelopment Agency, Eagle Mountain City S.L.6, LLC and Eagle Mountain Marketplace, LLC.

BACKGROUND: *(Presented by Jerry Kinghorn)* This Agreement allows the Eagle Mountain City Redevelopment Agency to acquire 34-acre feet of Eagle Mountain City banked water entitlements to meet development standards for businesses to encourage the economic development of the Coop's Market Site. Funds from the purchase will be used to benefit the construction of the onsite improvements at the Site by the placement of the funds paid by the Eagle Mountain City Redevelopment Agency in an Escrow with the City to provide part of the funds necessary to complete the onsite improvements at the site. The City will inspect and approve the release of the funds from the Escrow as improvements are completed.

14. ORDINANCE – Consideration and Adoption of an Ordinance Confirming the Assessment List and Levying an Assessment Against Certain Properties in Eagle Mountain, Utah, North Ranch Special Assessment Area No. 2008-2 (“the Assessment Area”), for the Purpose of Financing the Cost of Certain Improvements Consisting of the Extension of Natural Gas Lines, and the Installation of Connection Laterals as Well as Other Miscellaneous Work Necessary to Complete the Improvements; (Collectively, the “Improvements”); Providing for Certain Remedies Upon Default in the Payment of Assessments; Establishing the Effective Date of this Ordinance; and Related Matters.

BACKGROUND: *(Presented by Jerry Kinghorn)* This formal action legally sets monetary obligations and assesses the individual properties in the North Ranch Natural Gas Special

Assessment Area for benefitted properties as proposed in the Assessment list heard by the Board of Equalization and authorizes all actions necessary to proceed as provided by law to levy and collect the proposed assessments.

15. BID AWARD – Consideration and Award of Bid to Geneva Rock for Appaloosa Way Rotomill and Overlay.

BACKGROUND: *(Presented by Chris Trusty)* Appaloosa Way, located in the Friday's Station subdivision, is in very poor condition. There have been several instances of sub-base failure and curb and gutter have been replaced by the City in several areas. With that work complete, the remaining road is to be rotomilled and an overlay is to be placed. This will restore the structural integrity of the road.

16. BID AWARD – Consideration and Award Bid to Staker Parson for Eagle Mountain Boulevard Slurry Seal.

BACKGROUND: *(Presented by Chris Trusty)* In conjunction with the City's road maintenance program, Eagle Mountain Boulevard from Sweetwater Road to Lake Mountain Road is scheduled for a type III slurry seal.

17. BID AWARD – Consideration and Award Bid to Staker Parson for the Construction of Eagle Point Park Trail.

BACKGROUND: *(Presented by Chris Trusty)* Last year, the City bid out improvements to the Eagle Point Park. Initially, a trail around the park was included in the bid but because of the escalation of asphalt prices, the City removed the trail from the bid packet with the intent that it could be bid in the spring or delayed indefinitely. There has been a significant reduction in asphalt prices and therefore the trail project was bid out.

18. BID AWARD – Consideration and Award Bid to Staker Parson for the Construction of the Walden Park Parking Lot.

BACKGROUND: *(Presented by Chris Trusty)* Walden Park, located south of Pioneer Addition and north of The Landing, was constructed based on the Master Park Plan for the Pioneer Addition Master Park Plans. These improvements included a seeded soccer field and a pavilion. Currently, the pavilion is accessed by a dirt and gravel parking lot. This project includes the grading and paving of the existing parking facility, as well as the associated storm drainage system.

19. BID AWARD – Consideration and Award Bid to Geneva Rock for the Mt. Airey Pavement Repair.

BACKGROUND: *(Presented by Chris Trusty)* Last fall Eagle Mountain City contracted with Kilgore Paving for a rotomill and overlay for the western portion of Mt. Airey Drive. Because of the added costs of rotomilling the portion of the road between the islands, that area was removed from the contract with Kilgore with the understanding that the City would go out to bid to replace the failed pavement in the island areas at a later time.

20. MOTION – Consideration and Approval of a Protected Record Classification and Ratification of Settlement Agreement.

BACKGROUND: *(Presented by Jerry Kinghorn)* The City has reached a Settlement Agreement with one of the parcel owners involved the 138 kV line property acquisition. The Agreement is intended to be a protected record under the Government Records Act to prevent information regarding the settlement payment from becoming public information. As long as we are in the process of acquiring properties from property owners, we need to protect the settlement payments from becoming public information to prevent the use of the payment amounts in mediation, arbitration or litigation proceedings. Each property is evaluated independently and the basis for settlement with one party should not be used as evidence in other proceedings. We recommend that the Council approve the Settlement Agreement discussed in the closed executive session as a protected record and ratify the Settlement Agreement executed by the Mayor under prior authorization from the Council.

21. RESOLUTION - Consideration and Adoption of a Resolution Accepting the FY2009-2010 Tentative Budget, Setting the Budget Public Hearing for June 16, 2009, and Directing such Notice to be Published.

BACKGROUND: *(Presentation by Jason Walker)* The State Code requires that the City Council review and tentatively adopt a budget by the first regularly scheduled meeting in May; additionally, the City Council needs to establish the time and place of the public hearing before the final budget is adopted.

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

CERTIFICATE OF POSTING

The undersigned duly appointed recorder or deputy recorder does hereby certify that the above agenda notice was posted in four public places within Eagle Mountain City limits on this 30th day of April, 2009. These public places being bulletin boards located inside the City offices and located in the Eagle Mountain City Library, 1650 E. Stagecoach Run, Eagle Mtn., UT; and the bulletin board located inside the Prairie Gate professional office building, 3688 E. Campus Dr., Eagle Mountain, Utah. On this 30th day of April, 2009, the above agenda notice was posted to the Utah State public notice website at <http://www.utah.gov/pmn/index.html>.

Fionnuala B. Kofoed, City Recorder

AGENDA
EAGLE MOUNTAIN CITY COUNCIL MEETING

May 19, 2009

Work Session at 4:00 p.m. - Policy Session at 7:00 p.m.

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

*** This meeting may be held telephonically to allow a member of the City Council to participate ***

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

1. AGENDA REVIEW – The City Council will review items on the Consent Agenda and Policy Session Agenda.
2. CITY ADMINISTRATOR INFORMATION ITEMS – This is an opportunity for the City Administrator to provide information to the City Council. These items are for information and do not require action by the City Council.
 - A. Update on the Sewer Treatment Facility *(Presented by Chris Trusty)*
 - B. Report on Capital Facilities Plan – ***Discussion Item Only***
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 and the purchase, lease or exchange of real property, pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

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

4. CALL TO ORDER
5. PLEDGE OF ALLEGIANCE
6. INFORMATION ITEMS/UPCOMING EVENTS
7. PUBLIC COMMENTS – Time has been set aside for the public to express their ideas, concerns and comments. *(Please limit your comments to three minutes each.)*
8. CITY COUNCIL/MAYOR’S ITEMS – Time has been set aside for the City Council and Mayor to make comments. *(Comments are limited to three minutes each.)*
9. PROCLAMATION
 - A. Cancer Awareness Weeks – May 31 through June 13, 2009

CONSENT AGENDA

10. MINUTES
 - A. May 5, 2009 – Regular City Council Meeting

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.
If you need a special accommodation to participate in the City Council Meetings and Work Sessions,
please call the City Recorder’s Office at least 3 working days prior to the meeting at 789-6611.

11. CHANGE ORDER
 - A. Porter's Crossing Change Order #4 – Skip Dunn
 - B. Well #1 & #5 Change Order #3 – Clear Construction Company
12. REVISED BOND LETTER
 - A. Antelope Meadows Phase 1
13. LANDSCAPING BOND LETTER
 - A. Antelope Meadows Phase 1
14. FINAL PAYMENT
 - A. Well #4 HVAC Line – Clear Construction

SCHEDULED ITEMS

15. RESOLUTION – Consideration and Adoption of a Resolution of the City Council of Eagle Mountain City, Utah, Acknowledging and Approving Assignment of Banked Water Entitlement.

BACKGROUND: *(Presentation by Jerry Kinghorn)* This Resolution approves the Assignment of Certain Banked Water Entitlements to Zions Bank as collateral. The City will hold title to the water right and recognize the interest of Zions Bank to authorize use of the banked water for development purposes and as otherwise authorized by the City Code.

16. BID AWARD – Consideration and Award of Bid to Skip Dunn for the Mid Valley Regional Park Turn Lane.

BACKGROUND: *(Presented by Chris Trusty)* The City Council approved the improvements to the Mid Valley Regional Park, Phase 1 last year. It is anticipated that the park will be used for City sports events this fall. This project will allow for the installation of a turn lane which will allow southerly traffic flow to continue uninterrupted toward the City Center. The current construction of Sweetwater Road makes it difficult to make a left hand turn when leaving the park and the installation of the turning lane will alleviate that problem.

17. BID AWARD – Consideration and Award of Bid to Skip Dunn for the Mt. Airey Park Storm Drain.

BACKGROUND: *(Presented by Chris Trusty)* The City has collected park fees-in-lieu for improvements to the Mt. Airey Park. In discussions with Mt. Airey residents, it was determined that rerouting the storm drain to allow the pass-through of nuisance water would provide for a more practical use of the open space in this park. Once the storm drain is relocated, it is anticipated that neighborhood residents and City staff will make recommendations for the distribution of volunteer labor and remaining funds to best complete amenities within this park.

