

## Eagle Mountain City Council Minutes 2016, Part 4

### *Dates of City Council Meetings:*

- October 4, 2016
- October 18, 2016
- November 1, 2016
- November 15, 2016
- December 6, 2016



# EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

**October 4, 2016**

Eagle Mountain City Council Chambers

1650 East Stagecoach Run, Eagle Mountain, Utah 84005

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

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

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

Mayor Pengra called the meeting to order at 4:08 p.m.

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

- A. DISCUSSION – Oquirrh Mountain Petroglyph Preservation Plan

City Attorney Jeremy Cook stated this item was placed on the agenda so the City could be very transparent about the fact that the petroglyphs would be discussed in Closed Session. Discussion in Work Session was not an option, because the plan gave details about the location of the petroglyphs, which the City didn't want to disclose until they could be properly protected.

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

- 10A. ORDINANCE – Consideration of an Ordinance of Eagle Mountain City, Utah, Amending the General Plan Map and the Spring Run Master Development Plan.

- 10B. RESOLUTION – Consideration of a Resolution of Eagle Mountain City, Utah, Approving the Amended and Restated Spring Run Master Development Agreement.

When the original Spring Run Master Development Plan was designed and approved, the City's transportation plan showed a major road running through a large portion of the northwest area. The plan was approved with some commercial development pods around the road. Since that time,

UDOT determined that Wride Memorial Highway will be the future freeway for the valley, necessitating the removal of this major road and the associated commercial pods. The applicant proposed to replace the commercial pods with residential pods. The applicant also proposed removing the residential and commercial portions of the development along the north side of the gravel pit. The proposed residential units included a variety of lot sizes. A 100-foot buffer would separate Spring Run from the adjacent Meadow Ranch subdivision. Unified Fire Authority has informed the developers they will not need the property on Spring Run Parkway that was planned for a fire station. They will purchase another property in the future. The Extractive Industries Overlay Zone covers much of the master plan area.

The City's master plan map and General Plan would need to be revised to reflect the proposed road configuration.

City staff's recommended conditions of approval were as follows:

- The Extractive Industries Overlay Zone must be modified to only include areas that will be actively mined.
- An amenity point concept plan must be submitted, showing how the amenity points will be distributed through the project.
- A water model must be submitted for the City Engineer's consideration.
- This project is contingent on a general plan amendment being approved by the City Council.
- This approval is contingent upon the master development agreement being amended by the City Council.

Mr. Cook recommended the amended development agreement be tabled to the next City Council meeting on October 18, even if the master development plan amendment was approved. The agreement was presented at this meeting because staff felt the Council should have an opportunity to provide feedback before the final version was written.

Councilmember Bradley agreed with all the concerns. He felt the plan, as presented, created an island on the west side of the property and unworkable access on the east. Mr. Mumford pointed out the only roads shown on the plan are collector roads. Smaller roads were not shown.

Mr. Mumford suggested moving the overlay zone further to the east to avoid the residential area. Mayor Pengra asked if UDOT's plan for corridor preservation would affect the property. Mr. Hadley said a portion would be affected.

11A. ORDINANCE – Consideration of an Ordinance of Eagle Mountain City, Utah, Amending the Scenic Mountain Master Development Plan Map.

11B. RESOLUTION – Consideration of a Resolution of Eagle Mountain City, Utah, Amending and restating the Scenic Mountain Master Development Agreement.

Taylor Jensen, City Planner, described the Scenic Mountain Master Development Plan amendment. The approved master development plan included single-family and multi-family housing. Inverness Lane was the only connection into the rest of the City and there was only one access onto Wride Memorial Highway.

An amended plan was being brought forward because the new owners wanted more flexibility in their development planning. After the previous plan was approved, UDOT informed the owner they may purchase 7.15 acres for expansion of Wride Memorial Highway. The amendment showed two connections onto Wride Memorial Highway, which were left-in, but not left-out.

The plan for the flex-use pod gave very little detail. Staff recommended the plan be much more specific. They have encouraged the owners to make it a commercial area; however, the owners indicated a preference for residential development. One commercial possibility would be placing retail units in the bottom floors of multi-family housing.

The applicants' proposed setbacks didn't comply with City regulations. The side setbacks were small enough that each building plan review would require a review of the adjoining plans. This would increase staff time and increase the chance of errors.

Staff recommended there be no more than 61 townhomes.

Mr. Cook would prefer to see much more detail. The application didn't meet Eagle Mountain's design standards. Garages were prominent and there was no articulation of the front elevations. The proposed amendment allowed almost unlimited flexibility, other than meeting certain density requirements. The road alignments were only conceptual.

Mr. Mumford said the amendment reduces the density, but gives little indication of how the density would be used, except that there would be more cluster homes than in the approved plan. There was no commitment to any commercial development.

There was discussion on the location of the development, noting that much of the land is higher than the highway.

Councilmember Bradley asked if the developers could be required to contribute to soundproofing against highway noise. Mr. Cook said they could not.