18. AGREEMENT – Consideration and Approval of Restatement of Firm Transportation Service Agreement Between Eagle Mountain City and Kern River Gas Transmission Company.

BACKGROUND: *(Presented by John Hendrickson)* The proposed Amended Agreement incorporates by reference a number of terms that are under regulation by the Federal Energy

Regulatory Commission, which regulates interstate natural gas transmission pipelines; the Amended Agreement is not intended to increase or lower the City's costs for natural gas.

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

20. COMMUNICATION ITEMS
 - A. Upcoming Agenda Items
 - B. Financial Report
 - C. Lobbyist Report

21. ADJOURNMENT

CERTIFICATE OF POSTING

The undersigned duly appointed recorder or deputy recorder does hereby certify that the above agenda notice was posted in four public places within Eagle Mountain City limits on this 14th day of **May, 2009**. These public places being bulletin boards located inside the City offices and located in the Eagle Mountain City Library, 1650 E. Stagecoach Run, Eagle Mtn., UT; and the bulletin board located inside the Prairie Gate professional office building, 3688 E. Campus Dr., Eagle Mountain, Utah. On this 14th day of **May, 2009**, the above agenda notice was posted to the Utah State public notice website at <http://www.utah.gov/pmn/index.html>.

Fionnuala B. Kofoed, City Recorder

AGENDA
EAGLE MOUNTAIN CITY COUNCIL MEETING

June 2, 2009

Work Session and Policy Session 4:00 p.m.

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

*** This meeting may be held telephonically to allow a member of the City Council to participate ***

*******PLEASE NOTE SPECIAL START TIME FOR THE POLICY SESSION*******

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

1. PRESENTATION – Alpine School District/New Eagle Mountain Elementary School Design
2. AGENDA REVIEW – The City Council will review items on the Consent Agenda and Policy Session Agenda

POLICY SESSION – CITY COUNCIL CHAMBERS

3. CALL TO ORDER
4. PLEDGE OF ALLEGIANCE
5. INFORMATION ITEMS/UPCOMING EVENTS

CONSENT AGENDA

6. MINUTES
 - A. May 19, 2009 – Regular City Council Meeting
7. CHANGE ORDER
 - A. 1.2 MGD Water Reclamation Facility Change Order #4 – Nelson Brothers Construction
8. SITE PLAN
 - A. Antelope Meadows Church Site Plan
9. FINAL BOND RELEASE
 - A. Antelope Meadows Plat 1
10. EASEMENT
 - A. Direct Communications Easement

SCHEDULED ITEMS

11. AGREEMENT – Consideration and Approval of an Access and Improvements Agreement and Right of Way Dedication Plat Between Twelve Horse Ranch, LLC, RCA 65, LC and Eagle Mountain City.

**THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.
If you need a special accommodation to participate in the City Council Meetings and Work Sessions,
please call the City Recorder's Office at least 3 working days prior to the meeting at 789-6611.**

BACKGROUND: *(Presented by Jerry Kinghorn)* This Agreement provides for the dedication of the right of way necessary to extend public access to the property north of the RCA property and from the Coop's Market site. The Agreement provides for dedication of the road and cost sharing of improvements by private parties.

12. ORDINANCE – Consideration of an Ordinance of the City Council of Eagle Mountain City, Utah, for Temporary Signage.

BACKGROUND: *(Presented by Planning Staff)* The severe economic downturn has had an obvious negative effect on home and lot sales in the City. Builders, realtors, and developers have approached the City asking for temporary accommodations for certain directional signage that is currently restricted by the Development Code. This is a proposed temporary solution for signage within the City.

13. RESOLUTION – Consideration and Adoption of a Resolution of Eagle Mountain City, Utah, Approving the Utah Lake Commission Interlocal Agreement.

BACKGROUND: *(Presented by Council Member David Lifferth)* In order for Eagle Mountain City to become a member of the Utah Lake Commission it is necessary for the City to adopt a resolution to formalize the agreement. The purpose of the Utah Lake Commission is to encourage and promote multiple uses of the Lake; foster communication and coordination; promote resource utilization and protection; maintain and develop recreation access and monitor and promote responsible economic development.

14. BID AWARD – Consideration and Award of Bid to Skip Dunn for the Mid Valley Regional Park Turn Lane.

BACKGROUND: *(Presented by Chris Trusty)* The City Council approved the improvements to the Mid Valley Regional Park, Phase 1 last year. It is anticipated that the park will be used for City sports events this fall. This project will allow for the installation of a turn lane which will allow southerly traffic flow to continue uninterrupted toward the City Center. The current construction of Sweetwater Road makes it difficult to make a left hand turn when leaving the park and the installation of the turning lane will alleviate that problem. This item was tabled from the May 5th meeting.

15. CITY COUNCIL/MAYOR'S ITEMS – Time has been set aside for the City Council and Mayor to make comments. *(Comments are limited to three minutes each.)*

16. COMMUNICATION ITEMS
A. Upcoming Agenda Items

17. ADJOURNMENT

CERTIFICATE OF POSTING

The undersigned duly appointed recorder or deputy recorder does hereby certify that the above agenda notice was posted in four public places within Eagle Mountain City limits on this 28th day of May, 2009. These public places being bulletin boards located inside the City offices and located in the Eagle Mountain City Library, 1650 E. Stagecoach Run, Eagle Mtn., UT; and the bulletin board located inside the Prairie Gate professional office building, 3688 E. Campus Dr., Eagle Mountain, Utah. On this 28th day of May, 2009, the above agenda notice was posted to the Utah State public notice website at <http://www.utah.gov/pmn/index.html>.

Fionnuala B. Kofoed, City Recorder

AGENDA
EAGLE MOUNTAIN CITY COUNCIL MEETING

June 16, 2009

Work Session at 4:00 p.m. - Policy Session at 7:00 p.m.

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

*** This meeting may be held telephonically to allow a member of the City Council to participate ***

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

1. PRESENTATION – Parks and Recreation Advisory Board Update.
2. AGENDA REVIEW – The City Council will review items on the Consent Agenda and Policy Session Agenda.
3. CITY ADMINISTRATOR INFORMATION ITEMS – This is an opportunity for the City Administrator to provide information to the City Council. These items are for information and do not require action by the City Council.
 - A. Update on the Sewer Treatment Facility (*Presented by Chris Trusty*)
4. ADJOURN TO A CLOSED EXECUTIVE SESSION – The City Council will 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.

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

5. CALL TO ORDER
6. PLEDGE OF ALLEGIANCE
7. INFORMATION ITEMS/UPCOMING EVENTS
8. PUBLIC COMMENTS – Time has been set aside for the public to express their ideas, concerns and comments. (*Please limit your comments to three minutes each.*)
9. CITY COUNCIL/MAYOR’S ITEMS – Time has been set aside for the City Council and Mayor to make comments. (*Comments are limited to three minutes each.*)

CONSENT AGENDA

10. MINUTES
 - A. June 2, 2009 – Regular City Council Meeting
11. CHANGE ORDER

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- A. Appaloosa Way Rotomill and Overlay Change Order #1 – Geneva Rock
- B. Porter’s Crossing Extension Change Order #5 – Skip Dunn Excavation

- 12. REVISED BOND LETTER
 - A. Sweetwater Phase 2
 - B. Heatherwood on the Green Phase 1

SCHEDULED ITEMS

PUBLIC HEARING

- 13. ORDINANCE - Consideration and Adoption of an Ordinance of Eagle Mountain City, Utah, Adopting the Final Amendments to the Fiscal Year 2008-2009 Budget.

BACKGROUND: *(Presentation by Gordon Burt)* Utah State Code requires any final increases in the budget be adopted after a public hearing and prior to the fiscal year ending. The City’s budget is being amended to cover all anticipated expenditures through the fiscal year ending June 30, 2009. The amended budget should cover all eventualities so that the City will not be cited for budgetary non-compliance.

PUBLIC HEARING

- 14. ORDINANCE – Consideration and Adoption of an Ordinance of Eagle Mountain City, Utah, Adopting the Fiscal Year 2009-2010 Budget.

BACKGROUND: *(Presentation by John Hendrickson)* The State Code requires that the City Council hold a public hearing on the proposed budget and that the budget be adopted by June 22. The tentative budget was accepted by the City Council on May 5, 2009. The City Council can move to adopt the final budget, after a public hearing, as proposed or with amendments. The final budget will be the document that governs the expenditures for the FY 2009-2010.

PUBLIC HEARING

- 15. RESOLUTION – Consideration and Adoption of a Resolution of Eagle Mountain City, Utah, Adopting a Parks and Open Space Master Plan.

BACKGROUND: *(Presented by Planning Staff)* The proposed Parks and Open Space Master Plan will guide the future development of parks, trails, and other open space throughout the City. This resolution formally adopts the plan.

- 16. AGREEMENT – Consideration and Approval of an Agreement between Eagle Mountain City, Utah, and Kern River for Interruptible Gas.

BACKGROUND: *(Presented by Adam Ferre)* Kern River recently launched an initiative to revise its “pro forma” Interruptible Transportation Service Agreements (TSAs) to ensure compliance with Federal Energy Regulatory Commission (FERC) regulations. On April 24, 2009, the FERC approved Kern River’s new pro forma agreements for application to new and existing TSAs.

It is Kern River's intent that the terms and conditions of this contract are not changed.