Mayor Pengra believed that when the larger transportation corridor running along Wride Memorial Highway was completed, UDOT would install soundproofing, because they would be building along existing structures.

A temporary park was added, which could eventually be replaced by a road connecting Eagle Mountain and Saratoga Springs. A church site was also added to the plan.

City Attorney Jeremy Cook stated this master development agreement was not ready to be approved. It was brought to the Council for their information and recommendations.

## 12. MOTION – Consideration of the City Center Commercial Phase A, Plat 3 Preliminary Plat.

Senior Planner Mike Hadley explained this was a one-lot subdivision, located in the commercial area of City Center next to the Holiday Oil gas station. Staff recommended three conditions of approval: a blanket access easement over the whole project, a drainage easement to the detention basin south of the project, and dedication of the sidewalk to the City. A drainage easement is already in place; however, staff felt it should be referenced on the plat map.

13. BID AWARD – Consideration and Award of Bid to Sunrise Engineering for Professional Engineering Services for a 2M Gallon Water Tank.

City Engineer Chris Trusty said this tank will be part of the City's ongoing water system improvement plan. It will be located in the North Service Area near tank #4, above the Valley View subdivision. Sunrise Engineering was both the lowest and most qualified bidder. They have designed several municipal water tanks in the last few years. Mr. Trusty anticipated the design would be complete by December, and the tank would be constructed and operational by the end of July.

Councilmember Bradley asked about the funding source for the project. Assistant City Administrator Paul Jerome said the project will be paid for out of future facilities impact fees. The City was awarded a State loan at a very low interest rate, which could be used if necessary.

Mayor Pengra stated the intent was to line up the City's water projects up in such a way as to complete each project using existing cash flow. The State loan is strictly for back-up.

Councilmember Curtis asked what caused the project to be initiated now. Mr. Trusty said it was part of an ongoing improvement plan, driven by the demand caused by growth in Eagle Mountain's population.

Mr. Pili described the City's five-year plan for new facilities. He said the overall fiscal plan for capital facilities was to use impact fee funds first, reserve funds next, and the State loan only if necessary.

Councilmember Curtis mentioned that it's very helpful when the budget line number is listed on the project agenda summary. He also requested that the summary indicate if the project is a budget amendment. Mr. Jerome said staff will make sure to add that to all project agenda summaries.

14. BID AWARD – Consideration and Award of Bid to Sprung Instant Structures for Construction of a Salt Storage Structure.

Streets and Storm Drain Manager Zac Hilton explained the 60' x 118' structure will allow the Streets Department to store enough road salt for multiple storms. It will also protect the salt from the weather, which causes it to cake, or form into hard lumps that have to be smashed before they can be used. It's a huge waste of man-hours. The storage structure will also bring the City into compliance with the State's salt storage requirements. The structure is expandable and relocatable.

The structure will be paid for out of the Capital Projects Fund.

15. BID AWARD – Consideration and Award of Bid to Freightliner of Utah and Legacy Equipment for a 10 Wheel Dump/Plow Truck.

Mr. Hilton said this truck will replace truck #19, which is a 2000 International purchased from South Salt Lake in 2004. The components of the truck will be purchased from and assembled by State-contracted vendors. It will be used for hauling materials, snow removal and paving projects.

3. ADJOURN TO A CLOSED EXECUTIVE SESSION – The City Council adjourned into a Closed Executive Session for the purpose of discussing the deployment of security personnel, devices, or systems pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

**MOTION:** *Councilmember Gricius moved to adjourn into a Closed Executive Session for the purpose of discussing the deployment of security personnel, devices or systems pursuant to Section 52-4-205(1) of the Utah Code, Annotated. Councilmember Curtis seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Benjamin Reaves. The motion passed with a unanimous vote.*

The meeting was adjourned at 5:29 p.m.

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

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

**CITY STAFF PRESENT:** Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator; Jeremy Cook, City Attorney; Melanie Lahman, Chief Deputy City Recorder; Johna Rose, Deputy City Recorder; Aaron Sanborn, Management Analyst; Linda Peterson, Communications and Community Relations Director; Steve Mumford, Community Development Director; Mike Hadley, Senior Planner; Tayler Jensen, Planner; Chris Trusty, City Engineer; Zac Hilton, Streets and Storm Drain Manager; Ross Fowlks, Fire Chief; Eric McDowell, Chief Sheriff's Deputy.

#### 4. CALL TO ORDER

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

#### 5. PLEDGE OF ALLEGIANCE

Mayor Pengra led the Pledge of Allegiance.

#### 6. INFORMATION ITEMS/UPCOMING EVENTS

- **Trick or Treat Village** –Eagle Mountain City's annual Trick or Treat Village will be held on Saturday, October 22, at Nolen Park from 10:00 a.m. to 2:00 p.m. Get your costumes on and come trick-or-treating at booths hosted by local businesses and organizations. Booth registration is only \$10. Register on the City website, Calendar. Other activities include a Pet Costume Contest, Pumpkin Decorating Contest, and a Monster Mash dance. Please be aware the Library will be closed this day.
- **Voter Information** – Please visit the City website, News section for voter information ahead of the General Election on November 8. Early voting will be offered from October 25 through November 4.
- **Road Closure/Detour** – A road closure/detour will be in effect at Pony Express Pkwy and Eagle Mountain Blvd from October 5-11. This closure is necessary for utilities tie-ins for the new

Holiday Oil Chevron. A detour map may be viewed on the City website, News section or the City Facebook page.