- 17. AGREEMENT – Consideration and Approval of an Agreement between Eagle Mountain City, Utah, and the National Park Service.

BACKGROUND: *(Presented by Jerry Kinghorn)* The agreement between Eagle Mountain City and the National Park Service is for funding for improvements to a graveled parking area and directional and interpretive signage along a section of the Pony Express Trail located south of the Lone Tree subdivision.

18. AGREEMENT – Consideration and Approval of an Agreement between Eagle Mountain City, Utah, and Intermountain Health Care for an Employee Assistance Program.

BACKGROUND: *(Presented by John Hendrickson)* This agreement is for an employee assistance program offered through Intermountain Health Care (IHC), the City’s health care provider. The program offers unlimited, free counseling sessions for marital conflict, parenting, substance abuse, depression, workplace stress, financial wellness, crisis counseling, etc. The program also provides training for supervisors regarding personal employee issues that may cause job performance decline. Employee on-site group trainings are also provided.

19. BID AWARD – Consideration and Award of Bid to Kenny Seng Construction for the Pony Express Parking Lot.

BACKGROUND: *(Presented by Chris Trusty)* The City Council approved the improvements to the parking lot at Pony Express Park. In addition to the pavement, City staff included the chip seal of the gravel access road to the parking lot. This will help to eliminate dust, and reduce wear and tear on the road.

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

21. COMMUNICATION ITEMS

- A. Upcoming Agenda Items
- B. Financial Report

22. ADJOURNMENT

CERTIFICATE OF POSTING

The undersigned duly appointed recorder or deputy recorder does hereby certify that the above agenda notice was posted in four public places within Eagle Mountain City limits on this 11th day of **June, 2009**. These public places being bulletin boards located inside the City offices and located in the Eagle Mountain City Library, 1650 E. Stagecoach Run, Eagle Mtn., UT; and the bulletin board located inside the Prairie Gate professional office building, 3688 E. Campus Dr., Eagle Mountain, Utah. On this 11th day of **June, 2009**, the above agenda notice was posted to the Utah State public notice website at <http://www.utah.gov/pmn/index.html>.

Fionnuala B. Kofoed, City Recorder

AGENDA
EAGLE MOUNTAIN SPECIAL CITY COUNCIL MEETING
June 23, 2009

Policy Session at 5:00 p.m.

Eagle Mountain City Executive Conference Room, 1650 East Stagecoach Run, Eagle Mountain, Utah
84005

*** This meeting may be held telephonically to allow a member of the City Council to participate ***

5:00 P.M. POLICY SESSION – EXECUTIVE CONFERENCE ROOM

1. CALL TO ORDER
2. ORDINANCE – Consideration and Adoption of a Ordinance of the City Council of Eagle Mountain, Utah, Enacting a Requirement for the Payment of a Filing Fee in connection with filing a Declaration of Candidacy for Elective Office in Eagle Mountain City.

BACKGROUND: *(Presented by Fionnuala Kofoed)* The proposed ordinance enacts a filing fee for candidates seeking elective office in Eagle Mountain City.

3. ADJOURNMENT

CERTIFICATE OF POSTING

The undersigned duly appointed recorder or deputy recorder does hereby certify that the above agenda notice was posted in four public places within Eagle Mountain City limits on this 22th day of **June, 2009**. These public places being bulletin boards located inside the City offices and located in the Eagle Mountain City Library, 1650 E. Stagecoach Run, Eagle Mtn., UT; and the bulletin board located inside the Prairie Gate professional office building, 3688 E. Campus Dr., Eagle Mountain, Utah. On this 22th day of **June, 2009**, the above agenda notice was posted to the Utah State public notice website at <http://www.utah.gov/pmn/index.html>.

Fionnuala B. Kofoed, City Recorder

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.
If you need a special accommodation to participate in the City Council Meetings and Work Sessions,
please call the City Recorder's Office at least 3 working days prior to the meeting at 789-6611.

AGENDA
EAGLE MOUNTAIN CITY COUNCIL MEETING

July 7, 2009

Work Session at 4:00 p.m. - Policy Session at 7:00 p.m.

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

*** This meeting may be held telephonically to allow a member of the City Council to participate ***

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

1. PRESENTATION – Master Development Agreement – SITLA
2. PRESENTATION – Fiscal Analysis for Pole Canyon – Lewis Young Robertson and Burningham
3. AGENDA REVIEW – The City Council will review items on the Consent Agenda and Policy Session Agenda.
4. CITY ADMINISTRATOR INFORMATION ITEMS – This is an opportunity for the City Administrator to provide information to the City Council. These items are for information and do not require action by the City Council.
 - A. Update on the Sewer Treatment Facility (*Presented by Chris Trusty*)
5. ADJOURN TO A CLOSED EXECUTIVE SESSION – The City Council will adjourn into a Closed Executive Session for the purpose of discussing reasonably imminent litigation, the professional competence of an individual, and the purchase, lease or exchange of real property, pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

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

6. CALL TO ORDER
7. PLEDGE OF ALLEGIANCE
8. INFORMATION ITEMS/UPCOMING EVENTS
9. PUBLIC COMMENTS – Time has been set aside for the public to express their ideas, concerns and comments. (*Please limit your comments to three minutes each.*)
10. CITY COUNCIL/MAYOR’S ITEMS – Time has been set aside for the City Council and Mayor to make comments. (*Comments are limited to three minutes each.*)
11. OATH OF OFFICE
 - A. Eagle Mountain Fire Department – Juan Delgado and Marcus Lazzar

**THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.
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please call the City Recorder’s Office at least 3 working days prior to the meeting at 789-6611.**

CONSENT AGENDA

12. MINUTES
 - A. June 16, 2009 – Regular City Council Meeting
 - B. June 23, 2009 – Special City Council Meeting
13. CHANGE ORDER
 - A. Well #1 and #5 Change Order #4 – Clear Construction Company
 - B. Mid Valley Regional Park Change Order #1 – Skip Dunn
14. FINAL PAYMENT
 - A. Porter’s Crossing Extension – Skip Dunn
15. LETTERS OF SUPPORT
 - A. Grade Separated Crossing at Lehi Main Street and Railroad
 - B. Proposed Toll Bridge Across Utah Lake

SCHEDULED ITEMS

16. RESOLUTION – Consideration and Adoption of a Resolution of Eagle Mountain City, Utah, Requesting that the Utah Department of Transportation Perform an Advance Warrant Study for the Intersection of Redwood Road and Pony Express Parkway and Establishing an Effective Date.

BACKGROUND: *(Presented by Mayor Jackson)* The proposed Resolution is a request from Eagle Mountain City to Region 3 of the Department of Transportation to perform a warranty study in advance of the construction of the connection of Pony Express Parkway from Redwood Road to Pony Express Parkway in Eagle Mountain and in advance of the opening of Westlake High School. The construction and connection of these roads will significantly increase traffic at the intersection of Redwood Road and Pony Express Parkway and the Eagle Mountain City Council supports the completion of a traffic study.

17. BID AWARD – Consideration and Award of Bid to Staker Parson for Bobby Wren Boulevard, Phase 1.

BACKGROUND: *(Presented by Chris Trusty)* The City Council approved the construction of Bobby Wren Boulevard, Phase 1, in the FY 2010 budget. This base bid allows for 24 feet of asphalt from Sweetwater Road to Pioneer Addition 5. The base bid did not include curb and gutter, and only included 3 inches of the total 5 inch section. As such, an additive alternate for the curb and gutter and additional two inches of asphalt was also bid. A second additive alternate for road base to be placed from Pioneer Addition 5 to Pioneer Addition 7 was also included in the bidding process.

18. BID AWARD – Consideration and Award of Bid to Bennett Paving for Smith Ranch Road Pulverize and Overlay.

BACKGROUND: *(Presented by Chris Trusty)* The City Council approved the construction project to pulverize and overlay Smith Ranch Road as part of the FY 2010 budget. With the completion of the Porter’s Crossing project, traffic will be reduced on this street. The pulverize and overlay project will significantly improve the condition of this road.

19. AGREEMENT – Consideration and Approval of a Donation Agreement for The Ranches Golf Course.

BACKGROUND: *(Presented by John Hendrickson)* Ames Construction has offered the City ownership of The Ranches Golf Course property in the form of a donation free and clear of any fiscal encumbrances. The donation also includes other items such as property and equipment associated with the course, a cash donation of \$650,000 and a Verizon/Cricket cell tower lease.

20. AGREEMENT – Consideration and Approval of an Operation, Management and Lease Agreement for The Ranches Golf Course.

BACKGROUND: *(Presented by John Hendrickson)* This agreement provides operation, management and leasing for The Ranches Golf Course through Vanguard Golf Management Group, which manages and operates the Thanksgiving Point and Sand Hollow golf courses in Lehi and St. George.

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

22. COMMUNICATION ITEMS
A. Upcoming Agenda Items

23. ADJOURNMENT

CERTIFICATE OF POSTING

The undersigned duly appointed recorder or deputy recorder does hereby certify that the above agenda notice was posted in four public places within Eagle Mountain City limits on this 2nd day of **July, 2009**. These public places being bulletin boards located inside the City offices and located in the Eagle Mountain City Library, 1650 E. Stagecoach Run, Eagle Mtn., UT; and the bulletin board located inside the Prairie Gate professional office building, 3688 E. Campus Dr., Eagle Mountain, Utah. On this 2nd day of **July, 2009**, the above agenda notice was posted to the Utah State public notice website at <http://www.utah.gov/pmn/index.html>.