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

Devon McClellan was concerned that Inverness Lane would be the only way into the Scenic Mountain subdivision. The road is too narrow for any additional traffic. There would also be no left-turn access onto Wride Memorial Highway. He felt the flex-use area would be used for high-density housing.

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

Councilmember Curtis

Councilmember Curtis invited youth at least 14 years old to join the Youth Council and described several of the activities and volunteer projects they participate in.

Councilmember Bradley

Councilmember Bradley welcomed everyone and echoed Councilmember Curtis’ comments about the Youth Council.

Councilmember Reaves

Councilmember Reaves thanked everyone for attending, especially the Boy Scouts, firefighters and members of law enforcement.

Councilmember Gricius

Councilmember Gricius thanked everyone for attending the meeting.

Mayor Pengra

Mayor Pengra said Councilmember Westmoreland was excused from the meeting.

## CONSENT AGENDA

9. MINUTES

A. September 20, 2016 – Regular City Council Meeting

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

## SCHEDULED ITEMS

### PUBLIC HEARING

10. A. ORDINANCE – Consideration of an Ordinance of Eagle Mountain City, Utah, Amending the General Plan Map and the Spring Run Master Development Plan.

B. RESOLUTION – Consideration of a Resolution of Eagle Mountain City, Utah, Approving the Amended and Restated Spring Run Master Development Agreement.

This item was presented by Senior Planner Mike Hadley. The Spring Run Master Development Plan area, located north of Wride Memorial Highway and east of the Meadow Ranch subdivision, surrounds a 160-acre industrial-zoned property on three sides. The approved plan included approximately 480 acres and provided a mix of residential densities, a town center area, commercial/mixed-use areas, a business park, an industrial area, and parks and trails. A total of 945 residential units were approved with various densities.

When the plan was originally approved, it was expected that UDOT would construct a road through the project, which made it desirable to include a commercial area. Since then, UDOT decided against the road. City staff has requested that the road be eliminated from the master development plan, which the developers have done. They have also divided the project into three development pods: residential, business park and industrial.

City staff has the following concerns with this project:

- The Extractive Industries Overlay Zone should be downsized to only the areas that are currently being mined or that will require mining operations in the future.
- Adequate buffering between the residential area and business park areas should be provided.
- Fewer multi-family units should be built in Area 4.
- More housing in the ¼-acre and ⅓-acre range should be planned, as these lot sizes were underrepresented in the overall housing product in Eagle Mountain.
- The City's Transportation Master Plan and General Plan Map must be revised to match the project's road system.
- A water model must be provided.

*Mayor Pengra opened the public hearing at 7:21 p.m.*

Jimae Kenney, a new Eagle Mountain resident, asked a question which involved the Scenic Mountain development. Mayor Pengra explained that was a different project than Spring Run.

*Mayor Pengra closed the public hearing at 7:23 p.m.*

Mayor Pengra invited Jim Allred, one of the applicants, to speak on the project. Mr. Allred said the plan was changed to three distinct development areas so that each could be independently developed. There is an open space system of 34 acres. While the new plan reduced the residential units from about 1400 units to about 600, the open space remained 34 acres. The 100-foot buffer west of the development was larger than required.

Mayor Pengra stated the Unified Fire Authority would like a 1.5 acre lot reserved for a fire station. They don't plan to use the location on Spring Run Parkway. Mr. Allred said he would welcome that.

Jason Rickard, representing Hadco Construction, discussed the location Hadco would like to move its headquarters to, which would bring 500 jobs to Eagle Mountain. This would place the office closer to the mining operation.



Councilmember Gricius said she had heard Hadco was also considering moving their office to Saratoga Springs. Mr. Rickard said their strong preference was to move to Eagle Mountain.

Councilmember Curtis asked Mr. Rickard if he was aware that Hadco told Saratoga Springs in a meeting last week that they wanted to move their office there. Mr. Rickard said he was at that meeting, and he didn't think that's what was said. They were discussing a rezone of forty acres in Saratoga Springs, which gave them the option of locating there.

Councilmembers asked about specific sections of the master development agreement. Mr. Cook addressed their concerns. Some corrections were only waiting for direction from the City Council. Mr. Cook noted the agreement divided the project into three areas. It bound all three areas, but the various owners of all three areas would not need to be involved with changes requested for one area.

Mr. Cook stated City staff wanted to make sure the hillside parcel was preserved for parkland and a potential water tank site. The plan includes ten acres of parks, as well as trails and buffering. City staff felt that would be sufficient to meet the open space requirements, as long as the developers provide enough improvements to fill the required amenity points.

Councilmember Bradley asked why there was a 100-foot buffer zone instead of larger lots. Mayor Pengra said it was at the suggestion, several years ago, of residents in the subdivision west of Spring Run. It was part of the previously approved master development plan.

Mr. Allred said residential areas would also be well-screened from the business park. White vinyl fencing is allowed throughout the residential area by the CC&Rs.

Councilmember Bradley requested that the developers install fencing between the residential and business park areas. Mr. Cook said that could be negotiated.

Councilmembers Gricius and Curtis requested the Extractive Industries Overlay Zone be removed. Mayor Pengra felt it gave the owners property rights that shouldn't simply be removed. The City could request that the property owners relinquish some of the rights or allow amendment of the overlay zone, but he didn't feel it would be right to revoke it. The study being conducted by the City of the effects of the overlay zone is only related to the health and wellbeing of the residents.

Discussion of the overlay zone ensued. Mr. Cook pointed out the Hadco gravel pit, which was the reason the overlay zone has become an issue, is located outside this master development area.

Mayor Pengra recommended tabling this item until the outstanding issues can be worked out.

Ralph Johnson, a partner and landowner in the project, stated the City Council could approve Area 1, as an amendment to the master plan according to that land use, independent of the other issues. He pointed out that Mr. Allred was being questioned as though he owned the entire property, which he did not. The owners were tied together, which is why they wanted to work out this accommodation. He also said an observation had been made that the developers placed a residential area next to a commercial property, and therefore they needed to do something. However, that wasn't true. The property, under the master development plan, was all residential. Only a small fraction of the property in Area 1 was under the overlay. The owners of Area 1 had no problem with giving up the overlay. However, they had no control over the other properties.

Councilmember Bradley felt Mr. Johnson's choice to join other owners in this project precluded his property from being approved separately.

Mayor Pengra said the City could approve the master development plan map without approving the master development agreement. He felt the master development agreement could be negotiated so that each property owner could move forward with his portion of the project. The residential portion was not the majority, but it was where the City's leverage was. All of the properties were under one agreement.

Discussion ensued on density, open space and traffic.

Mayor Pengra summarized the Council's concerns as follows:

- Whether the improved open space in the northeast corner of the project met the requirements of the Municipal Code.
- Division of the development areas and an amendment to the requirements so they can be developed independent of one another.
- The allowable land uses of the business park adjacent to the residential portion of the plan will need to be clarified and narrowed.
- Clarification of paragraphs 7 and 8 regarding the Industrial Zone and the Extractive Industries Overlay Zone.

The Mayor and Council had a discussion with John Hadfield, owner of Hadco Construction, about the point of sale for Hadco's mined products. Mr. Hadfield stated the 40 acres in Saratoga Springs will have a Saratoga Springs point of sale. All of the Eagle Mountain property will have an Eagle Mountain point of sale.

**MOTION:**        *Councilmember Bradley moved to table an Ordinance amending the General Plan Map and the Spring Run Master Development Plan, and a Resolution approving the Amended and Restated Spring Run Master Development Agreement, to the October 18, 2016 City Council meeting. Councilmember Curtis seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Benjamin Reaves. The motion passed with a unanimous vote.*

#### **PUBLIC HEARING**

11. A. ORDINANCE – Consideration of an Ordinance of Eagle Mountain City, Utah, Amending the Scenic Mountain Master Development Plan Map.
- B. RESOLUTION – Consideration of a Resolution of Eagle Mountain City, Utah, Amending and Restating the Scenic Mountain Master Development Agreement.

This item was presented by City Planner Tayler Jensen. The proposed amendment to the Scenic Mountain Master Development Plan and Agreement maintained the same number of residential units (289) but included changes to the road layout, building types, parks and open space, as well as a flex-use area with commercial enterprises. It also included an area of property for possible UDOT acquisition for future expansion of the Cory Wride Memorial Highway.

The amended plan also showed two accesses onto Cory Wride Memorial Highway. UDOT would have to approve any accesses onto the highway. There was also space provided for a possible road connecting Eagle Mountain and Saratoga Springs.

City staff was concerned about the degree of flexibility the amended plan allowed as to housing types and land use. They recommended requiring more detail in the plan. They also recommended a maximum of 61 townhomes. They felt the flex-use pod should be reserved for commercial or office use. They proposed two additional conditions: the location of the street stub shown in the plan and an additional street stub connecting with Mt. Airey Drive.

The applicants' proposed setbacks didn't comply with those in the Municipal Code.

*Mayor Pengra opened the public hearing at 8:52 p.m.*

Brian Smith was concerned about excessive traffic coming down Inverness Lane, since there is no westbound exit onto Wride Memorial Highway. He felt Mt. Airey Dr. would be unable to accommodate the additional traffic.

Brad Bishop had the same concerns with the access onto the highway and the capacity of the local roads to accommodate the additional traffic.