Fionnuala B. Kofoed, City Recorder

AGENDA
EAGLE MOUNTAIN CITY COUNCIL MEETING

July 21, 2009

Work Session at 4:00 p.m. - Policy Session at 7:00 p.m.

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

*** This meeting may be held telephonically to allow a member of the City Council to participate ***

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

1. PRESENTATION - Energy Department Staff Recognitions
2. PRESENTATION – Recreation Center Update – Kelsy Alsup, Management Intern
3. DISCUSSION – Pole Canyon Annexation and Master Development Plan
4. AGENDA REVIEW – The City Council will review items on the Consent Agenda and Policy Session Agenda.
5. CITY ADMINISTRATOR INFORMATION ITEMS – This is an opportunity for the City Administrator to provide information to the City Council. These items are for information and do not require action by the City Council.
 - A. Update on the Sewer Treatment Facility (*Presented by Chris Trusty*)
6. ADJOURN TO A CLOSED EXECUTIVE SESSION – The City Council will 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.

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

7. CALL TO ORDER
8. PLEDGE OF ALLEGIANCE
9. INFORMATION ITEMS/UPCOMING EVENTS
10. PUBLIC COMMENTS – Time has been set aside for the public to express their ideas, concerns and comments. (*Please limit your comments to three minutes each.*)
11. CITY COUNCIL/MAYOR’S ITEMS – Time has been set aside for the City Council and Mayor to make comments. (*Comments are limited to three minutes each.*)

CONSENT AGENDA

12. MINUTES
 - A. July 7, 2009 – Regular City Council Meeting

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.
If you need a special accommodation to participate in the City Council Meetings and Work Sessions,
please call the City Recorder’s Office at least 3 working days prior to the meeting at 789-6611.

13. CHANGE ORDER
 - A. Waste Water Treatment Plant Change Order #5 – Nelson Brothers
 - B. Water Line for Well Number 5 Change Order #2 – Horrocks Engineering
 - C. Mt. Airey Park Storm Drain Change Order #1 – Skip Dunn
 - D. Bobby Wren Boulevard Construction Project Change Order #1 – Staker Parson
14. WARRANTY RELEASE
 - A. Sweetwater Phase 1 Warranty Bond Release (Out of warranty)

SCHEDULED ITEMS

15. RESOLUTION – Consideration and Adoption of a Resolution of the City Council of Eagle Mountain, Utah Amending the Consolidated Fee Schedule.

BACKGROUND: *(Presented by Fionnuala Kofoed)* The proposed resolution will amend the Consolidated Fee Schedule to include changes to the Timpanogos Special Service District NSA Treatment Fee per ERU, power rates, business licensing fees, development application fees, cost of a bound street guide, and the addition of a candidate filing fee.

16. RESOLUTION – Consideration and Approval of a Resolution Adopting a Red Flag Policy and Identity Theft Prevention Program for Eagle Mountain City.

BACKGROUND: *(Presented by Jerry Kinghorn)* Federal Law and Federal Trade Commission regulations require creditors who collect credit information and bill utility services in arrears, to adopt policies and regulations to assist in the detection of identity theft. The proposed resolution will adopt a policy for employees of the City to follow to help prevent identity theft. The proposed policy is adapted from a model policy for governmental utilities.

17. RESOLUTION – Consideration and Approval of a Resolution Amending the Policies and Procedures Manual.

BACKGROUND: *(Presented by DeAnna Whitney)* Due to scheduling of 24-hour shifts at the Fire Department, full time firefighters accrue leave at 1.5 times the rate of other full time employees of the City. These accruals were determined by using accruals of other Fire Departments. It is recommended that the Policies and Procedures Manual be updated to reflect these rates of accrual.

18. MOTION – Consideration and Approval of Impact and Building Fee Reimbursement for Dr. Ryan Hart Dental Building.

BACKGROUND: *(Presented by John Hendrickson)* Dr. Ryan Hart is requesting that the City refund his connection and permit fees in the same manner that they did for Dr. Gardiner.

19. AGREEMENT – Consideration and Approval of an Operation, Management and Lease Agreement for The Ranches Golf Course.

BACKGROUND: *(Presented by John Hendrickson)* This agreement provides operation, management and leasing for The Ranches Golf Course through Vanguard Golf Management

Group, which manages and operates the Thanksgiving Point and Sand Hollow golf courses in Lehi and St. George.

20. AGREEMENT – Consideration and Approval of a Donation Agreement for The Ranches Golf Course.

BACKGROUND: *(Presented by John Hendrickson)* Eagle Mountain Holdings and Eagle Mountain Links LLC have offered the City ownership of The Ranches Golf Course property in the form of a donation free and clear of any fiscal encumbrances. The donation also includes other items such as property and equipment associated with the course, a cash donation of \$650,000 and a Verizon/Cricket cell tower lease.

21. AGREEMENT – Consideration and Approval of an Indemnification Agreement with Eagle Mountain Holdings LLC and Eagle Mountain Links LLC Concerning the Golf Course Donation Agreement.

BACKGROUND: *(Presented by Jerry Kinghorn)* This Agreement provides for recourse by the City against Eagle Mountain Holdings LLC and Eagle Mountain Links LLC if third party claims are brought against the City for any matter arising before the City became the owner of the golf course.

22. AGREEMENT – Consideration and Approval of a Settlement Agreement with Ames Construction, Eagle Mountain Holdings LLC and Eagle Mountain Links LLC Concerning Claims Against the City and Banked Water Entitlements.

BACKGROUND: *(Presented by Jerry Kinghorn)* Over the years that Ames Construction, Eagle Mountain Holdings and Eagle Mountain Links (“the Developers”) have owned and developed property in the City, the Developers and the City have not been able to reach agreement on the City standards for water right dedication and the requirements for water for the Golf Course. Formal written claims have been made against the City by the Developers from time to time which remain unresolved. The City has unresolved claims against banked water entitlements held by the Developers. In this Agreement, the City and the Developers agree to finally compromise and settle all claims against each other.

23. RESOLUTION – Consideration and Adoption of Resolution of the City Council of Eagle Mountain, Utah Authorizing Filing of Amended LLC Articles for Eagle Mountain Clubhouse, LLC and Execution of All Required Documents to Transfer the Assets of Eagle Mountain Clubhouse LLC to the City and Wind Up and Dissolve Eagle Mountain Clubhouse, LLC and Take Other Required Actions Related to the City Operation of The Ranches Golf Course.

BACKGROUND: *(Presented by John Hendrickson)* In the acquisition of the Golf Course the City will receive all the assets in the form of a limited liability company called Eagle Mountain Clubhouse LLC. The City will take control of the LLC and transfer all assets to the City, placing certain restrictions on the use of the Golf Course property and dissolve the LLC. This resolution authorizes the execution of the documents to complete the transaction and vest title to the Golf Course in the City.

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

- 25. COMMUNICATION ITEMS
 - A. Upcoming Agenda Items
 - B. Financial Report

- 26. ADJOURNMENT

CERTIFICATE OF POSTING

The undersigned duly appointed recorder or deputy recorder does hereby certify that the above agenda notice was posted in four public places within Eagle Mountain City limits on this 16th day of July, 2009. These public places being bulletin boards located inside the City offices and located in the Eagle Mountain City Library, 1650 E. Stagecoach Run, Eagle Mtn., UT; and the bulletin board located inside the Prairie Gate professional office building, 3688 E. Campus Dr., Eagle Mountain, Utah. On this 16th day of July, 2009, the above agenda notice was posted to the Utah State public notice website at <http://www.utah.gov/pmn/index.html>.

Fionnuala B. Kofoed, City Recorder

AGENDA
EAGLE MOUNTAIN CITY COUNCIL MEETING

August 4, 2009

Work Session at 4:00 p.m. - Policy Session at 7:00 p.m.

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

*** This meeting may be held telephonically to allow a member of the City Council to participate ***

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

1. AGENDA REVIEW – The City Council will review items on the Consent Agenda and Policy Session Agenda.
2. CITY ADMINISTRATOR INFORMATION ITEMS – This is an opportunity for the City Administrator to provide information to the City Council. These items are for information and do not require action by the City Council.
 - A. Update on the Sewer Treatment Facility (*Presented by Chris Trusty*)
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, and the purchase, lease or exchange of real property, pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

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

4. CALL TO ORDER
5. PLEDGE OF ALLEGIANCE
6. INFORMATION ITEMS/UPCOMING EVENTS
7. PUBLIC COMMENTS – Time has been set aside for the public to express their ideas, concerns and comments. (*Please limit your comments to three minutes each.*)
8. CITY COUNCIL/MAYOR’S ITEMS – Time has been set aside for the City Council and Mayor to make comments. (*Comments are limited to three minutes each.*)
9. PROCLAMATION
 - A. Eagle Mountain Fire Fighters/MDA Fill the Boot Program

CONSENT AGENDA

10. MINUTES
 - A. July 21, 2009 – Regular City Council Meeting
11. FINAL PAYMENTS
 - A. Appaloosa Way Rotomill and Overlay – Geneva Rock

**THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.
If you need a special accommodation to participate in the City Council Meetings and Work Sessions,
please call the City Recorder’s Office at least 3 working days prior to the meeting at 789-6611.**

- B. Eagle Mountain Blvd. Slurry Seal – Staker & Parson
- C. Eagle Point B Park Trail – Staker & Parson
- D. Mt. Airey Drive Asphalt Replacement & Repair – Geneva Rock
- E. Walden Park Parking Lot – Staker & Parson

- 12. FINAL BOND RELEASE (into Warranty)
 - A. Southmoor Phase 1

SCHEDULED ITEMS

- 13. MOTION – Consideration and Approval of a Bond Election to Fund Construction of a Recreation Center/Aquatic Center.

BACKGROUND: *(Presented by Jason Walker)* The City has been developing a concept plan for a city-wide recreation and aquatics facility. For the past several months, the Parks & Recreation Advisory Board, City staff and VCBO Architects have been researching and developing the most beneficial, yet cost-effective, alternative for city residents. The Board recommends that the Council allow a measure on the ballot that would allow the City to bond for \$8.5 million for the design and construction of a seasonal, open-air aquatics facility.

- 14. ORDINANCE – Consideration and Adoption of an Ordinance of Eagle Mountain City, Utah Terminating Legal Authority for the Waiver of Impact Fees or Connection Fees.

BACKGROUND: *(Presented by City Attorney Jerry Kinghorn)* This ordinance will clarify the status of the termination of authority of the City Council to waive impact fees and connection fees.

- 15. RESOLUTION – Consideration and Adoption of a Resolution Amending the Consolidated Fee Schedule to Increase the Home Business License Fee.

BACKGROUND: *(Presented by Planning Director Steve Mumford)* The City has been subsidizing home-based businesses for years, only charging \$10.00 per year for a license. City staff is proposing to increase the application fee to \$25.00 for home-based businesses and \$75.00 for home-based businesses that require inspections, in order to better cover the costs for processing these applications and inspections.

- 16. BID AWARD – Consideration and Approval of an Award of Bid for the Highlands on the Green Storm Drain Project.

BACKGROUND: *(Presented by Public Works Director Chris Trusty)* Because of site topography, the Highlands on the Green subdivision has had consistent flooding issues. Several of the lots drain to a low spot which cannot drain toward the street because of elevation constraints. Local residents have tried to build drainage structures, such as swales and sumps, but the drainage is too severe to accommodate the existing flows. It is recommended that the City award a bid for a storm drain project for Highlands on the Green.

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

- 18. COMMUNICATION ITEMS
 - A. Upcoming Agenda Items

- 19. ADJOURNMENT

CERTIFICATE OF POSTING

The undersigned duly appointed recorder or deputy recorder does hereby certify that the above agenda notice was posted in four public places within Eagle Mountain City limits on this 30th day of **July, 2009**. These public places being bulletin boards located inside the City offices and located in the Eagle Mountain City Library, 1650 E. Stagecoach Run, Eagle Mtn., UT; and the bulletin board located inside the Prairie Gate professional office building, 3688 E. Campus Dr., Eagle Mountain, Utah. On this 30th day of **July, 2009**, the above agenda notice was posted to the Utah State public notice website at <http://www.utah.gov/pmn/index.html>.

Fionnuala B. Kofoed, City Recorder

AGENDA
EAGLE MOUNTAIN CITY COUNCIL MEETING

August 18, 2009

Work Session at 4:00 p.m. - Policy Session at 7:00 p.m.

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

*** This meeting may be held telephonically to allow a member of the City Council to participate ***

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

1. AGENDA REVIEW – The City Council will review items on the Consent Agenda and Policy Session Agenda.
2. CITY ADMINISTRATOR INFORMATION ITEMS – This is an opportunity for the City Administrator to provide information to the City Council. These items are for information and do not require action by the City Council.
 - A. Update on the Sewer Treatment Facility (*Presented by Chris Trusty*)
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, and the purchase, lease or exchange of real property, pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

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

4. CALL TO ORDER
5. PLEDGE OF ALLEGIANCE
6. INFORMATION ITEMS/UPCOMING EVENTS
7. PUBLIC COMMENTS – Time has been set aside for the public to express their ideas, concerns and comments. (*Please limit your comments to three minutes each.*)
8. CITY COUNCIL/MAYOR’S ITEMS – Time has been set aside for the City Council and Mayor to make comments. (*Comments are limited to three minutes each.*)

CONSENT AGENDA

9. MINUTES
 - A. August 4, 2009 – Regular City Council Meeting
10. CHANGE ORDER
 - A. Bobby Wren Blvd. Storm Drain Change Order #2 – Staker Parson
11. FINAL PAYMENTS
 - A. Porter’s Crossing Extension – Skip Dunn

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.
If you need a special accommodation to participate in the City Council Meetings and Work Sessions,
please call the City Recorder’s Office at least 3 working days prior to the meeting at 789-6611.

- B. Pony Express Parking Lot – Kenny Seng
- C. Pony Express Irrigation Line – Skip Dunn

12. MASTER DEVELOPMENT AGREEMENT

- A. Scenic Mountain

13. FINAL PLAT

- A. Scenic Mountain 1 Final Plat

14. SITE PLAN

- A. Scenic Mountain Church

SCHEDULED ITEMS

15. MOTION – Consideration and Approval of a Lease for Golf Course Equipment with Vanguard Golf Management Group LLC.

BACKGROUND: *(Presented by Jerry Kinghorn)* The Eagle Mountain City Council approved the donation of The Ranches Golf Club, at the July 21, 2009 City Council meeting, from Eagle Mountain Holding and Eagle Mountain Links LLC to Eagle Mountain City. Additionally, the City Council approved an Operation and Management Lease Agreement with Vanguard Golf Management for the golf course. The golf course equipment was included in the donation and the proposed equipment lease agreement between Eagle Mountain City and Vanguard documents the terms of the lease.

16. AGREEMENT – Consideration and Approval of an Interlocal Agreement for Fire Service with Utah County.

BACKGROUND: *(Presented by Chief Andrus)* The proposed interlocal agreement is for fire protection to unincorporated areas of Utah County provided by Eagle Mountain City. Federal and State owned properties are excluded from this agreement.

17. AGREEMENT – Consideration and Approval of a Settlement and Release Agreement with Centex Homes.

BACKGROUND: *(Presented by Jerry Kinghorn)* Centex Homes failed to complete subdivision improvements for Eagle’s Gate Plat A, Eagle’s Gate Plat D, Kiowa Valley Plat A, Kiowa Valley Plat B and Kiowa Valley Plat C. This Settlement and Release Agreement with Centex Homes provides that Centex Homes will pay Eagle Mountain City to complete the improvements and the City will release the subdivision improvement bonds.

18. BID AWARD – Consideration and Award of a Bid to Skip Dunn for Eagle’s Gate and Kiowa Subdivisions Completion and Authorization for the Mayor to Execute the Contract.

BACKGROUND: *(Presented by Chris Trusty)* Staff recommends that Skip Dunn be awarded the bid to complete the subdivision improvements for Eagle’s Gate Plat A, Eagle’s Gate Plat D, Kiowa Valley Plat A, Kiowa Valley Plat B and Kiowa Valley Plat C that should have been completed by Centex Homes.

19. AGREEMENT – Consideration and Approval of an Agreement for the Completion of Required Improvements with Developers Surety and Indemnity Company for Three Crossings C and Amendment 1.

BACKGROUND: *(Presented by Jerry Kinghorn)* Newport Homes failed to complete the subdivision improvements in Three Crossings C subdivision. The City demanded that the surety complete the improvements. This agreement provides for the completion of the improvements. Amendment 1 modifies the main agreement to require written notice to the City of the completion of the improvements for final inspection.

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

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. Financial Report

23. ADJOURNMENT

CERTIFICATE OF POSTING

The undersigned duly appointed recorder or deputy recorder does hereby certify that the above agenda notice was posted in four public places within Eagle Mountain City limits on this 13th day of **August, 2009**. These public places being bulletin boards located inside the City offices and located in the Eagle Mountain City Library, 1650 E. Stagecoach Run, Eagle Mtn., UT; and the bulletin board located inside the Prairie Gate professional office building, 3688 E. Campus Dr., Eagle Mountain, Utah. On this 13th day of **August, 2009**, the above agenda notice was posted to the Utah State public notice website at <http://www.utah.gov/pmn/index.html>.

Fionnuala B. Kofoed, City Recorder

AGENDA
EAGLE MOUNTAIN CITY COUNCIL MEETING

September 1, 2009

Work Session at 4:00 p.m. - Policy Session at 7:00 p.m.