Mayor Pengra read an email from Jennifer Morrison. She felt the high-density segment of Scenic Mountain was not in Eagle Mountain's best interests, in part because of how it would affect the appearance of this entrance to the City. She particularly objected to the lack of left-turn access onto Wride Memorial Highway. She felt the flex-use pod was designed to hide an intent to build additional high-density housing.

*Mayor Pengra closed the public hearing at 8:57 p.m.*

Councilmember Curtis asked Mr. Mumford if he had been able to review the traffic study, which wasn't clearly worded. Mr. Mumford responded that City Engineer Chris Trusty had reviewed it and found the intent was to show three-quarter accesses onto Wride Memorial Highway.

Dylan Young, representing Fieldstone Homes, said the traffic study indicated such low traffic counts turning left onto Wride Memorial Highway that a left-turn access was unnecessary.

Mr. Trusty stated the traffic study indicated many more right-hand than left-hand turns. However, the study was done when school was not in session. Most left-hand turns are generated by school travel.

Councilmember Bradley disagreed with the study. Discussion continued between the Mayor and Council, Mr. Young and Jason Harris, Fieldstone's traffic engineer.

Councilmembers were concerned about the variance the project received for setbacks. Mr. Young stated the variance was requested to allow more open space. The amendment would eliminate the multi-family residential units that were previously approved in the Tier 3 pod. Single-family "cluster home" lots with common open space would replace them. No setback requirement for cluster homes is defined in the Municipal Code. The requested side setbacks would maintain the ten-foot separation between homes.

Mayor Pengra pointed out that the latest version of the plan was received just that morning. He felt projects that were submitted late should be tabled, because it's difficult to properly review a project with too little time.

There was discussion about whether or not UDOT would purchase part of the property for an expansion of Wride Memorial Highway. Mr. Young said the developer was in talks with UDOT.

Councilmember Gricius said she didn't like the flex-use pod, which could be either residential or commercial. She wanted it to be commercial only. Mr. Young said the approved master development agreement allows for 120 condominium units. Staff requested that they consider commercial zoning. The developers believe the property west of theirs would be better suited for commercial. The flexibility would improve the property's marketability. The uses would be defined in the master development agreement.

Discussion ensued about the appearance of this entrance to the City. Mr. Young stated the Municipal Code allows for higher density only if the quality of the development is increased to a specified level. The commercial possibility is a concession to the staff's request. The developers' preference is for residential housing.

Mayor Pengra asked Mr. Pili, as the City's previous Economic Development Director, what he felt would be best. Mr. Pili felt commercial development would be the best land use adjacent to Wride Memorial Highway.

Mr. Harris said the developers were willing to allow the commercial option if possible. However, he asked the Council not to withhold their approval while that is undecided. The amended plan was better-designed than the approved plan. Replacing multi-family homes with single-family homes was important. Also, the site is hilly, which limits its commercial possibilities. The developers have used the flex-use pod successfully in other cities.

Mayor Pengra stated this is a very unique situation. It could be years before any commercial development. It takes a lot of work to get commercial enterprises to locate in Eagle Mountain, because of its location.

Mr. Cook said the approved plan, while not ideal, was more specific than the proposed amendment. He recommended tabling the plan and the agreement until the next City Council meeting.

**MOTION:** *Councilmember Bradley moved to table an Ordinance amending the Scenic Mountain Master Development Plan Map and a Resolution amending the Scenic Mountain Master Development Agreement until the October 18, 2016 City Council meeting. Councilmember Gricius seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Benjamin Reaves. The motion passed with a unanimous vote.*

Councilmember Bradley was excused from the meeting at 10:05 p.m.

12. MOTION – Consideration of the City Center Commercial Phase A, Plat 3 Preliminary Plat.

This item was presented by Senior Planner Mike Hadley. The proposed City Center Commercial Phase A, Plat 3 preliminary plat was for the Gotta Dance Performance Studio. The one-acre parcel was located south of the Holiday Oil gas station and east of Ira Hodges Scenic Parkway in City Center.

Councilmember Reaves asked how the issue of lighting was resolved. Scot Hazard, the applicant, stated the decision on the site plan was not to require street lights. There will be site lighting on the lot.

**MOTION:** *Councilmember Gricius moved to approve the City Center Commercial Phase A, Plat 3 preliminary plat, with staff recommendations. Councilmember Curtis seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius and Benjamin Reaves. The motion passed with a unanimous vote.*

The conditions recommended by staff were as follows:

- The drainage easement to the detention basin must be displayed on the plat or a note must be on the plat defining the easement.
- A blanket access easement should be placed over the plat for future development.
- The entire portion of the sidewalk on the west side should be dedicated to the City.

13. BID AWARD – Consideration and Award of Bid to Sunrise Engineering for Professional Engineering Services for a 2M Gallon Water Tank.

This item was presented by City Engineer Chris Trusty. The proposed bid award to Sunrise Engineering was for the design and construction management of a two million gallon water tank, to be located in the North Service Area. The tank would provide a needed upgrade to the water system, accommodating the growth the City has experienced in that vicinity.