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

*** This meeting may be held telephonically to allow a member of the City Council to participate ***

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

1. AGENDA REVIEW – The City Council will review items on the Consent Agenda and Policy Session Agenda.
2. CITY ADMINISTRATOR INFORMATION ITEMS – This is an opportunity for the City Administrator to provide information to the City Council. These items are for information and do not require action by the City Council.
 - A. Update on the Sewer Treatment Facility *(Presented by Chris Trusty)*
 - B. Redevelopment Agency Update *(Presented by staff)*
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, and the purchase, lease or exchange of real property, pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

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

4. CALL TO ORDER
5. PLEDGE OF ALLEGIANCE
6. INFORMATION ITEMS/UPCOMING EVENTS
7. PUBLIC COMMENTS – Time has been set aside for the public to express their ideas, concerns and comments. *(Please limit your comments to three minutes each.)*
8. CITY COUNCIL/MAYOR’S ITEMS – Time has been set aside for the City Council and Mayor to make comments. *(Comments are limited to three minutes each.)*
9. PROCLAMATION
 - A. Childhood Cancer Awareness Month

CONSENT AGENDA

10. MINUTES
 - A. August 18, 2009 – Regular City Council Meeting

**THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.
If you need a special accommodation to participate in the City Council Meetings and Work Sessions,
please call the City Recorder’s Office at least 3 working days prior to the meeting at 789-6611.**

11. CHANGE ORDERS
 - A. Well #1 & Well #5 Project Change Order No. 5 – Clear Construction Company
 - B. Construction of a New 2 MG Water Reservoir (Tank 5) Change Order No. 1 – Build Inc.
 - C. Smith Ranch Road Change Order No. 1 – Staker Parson Company
12. MASTER DEVELOPMENT AGREEMENT
 - A. Scenic Mountain Master Development Agreement
13. FINAL PLAT
 - A. Scenic Mountain 1 Final Plat
14. SITE PLAN
 - A. Scenic Mountain Church Site Plan

SCHEDULED ITEMS

15. AGREEMENT – Consideration and Approval of a Trail Improvement Agreement between Eagle Mountain City and the School and Institutional Trust Lands Administration (SITLA).

BACKGROUND: *(Presented by Jerry Kinghorn)* Eagle Mountain City received a grant from the National Park Service (NPS) to improve access and signage to the Pony Express Trail. The NPS agreement requires the City to contribute certain services and funds towards the trail improvement. Because SITLA will benefit from the improvements through their property, they have agreed to provide certain services and funds for the project. The proposed agreement documents the terms.

16. AGREEMENT – Consideration and Approval of a Water Supply Agreement between Eagle Mountain City and the Central Utah Water Conservancy District.

BACKGROUND: *(Presented by Jerry Kinghorn)* This agreement will allow the City to purchase water dedicated to Trust Lands projects to meet the City standards for water supply. SITLA will make a lump sum payment before December 31, 2009 to acquire 500 acre feet of water in 2020. The City will use the lump sum payment to fund the City obligations to Central Utah under the agreement.

17. AGREEMENT – Consideration and Approval of a Public Water Supply Agreement with Utah State Institutional Trust Lands Administration (SITLA).

BACKGROUND: *(Presented by Jerry Kinghorn)* This agreement is the City counterpart with SITLA to the agreement between the City and Central Utah. The City will use water purchased from Central Utah to meet water development standards for SITLA projects. SITLA will be responsible for the payment of City impact fees as determined in the future and the costs for water payable to Central Utah.

18. AGREEMENT – Consideration and Approval of an Improvement Completion Agreement between Eagle Mountain City and the Plum Creek Condominium Association.

BACKGROUND: *(Presented by Jerry Kinghorn)* The City is holding a bond for completion of improvements on land owned by the Plum Creek Condominium Association. This agreement will

allow the City to enter the private property of the Condominium Association to complete the improvements in consultation with the owners.

19. BID AWARD – Consideration and Award of a Bid for Subcontractor Agreements for the Construction of the Library Expansion Project.

BACKGROUND: *(Presented by Kent Partridge)* Eagle Mountain City Council approved the expansion of the library with the FY 2009-2010 budget. The City will act as the general contractor and the project was out to bid with a deadline to submit all bids by 5:00 p.m. on August 27.

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

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

23. ADJOURNMENT

CERTIFICATE OF POSTING

The undersigned duly appointed recorder or deputy recorder does hereby certify that the above agenda notice was posted in four public places within Eagle Mountain City limits on this 27th day of **August, 2009**. These public places being bulletin boards located inside the City offices and located in the Eagle Mountain City Library, 1650 E. Stagecoach Run, Eagle Mtn., UT; and the bulletin board located inside the Prairie Gate professional office building, 3688 E. Campus Dr., Eagle Mountain, Utah. On this 27th day of **August, 2009**, the above agenda notice was posted to the Utah State public notice website at <http://www.utah.gov/pmn/index.html>.

Fionnuala B. Kofoed, City Recorder

AGENDA
EAGLE MOUNTAIN CITY COUNCIL MEETING

September 22, 2009

Policy Session at 5:00 p.m.

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

*** This meeting may be held telephonically to allow a member of the City Council to participate ***

PLEASE NOTE THAT NO WORK SESSION HAS BEEN SCHEDULED AND THE MEETING WILL BEGIN AT 5:00 P.M.

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

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. INFORMATION ITEMS/UPCOMING EVENTS
4. PUBLIC COMMENTS – Time has been set aside for the public to express their ideas, concerns and comments. *(Please limit your comments to three minutes each.)*
5. CITY COUNCIL/MAYOR’S ITEMS – Time has been set aside for the City Council and Mayor to make comments. *(Comments are limited to three minutes each.)*

SCHEDULED ITEMS

CONSENT AGENDA

6. CHANGE ORDER
 - A. Bobby Wren Boulevard Change Order 3 – Staker Parson

POLICY SESSION

7. AGREEMENT – Consideration and Approval of a Water Supply Agreement between Eagle Mountain City and the Central Utah Water Conservancy District.

BACKGROUND: *(Presented by John Hendrickson)* This agreement will allow the City to purchase water dedicated to projects to meet the City standards for water supply within the City.

8. ADJOURNMENT

**THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.
If you need a special accommodation to participate in the City Council Meetings and Work Sessions,
please call the City Recorder’s Office at least 3 working days prior to the meeting at 789-6611.**

CERTIFICATE OF POSTING

The undersigned duly appointed recorder or deputy recorder does hereby certify that the above agenda notice was posted in four public places within Eagle Mountain City limits on this 17th day of **September, 2009**. These public places being bulletin boards located inside the City offices and located in the Eagle Mountain City Library, 1650 E. Stagecoach Run, Eagle Mtn., UT; and the bulletin board located inside the Prairie Gate professional office building, 3688 E. Campus Dr., Eagle Mountain, Utah. On this 17th day of **September, 2009**, the above agenda notice was posted to the Utah State public notice website at <http://www.utah.gov/pmn/index.html>.

Fionnuala B. Kofoed, City Recorder

AGENDA
EAGLE MOUNTAIN CITY COUNCIL MEETING

October 6, 2009

Work Session at 4:00 p.m. - Policy Session at 7:00 p.m.

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

*** This meeting may be held telephonically to allow a member of the City Council to participate ***

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

1. PRESENTATION – Utah Lake Crossing (*Presentation by Leon Harward*)
2. AGENDA REVIEW – The City Council will review items on the Consent Agenda and Policy Session Agenda.
3. CITY ADMINISTRATOR INFORMATION ITEMS – This is an opportunity for the City Administrator to provide information to the City Council. These items are for information and do not require action by the City Council.
 - A. Update on the Sewer Treatment Facility
 - B. Waiver of Fees for Parade of Homes
4. ADJOURN TO A CLOSED EXECUTIVE SESSION – The City Council will 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.

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

5. CALL TO ORDER
6. PLEDGE OF ALLEGIANCE
7. INFORMATION ITEMS/UPCOMING EVENTS
8. PUBLIC COMMENTS – Time has been set aside for the public to express their ideas, concerns and comments. (*Please limit your comments to three minutes each.*)
9. CITY COUNCIL/MAYOR’S ITEMS – Time has been set aside for the City Council and Mayor to make comments. (*Comments are limited to three minutes each.*)

CONSENT AGENDA

10. MINUTES
 - A. September 1, 2009 – Regular City Council Meeting
 - B. September 22, 2009 – Regular City Council Meeting
11. BOND RELEASE – Out of Warranty

**THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.
If you need a special accommodation to participate in the City Council Meetings and Work Sessions,
please call the City Recorder’s Office at least 3 working days prior to the meeting at 789-6611.**

- A. Pioneer Addition, Plats 7 A & B
- B. O’Fallon’s Bluff, Plats D & E
- C. Westview Heights

12. CHANGE ORDER

- A. Change Order No. 6 – 1.2 MGD Water Reclamation Facility – Nelson Brothers

13. FINAL PAYMENT

- A. Smith Ranch Road Final Payment – Staker Parson

14. DEVELOPMENT AGREEMENT

- A. Scenic Mountain, Plat 1

SCHEDULED ITEMS

15. RESOLUTION – Consideration and Adoption of a Resolution of the City Council of Eagle Mountain, Utah Supporting the Utah Lake Crossing Project.

BACKGROUND: *(Presented by Mayor Jackson)* The proposed resolution is for support of the Utah Lake Crossing Project that would connect from Pelican Point in Saratoga Springs to 800 North in Orem. The crossing would provide commuters with an alternate route to and from the south end of Utah County. The toll road project would be privately funded.

16. MOTION – Consideration of a Letter of Engagement with Kassing Andrews for Advertising.

BACKGROUND: *(Presented by Ifo Pili)* Eagle Mountain City staff has recently interviewed several marketing firms to assist the City in accomplishing its marketing pursuits. Staff recommends that the City Council approve a Letter of Engagement with Kassing Andrews for advertising.

17. MOTION – Consideration of an Extension of Time for the Completion of Landscaping for the Ark of Eagle Mountain.

BACKGROUND: *(Presented by Steve Mumford)* The Ark of Eagle Mountain was approved at the April 7, 2009 City Council Meeting. One of the conditions of approval was that certain landscaping needed to be completed within six months of the approval date. The applicant has submitted a formal request for an extension of time for the completion of the landscaping.