**MOTION:** *Councilmember Curtis moved to award a bid to Sunrise Engineering in the amount of \$99,700.00 for design and construction management services for a 2M gallon water tank to be located in the North Service Area water pressure zone, and authorize the Mayor to sign the contract. Councilmember Reaves seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius and Benjamin Reaves. The motion passed with a unanimous vote.*

14. BID AWARD – Consideration and Award of Bid to Sprung Instant Structures for Construction of a Salt Storage Structure.

The salt storage structure will allow for the storage of up to 2,000 tons of salt. Covering and protecting the salt will increase its availability during multiple and unpredictable winter storms, because it would not develop a crust from being exposed to the weather.

**MOTION:** *Councilmember Gricius moved to award a bid to Sprung Instant Structures in the amount of \$218,418.00 for construction of a salt storage structure, and authorize the Mayor to sign the agreement. Councilmember Curtis seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius and Benjamin Reaves. The motion passed with a unanimous vote.*

15. BID AWARD – Consideration and Award of Bid to Freightliner of Utah and Legacy Equipment for a Ten-Wheel Dump/Plow Truck.

The City Council previously approved funds to replace dump truck #19 with a 10-wheel dump truck to be used for snow removal and in-house projects such as paving and utility repairs.

**MOTION:** *Councilmember Reaves moved to award a bid to Freightliner of Utah and Legacy Equipment in the amount of \$174,847.00 for a 10-wheel dump/plow truck, and authorize the Mayor to sign the contract. Councilmember Curtis seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius and Benjamin Reaves. The motion passed with a unanimous vote*

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

Councilmember Curtis

Councilmember Curtis thanked everyone who stayed for the entire meeting.

Councilmember Reaves

No comment.

Councilmember Gricius

No comment.

Mayor Pengra

No comment.

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

None.

18. COMMUNICATION ITEMS

A. Upcoming Agenda Items

19. ADJOURNMENT

**MOTION:** *Councilmember Gricius moved to adjourn the meeting at 10:15 p.m. Councilmember Curtis seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Benjamin Reaves. The motion passed with a unanimous vote.*

Approved by the City Council on October 18, 2016.



Fionnuala B. Kofoed, MMC, City Recorder



# EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

**October 18, 2016**

Eagle Mountain City Council Chambers

1650 East Stagecoach Run, Eagle Mountain, Utah 84005

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

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

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

Mayor Pengra called the meeting to order at 5:06 p.m. He announced Councilmembers Bradley and Westmoreland were excused.

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

A. PRESENTATION – Transportation Updates for the Proposed High School

City Engineer Chris Trusty said the proposed high school was expected to be constructed on land owned by Alpine School District, not far from Frontier Middle School. City staff recommended extending Mid Valley Road to Eagle Mountain Blvd. and improving the intersection of Mid Valley Road and Pony Express Parkway. They recommended that the road to be built in front of the high school also extend to Eagle Mountain Blvd. They also recommended widening Pony Express Parkway between Hidden Hollow Elementary School and the Oquirrh Mountain Ranch subdivision, as well as improving the intersection of Pony Express Parkway and Hidden Valley Parkway. The recommended projects would be impact fee eligible and would cost just under \$4M.

B. PRESENTATION – Water Projects Update

Mr. Trusty presented the six-year water plan. It included two new water tanks, two pump station expansions and several additional water lines. The projects would cost a total of just over \$9M.

City Administrator Ifo Pili stated the projects will first be funded by impact fees. Additional costs will be covered by fund balances. The City has State loan funds available, which will only be used if necessary.

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

10A. ORDINANCE – Consideration of an Ordinance of Eagle Mountain City, Utah, Amending the General Plan Map and the Spring Run Master Development Plan Map.

10B. RESOLUTION – Consideration of a Resolution of Eagle Mountain City, Utah, Approving the Amended and Restated Spring Run Master Development Agreement.

Senior Planner Mike Hadley stated this item was tabled at the October 4 meeting. At that meeting, the Council expressed the following concerns:

- Open space and amenity plans for the project must be specified, particularly in the northwest corner of the project.
- The division of the project into three development areas, in which changes in one area could be approved independently of the other areas, must be clarified.
- Allowed and conditional land uses adjoining the residential areas must be specified.
- Paragraphs 7 and 8 of the master development agreement, regarding whether the development was entitled to extractive uses, must be clarified.

Staff was concerned about the majority of the amenity points being trails and the lack of overall amenities in the various areas of the project. Mr. Hadley also listed conditions of approval, which were the same as those stated at the last meeting:

- The Extractive Industries Overlay Zone must be modified to include only areas that will be actively mined.
- The approval is contingent on a General Plan amendment being approved by the City Council.
- The approval is contingent upon a master development agreement amendment being approved by the City Council.
- A water model must be provided by the developers and reviewed by the City Engineer.

Mr. Hadley stated one concern was that 76% of the amenity points were in the trail. Staff recommended that fewer points be consumed by the trail. Staff wanted trees and tot lots throughout the development.

Councilmember Curtis asked if paragraphs 7 and 8 were being clarified or removed.

City Attorney Jeremy Cook explained the amendments to several paragraphs of the agreement. Paragraph 5 was amended to specify the buffering would include a privacy fence between the residential and business park areas. There was language in the commercial zone paragraph that implied the project was vested with the overlay zone. The language was changed to clarify it was only vested with uses already approved, which did not include the overlay zone. The term of the agreement was amended from 2020 with a ten-year renewal period to 2030 with a ten-year renewal.



The business park language in paragraph 10 was narrowed to address a permanent, vested conditional use for the Hadco operation. The conditional use would be limited to uses including construction, trucking, mineral extraction or concrete companies, which could be supported by the following uses, which were not open to the general public: offices, mechanical shops, sanding and paint shops, truck and vehicle washing, construction vehicles, cement truck and semi-truck parking, a vehicle refueling station and storage areas. Mitigation measures, if needed, could be shown in the site plan, including the configuration of buildings, lighting, berming, trees and access. Hadco has indicated the majority of the traffic will exit the site through Saratoga Springs. The City could set conditions such as hours of operation and the direction of truck travel.

Mr. Cook was confident a conditional use permit for Hadco addressing those issues could be worked out.

Councilmember Curtis asked what the City could do if the moratorium on additional extractive industries didn't achieve its objectives. Mr. Cook reminded him that the moratorium only applied to the effects of the gravel pit on the residents' health and welfare.

Mr. Cook responded the overlay only allowed for specific uses: mineral extraction and concrete and asphalt operations. The overlay could be kept over the entire property as it was, amended to add additional conditions, or be removed. If the overlay was removed, the site would still be vested with the underlying uses. The current uses would be grandfathered in. No additional concrete or asphalt operations would be approved.

Councilmember Gricius asked what the effect would be if paragraph 9, which stated the City was evaluating the overlay, was amended. Mr. Cook said Hadco's operation would be a conditional use.

Councilmember Gricius asked why the overlay wasn't just removed, if it didn't make any difference to Hadco's approval. Mr. Cook said the removal of the overlay was a separate issue. It only applied to concrete and asphalt facilities.

Jason Rickards, representing Hadco, stated paragraph 10 referred only to the office and truck parking, not any other operations. It didn't apply to the overlay zone.

Councilmember Curtis objected to allowing three development areas to be amended separately.

Discussion continued on the overlay zone.

Councilmember Gricius brought up the term of the master development agreement. Mr. Cook said it's currently 14 years, which would most likely be too brief to cover the entire build-out of the project. Councilmember Gricius preferred that all development agreements be limited to ten years. Mr. Cook responded that developers were reluctant to invest in master developments without assurance their projects would be governed by the same master agreement until build-out.

Mayor Pengra noted master development agreements are written much better now than they were twenty years ago.

11A. ORDINANCE – Consideration of an Ordinance of Eagle Mountain City, Utah, Amending the Scenic Mountain Master Development Plan Map.

11B. RESOLUTION – Consideration of a Resolution of Eagle Mountain City, Utah, Approving the Amended and Restated Scenic Mountain Master Development Agreement.

No discussion was held on this item during Work Session.

12. MOTION – Consideration of Colonial Park Phase II, Plat 2 Final Plat, an Amendment of Colonial Park Phase II Amended Plat.

No discussion was held on this item during Work Session.

13. BID AWARD – Consideration and Award of Bid to Dura Edge Utah, Inc., for the Installation of Baseball Infields at Cory Wride Memorial Park.

No discussion was held on this item during Work Session.

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

No Closed Executive Session was held.

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

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

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Chief Deputy City Recorder; David Mortensen, City Treasurer; Aaron Sanborn, Management Analyst; Linda Peterson, Communications and Community Relations Director; Steve Mumford, Community Development Director; Mike Hadley, Senior Planner; Tayler Jensen, Planner; Chris Trusty, City Engineer; Brad Hickman, Parks and Recreation Director; Ross Fowlks, Fire Chief; Eric McDowell, Chief Sheriff's Deputy.

4. CALL TO ORDER

Mayor Pengra called the meeting to order at 7:00 p.m.

5. PLEDGE OF ALLEGIANCE

Stephanie Gricius led the Pledge of Allegiance.

6. INFORMATION ITEMS/UPCOMING EVENTS

- **Trick or Treat Village** – Free Halloween fun at this Saturday at Eagle Mountain City's annual Trick or Treat Village at Nolen Park from 10:00 a.m. to 2:00 p.m. Get your costumes on and come trick-or-treating at booths hosted by local businesses and organizations. Activities include a Pet Costume contest, Pumpkin Decorating contest, and a Monster Mash dance. Please be aware the Library will be closed this day.
- **Voter Information** – Please visit the City website, News section for voter information ahead of the General Election on November 8. Early voting will be offered October 25 through November 4.
- **Bag the Leaf** – Eagle Mountain City is again offering a Bag the Leaf program through November 25. The City will provide free leaf bags to residents, available for pick up at City Hall or The Ranches HOA office. Bagged leaves will be picked up and disposed of by Eagle Mountain City's Storm Drain Department. Program guidelines and contact information are located on the City website, News section.
- **General Plan Public Workshop** – Eagle Mountain is updating the General Plan, which is the guiding document for the growth and future of the City. It includes goals and strategies for land use, transportation, housing, parks and open space, economic development and more. This is the chance to be a part of your City's future! What is important to you? Check out some alternative scenarios for the future of Eagle Mountain. Please join us Thursday, October 27 from 5:30-7:30 p.m. at Hidden Hollow Elementary for an open house public workshop.