18. MOTION – Consideration and Appointment of Poll Workers for the 2009 General Municipal Election in Eagle Mountain City.

BACKGROUND: *(Presentation by Fionnuala Kofoed)* The City Recorder will present the City Council with a list of recommended individuals to serve as poll workers for the 2009 Municipal Election. The Recorder’s Office will use three regular poll workers at each of the three voting locations and will use three counters at the Recorder’s Office as a central counting location. The counting workers will arrive at the polls at 5:00 p.m. on the day of the elections and begin counting ballots to help expedite the process. Two poll workers will be appointed to collect the ballots from the polling locations throughout the evening and return them to the Recorder’s Office to be counted.

19. AGREEMENT – Consideration and Approval of an Interlocal Agreement between Eagle Mountain City and Utah County Relating to the Conduct of the Community Development Block Grant (CDBG).

BACKGROUND: *(Presented by Jerry Kinghorn)* The proposed agreement implements policies, objectives and other provisions of CDBG that provide that a county may qualify as an urban county and become eligible to receive entitlement grants from HUD for the conduct of the CDBG program activities that cities and other government entities cannot qualify for individually. Cities and other local governments in the same metropolitan areas may be included as part of the urban county by entering into cooperation agreements with the urban county.

20. AGREEMENT – Consideration of an Interlocal Agreement for Fire Service between Eagle Mountain City and Utah County.

BACKGROUND: *(Presented by Chief Andrus)* The proposed interlocal agreement is for fire protection to unincorporated areas of Utah County provided by Eagle Mountain City. Federal and State owned properties are excluded from this agreement. The interlocal agreement that the Eagle Mountain City Council approved at their August 18, 2009 meeting was not signed by Utah County. Several revisions have been made by the County.

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

22. 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.

23. COMMUNICATION ITEMS
A. Upcoming Agenda Items
B. Financial Reports

24. ADJOURNMENT

CERTIFICATE OF POSTING

The undersigned duly appointed recorder or deputy recorder does hereby certify that the above agenda notice was posted in four public places within Eagle Mountain City limits on this 1st day of **October, 2009**. These public places being bulletin boards located inside the City offices and located in the Eagle Mountain City Library, 1650 E. Stagecoach Run, Eagle Mtn., UT; and the bulletin board located inside the Prairie Gate professional office building, 3688 E. Campus Dr., Eagle Mountain, Utah. On this 1st day of **October, 2009**, the above agenda notice was posted to the Utah State public notice website at <http://www.utah.gov/pmn/index.html>.

Fionnuala B. Kofoed, City Recorder

AGENDA
EAGLE MOUNTAIN CITY COUNCIL MEETING

October 20, 2009

Work Session at 4:00 p.m. - Policy Session at 7:00 p.m.

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

*** This meeting may be held telephonically to allow a member of the City Council to participate ***

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

1. DISCUSSION – City Center Open Space Completion Plan *(Presented by Steve Mumford)*
2. DISCUSSION – Prepaid Gas *(Presented by Nathan Hardy, UAMPS)*
3. DISCUSSION – Smart Energy *(Presented by Cathryn Collins, UAMPS)*
4. AGENDA REVIEW – The City Council will review items on the Consent Agenda and Policy Session Agenda.
5. CITY ADMINISTRATOR INFORMATION ITEMS – This is an opportunity for the City Administrator to provide information to the City Council. These items are for information and do not require action by the City Council.
 - A. Update on the Sewer Treatment Facility *(Presented by Chris Trusty)*
6. ADJOURN TO A CLOSED EXECUTIVE SESSION – The City Council will 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.

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

7. CALL TO ORDER
8. PLEDGE OF ALLEGIANCE
9. INFORMATION ITEMS/UPCOMING EVENTS
10. PUBLIC COMMENTS – Time has been set aside for the public to express their ideas, concerns and comments. *(Please limit your comments to three minutes each.)*
11. CITY COUNCIL/MAYOR’S ITEMS – Time has been set aside for the City Council and Mayor to make comments. *(Comments are limited to three minutes each.)*

CONSENT AGENDA

12. MINUTES
 - A. October 6, 2009 – Regular City Council Meeting

**THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.
If you need a special accommodation to participate in the City Council Meetings and Work Sessions,
please call the City Recorder’s Office at least 3 working days prior to the meeting at 789-6610.**

SCHEDULED ITEMS

13. PUBLIC HEARING

ORDINANCE – Consideration and Adoption of an Ordinance of the City Council of Eagle Mountain, Utah Amending Ordinance 03-2009 and the Eagle Mountain City Code Title 3, Maps Depicting Significant and Insignificant Land.

BACKGROUND: *(Presented by Steve Mumford)* The proposed ordinance amends Ordinance 03-2009 and the Eagle Mountain City Code identifying additional City-owned land subject to the ordinance.

14. AGREEMENT – Consideration and Approval of a Consulting and Lobbying Agreement between Eagle Mountain City and Allen Freemyer.

BACKGROUND: *(Presented by John Hendrickson)* Mr. Freemyer has been the City’s lobbyist since November, 2007. This contract will continue that relationship by extending the agreement for one more year. The contract term is November 1, 2009 to November 1, 2010. Either party may terminate the agreement upon a 60-day written notice.

15. RESOLUTION – Consideration and Adoption of a Resolution of the City Council of Eagle Mountain, Utah Authorizing the Appointment by the Mayor of a Committee Known as the “Yellow Ribbon Committee.”

BACKGROUND: *(Presented by Mayor Jackson)* This resolution authorizes the Mayor to appoint a committee of residents for the purpose of organizing volunteers and contributions appropriate to honor the return home of residents of Eagle Mountain City serving in the Armed Forces of the United States.

16. APPOINTMENTS

A. Yellow Ribbon Committee – Kindra Jones, Chair; Amie Ballif, Co-chair; Michelle LeBaron, Co-chair.

17. ORDINANCE – Consideration and Adoption of a Utility Easement Ordinance Granting a Utility Easement to Rocky Mountain Power.

BACKGROUND: *(Presented by Jerry Kinghorn)* The proposed ordinance grants a limited utility easement for existing facilities only to Rocky Mountain Power. Rocky Mountain provides power and energy that require the installation, operation, and maintenance of power poles and other related facilities within portions of Eagle Mountain City. The term of the easement is for 5 years and is renewable if application is made within 120 calendar days prior to expiration of the grant of easement.

18. MOTION – Consideration and Approval of Waiver of Fees for the 2010 Parade of Homes.

BACKGROUND: *(Presented by John Hendrickson)* The City has received a request by some home builders in Eagle Mountain to waive the permit fees for homes that have been accepted for showing in the Utah County Home Builders’ Association (UCHBA) annual *Parade of Homes* event. The estimated cost to waive the building inspection fees would be about \$3,000 per home. They are requesting this waiver for up to 5 homes.

19. AGREEMENT – Consideration and Approval of a CWP Water Supply Pre-Payment Agreement between Central Utah Water Conservancy District and Eagle Mountain City.

BACKGROUND: *(Presented by Jerry Kinghorn)* This agreement documents the option to prepay for the purchase of water dedicated to Trust Lands projects to meet the City standards for water supply. SITLA will make a lump sum payment before December 31, 2009 to acquire 1000 acre feet of water in 2020. The City will use the lump sum payment to fund the City's obligations to Central Utah under the agreement. This agreement implements the base purchase agreement previously approved by the Council.

20. AGREEMENT – Consideration and Approval of a Public Water Supply Agreement with Utah State Institutional Trust Lands Administration (SITLA).

BACKGROUND: *(Presented by Jerry Kinghorn)* This agreement is the City counterpart with SITLA to the Agreements between the City and Central Utah for water for SITLA projects. The City will use water purchased from Central Utah to meet water development standards for SITLA projects. SITLA will be responsible for the payment of City impact fees as determined in the future and the costs for water payable to Central Utah.

21. MOTION – Consideration and Approval of Authorization to Enter into Lease/Purchase Agreement with Key Government Financial for Purchase of a Digger/Derrick for the Electric Department.

BACKGROUND: *(Presented by John Hendrickson)* The proposed lease agreement is for the purchase of a digger/derrick for the Electric Department that was approved in the FY 2009-2010 budget. Payments will be spread over three budget years.

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

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.

24. COMMUNICATION ITEMS

- A. Upcoming Agenda Items
- B. Financial Reports
- C. Lobbyist Update

25. ADJOURNMENT

CERTIFICATE OF POSTING

The undersigned duly appointed recorder or deputy recorder does hereby certify that the above agenda notice was posted in four public places within Eagle Mountain City limits on this 15th day of **October, 2009**. These public places being bulletin boards located inside the City offices and located in the Eagle Mountain City Library, 1650 E. Stagecoach Run, Eagle Mtn., UT; and the bulletin board located inside the Prairie Gate professional office building, 3688 E. Campus Dr., Eagle Mountain, Utah. On this 15th day of **October, 2009**, the above agenda notice was posted to the Utah State public notice website at <http://www.utah.gov/pmn/index.html>.

Fionnuala B. Kofoed, City Recorder

AGENDA
EAGLE MOUNTAIN CITY
SPECIAL COUNCIL MEETING

November 11, 2009

Policy Session 5:00 p.m.

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

*** This meeting may be held telephonically to allow a member of the City Council to participate ***

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

1. The Eagle Mountain City Council will convene in a special meeting as the official Board of Canvassers to canvass the municipal election held November 3, 2009. As the Board of Canvassers, the Board will review the report of election results prepared by the City Recorder as the Election Official, consider and approve the report of the results, execution of the report and certification of the final vote totals for persons on the ballot. Pursuant to State law, it is necessary that the City Council, as the Board of Canvassers, canvass the 2009 municipal general election no sooner than seven days and no later than fourteen days after the election

2. ADJOURNMENT

CERTIFICATE OF POSTING

The undersigned duly appointed recorder or deputy recorder does hereby certify that the above agenda notice was posted in four public places within Eagle Mountain City limits on this 9th day of **November, 2009**. These public places being bulletin boards located inside the City offices and located in the Eagle Mountain City Library, 1650 E. Stagecoach Run, Eagle Mtn., UT; and the bulletin board located inside the Prairie Gate professional office building, 3688 E. Campus Dr., Eagle Mountain, Utah. On this 9th day of **November, 2009**, the above agenda notice was posted to the Utah State public notice website at <http://www.utah.gov/pmn/index.html>.

Fionnuala B. Kofoed, City Recorder

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AGENDA
EAGLE MOUNTAIN CITY COUNCIL MEETING

November 17, 2009

Work Session at 4:00 p.m. - Policy Session at 7:00 p.m.

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

*** This meeting may be held telephonically to allow a member of the City Council to participate ***

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

1. PRESENTATION – Mountain View Corridor 2100 North Project *(Presented by Justin Smart, Jessica Wilson and Siobhan Locke)*
2. AGENDA REVIEW – The City Council will review items on the Consent Agenda and Policy Session Agenda.
3. CITY ADMINISTRATOR INFORMATION ITEMS – This is an opportunity for the City Administrator to provide information to the City Council. These items are for information and do not require action by the City Council.
 - A. Update on the Sewer Treatment Facility *(Presented by Chris Trusty)*
 - B. Aquatic Center Citizen Survey Report *(Presented by Jason Walker)*
4. ADJOURN TO A CLOSED EXECUTIVE SESSION – The City Council will 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.

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

5. CALL TO ORDER
6. PLEDGE OF ALLEGIANCE
7. INFORMATION ITEMS/UPCOMING EVENTS
8. PUBLIC COMMENTS – Time has been set aside for the public to express their ideas, concerns and comments. *(Please limit your comments to three minutes each.)*
9. CITY COUNCIL/MAYOR’S ITEMS – Time has been set aside for the City Council and Mayor to make comments. *(Comments are limited to three minutes each.)*
10. APPOINTMENT
 - A. Parks and Recreation Advisory Board – David Benight (3 year term)

**THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.
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please call the City Recorder’s Office at least 3 working days prior to the meeting at 789-6610.**

CONSENT AGENDA

11. MINUTES
 - A. October 20, 2009 – Regular City Council Meeting
 - B. November 11, 2009 – Special City Council Meeting
12. CHANGE ORDER
 - A. 1.2 MGD Water Reclamation Facility Change Order No.7 – Nelson Brothers
13. FINAL PAYMENTS
 - A. Wells #1 and #5 – Clear Construction
 - B. Mt. Airey Storm Drain – Skip Dunn
 - C. Highlands on the Green Storm Drain – Skip Dunn
 - D. Fire Station #2 – Entelen
14. FINAL BOND RELEASE (Out Of Warranty)
 - A. Three Crossings Plat C
 - B. Sunrise at Kiowa Plats A & B
15. DEVELOPMENT AGREEMENT
 - A. Northmoor 2A and 2C

SCHEDULED ITEMS

16. PUBLIC HEARING
ORDINANCE – Consideration and Adoption of an Ordinance of the City Council of Eagle Mountain, Utah Amending Title 17 of the Eagle Mountain City Code.

BACKGROUND: *(Presented by Steve Mumford)* The proposed ordinance includes the following amendments to Title 17 of the Eagle Mountain City Code:

- A. Section 17.30 Residential Zone Bonus Density Entitlements (Masonry Materials). This is an applicant-proposed amendment to the definition of Masonry Materials. The proposed amendment adds engineered wood siding to masonry material options in the Bonus Density Entitlements section of the code with some other minor changes.
 - B. Section 17.75 Standards for Special Uses (Residential Group Homes) and 17.10 Definitions. This is a staff proposed amendment and includes a majority of the previously-approved group home's conditions as code requirements. It also contains three sections that replace the previous Residential Group Homes section: 1) Residential facility for persons with a disability; 2) Residential rehabilitation and treatment facility; 3) Residential Juvenile Group Home.
 - C. 17.80 Sign Regulations and 17.10 Definitions include changes to the Temporary Special Event Signage section, as well as new sections regulating yard/garage sale, model home, and real estate open house signs.
17. PUBLIC HEARING
 - A. Consideration of Pole Canyon Annexation No. 1, approximately 2,797.46 acres, and Pole Canyon Annexation No. 2, approximately 327.26 acres.
 - B. Consideration of Amendment to the Eagle Mountain City General Plan.
 - C. Consideration of a Master Development Plan for Pole Canyon.

BACKGROUND: *(Presented by Jerry Kinghorn and Steve Mumford)* On October 20, 2009 petitions for Pole Canyon Annexation No.1, approximately 2,787.46 acres, and Pole Canyon Annexation No. 2, approximately 327.26 acres, were submitted to the Eagle Mountain City Recorder's Office. The property is located north of Fairfield and west of Eagle Mountain. The petitions were accepted by the Recorder's Office and certified on January 7, 2009. No protests were received by the City during the 30-day protest period. After the public hearing, the City Council may annex the property at a future meeting. The City Council will also consider an Amendment to the Eagle Mountain General Plan and a Master Development Plan Land Use Element (Zoning) for Pole Canyon.

18. PUBLIC HEARING – Consideration and Review of Community Development Block Grant Proposals for FY 2010.

BACKGROUND: *(Presented by Fionnuala Kofoed)* The Community Development Block Grant (CDBG) program is financed through the Housing and Urban Development agency. The primary purpose of the program is to provide funds to local governments to benefit low to moderate income residents within their jurisdictions. Eagle Mountain City will compete against entities within the Mountainland Association of Governments' jurisdiction for \$1.5 million. This is the first of two required public hearings designed to receive input from residents on possible projects the City should consider sponsoring. The City intends to pursue funds for transportation for the Eagle Mountain City senior citizens.

19. AGREEMENT – Consideration and Approval of the Eagle Mountain Emergency Services/Off-Line Medical Director Service Agreement for the Eagle Mountain Fire Department.

BACKGROUND: *(Presented by Chief Andrus)* The Utah Administrative Code requires that all licensees and quick response units must enter into a written agreement with a physician to serve as its off-line medical director to supervise medical care provided by the field EMS personnel. The proposed agreement documents the terms of the agreement entered into with the physician. The City will continue to use the services of Dr. Mark Bair. Dr. Bair will be the provider for the majority of the northern Utah County fire departments.

20. AGREEMENT – Consideration and Approval of an Agreement between Eagle Mountain City and the University of Utah/Mt. Nebo Training Paramedic Program.

BACKGROUND: *(Presented by Chief Andrus)* This agreement documents the terms and conditions under which the University of Utah/Mt. Nebo Training Paramedic Program will be permitted to use Eagle Mountain City for clinical experience for its paramedic program. This program will allow students to ride along with certified paramedics and develop and utilize their skills as they go through the paramedic program.

21. BID AWARD – Consideration and Award of Bid to Sherman & Reilly, Inc. for a Hydraulic Duct Dawg Underground Puller.

BACKGROUND: *(Presented by Adam Ferre)* The Hydraulic Duct Dawg is used to pull underground wire/cable through conduit systems for new construction and in times of emergency. To date, the Energy Department has hired out for this service and purchasing the equipment will allow the department to do small scale jobs in-house and provide after-hours service in case of

emergencies. This equipment was included in the FY 2009-2010 budget.

22. BID AWARD – Consideration and Award of Bid to Silver Spur Construction for Construction of a Waterline from Well #5 to Tank #5.

BACKGROUND: *(Presented by Dave Norman)* Earlier this year, the City Council approved a contract with Build, Inc. to build a new 2 MG reservoir. The new waterline will connect Well #5 to Tank #5. The waterline will follow the future road alignment within the lower Hidden Valley area and utilize the easement acquired earlier this year from the developers in that area. The existing 20-inch waterline in front of Well #5 will be relocated as part of this project to move it within the right-of-way and future road alignment.

23. BID AWARD – Consideration and Award of Bid for the Written Impact Fee Analysis.

BACKGROUND: *(Presented by Chris Trusty)* Eagle Mountain City has contracted with Horrocks Engineering to revise and update the Capital Facilities Plan. With the completion of this plan, which is expected to be presented to the City Council at the December 1, 2009 City Council meeting, the City has solicited proposals for a Written Analysis. The intent of the Written Analysis is to allow the City to review alternatives to amend the Impact Fee Ordinance to reflect changes in the Capital Facilities Plan.

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

25. 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.

26. COMMUNICATION ITEMS

- A. Upcoming Agenda Items
- B. Financial Reports

27. ADJOURNMENT

CERTIFICATE OF POSTING

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Fionnuala B. Kofoed, City Recorder