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

Aidan Lindgreen said he liked pie.

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

Councilmember Curtis

Councilmember Curtis encouraged youth ages 14 – 18 to join the Youth Council. He asked everyone to be kind to each other, in spite of the way people in today's world have been treating each other these days.

Councilmember Reaves

Councilmember Reaves thanked everyone for attending the meeting.

Councilmember Gricius

Councilmember Gricius welcomed everyone to the meeting.

Mayor Pengra

No comment.

**CONSENT AGENDA**

9. MINUTES

A. October 4, 2016 – Regular City Council Meeting

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

## **SCHEDULED ITEMS**

### **PUBLIC HEARING**

10. A. ORDINANCE – Consideration of an Ordinance of Eagle Mountain City, Utah, Amending the General Plan Map and the Spring Run Master Development Plan Map.
- B. RESOLUTION – Consideration of a Resolution of Eagle Mountain City, Utah, Approving the Amended and Restated Spring Run Master Development Agreement.

This item was presented by Senior Planner Mike Hadley. This application is for an amendment to the Spring Run Master Development Plan and Master Development Agreement. The original master development plan was approved on July 19, 2011. The Spring Run Master Development Plan is located north of Wride Memorial Highway and east of Meadow Ranch, and surrounds on three sides a 160-acre industrial property that includes a gravel pit. The approved plan includes approximately 480 acres and provides a mix of residential densities, a town center area, commercial/mixed-use areas, a business park, an industrial area, and parks and trails. A total of 945 residential units were approved with various densities. This item was continued from the October 4, 2016 City Council meeting.

Mr. Hadley reiterated the Council's concerns with the project, which were addressed in Work Session:

- Open space and amenity plans for the project must be specified, particularly in the northwest corner of the project.
- The division of the project into three development areas, in which changes in one area could be approved independently of the other areas, must be clarified.
- Allowed and conditional land uses adjoining the residential areas must be specified.
- Paragraphs 7 and 8 of the master development agreement, regarding whether the development was entitled to extractive uses, must be clarified.

*Mayor Pengra opened the public hearing at 7:06 p.m. As there were no comments, he closed the hearing.*

Mr. Hadley requested direction from the Council on the proposed open space plan. The proposal showed 76% of the required 1400 amenity points are taken up by the trail. The Planning Department wanted to see more tot lots, pickleball courts, basketball courts, etc. There is one park in the south end of the development with a splash pad, tot lot and pavilion.

Mayor Pengra noted the reason there is so much trailway was that the residents in the adjoining subdivision proposed a wide buffer containing a trail, as an alternative to one-acre transition lots.

Councilmember Curtis asked about the playing fields shown on the open space master plan. Mr. Hadley said playing fields usually have a tot lot nearby.

Councilmember Curtis asked Mr. Trusty if the fields were likely to have water in them during storm events. Mr. Trusty said that was unlikely.

Councilmember Gricius requested a restroom in the park that had the splash pad.

Distribution of amenity points was discussed. Mr. Hadley suggested the trail only use 50% of the points.

Councilmember Reaves asked which residents requested the trail buffer. Mr. Mumford explained they were residents of Meadow Ranch, which was west of Spring Run. He also received one email from someone considering buying a lot in Spring Run. She requested more parks in the development.

Mayor Pengra said he received one or two emails requesting the buffer rather than the one-acre lots.

Ralph Johnson, the owner of one area of the property, pointed out Hillside Drive, which runs along the border with Meadow Ranch. A couple of one-acre lots along the road were already occupied. Other than that, no buffer was required. He said he and his partner, Jim Allred, felt the trail would be a benefit to the community and the Planning Commission agreed. He also said the development was designed by professional land planners who used the table in the Municipal Code. He disagreed with the Council imposing requirements not required in the Code; however, he and Mr. Allred were willing to adjust the open space plan. He requested that the Council approve the master development plan so the project can move forward, with the condition that it will be amended if necessary to serve the community.

Mr. Cook reminded Mr. Johnson the development was receiving an exception to the Code. Under the Code, the development required 14.7 acres of improved open space, but the City was only requiring 9.9 acres. Staff felt this was acceptable in exchange for the preservation of a large amount of unimproved open space, particularly on the hillside, which was a lookout point often used for recreation by residents. He felt it was reasonable to limit the amount of amenity points allowed for trails. Many amenity points were being consumed by trails along roadways, which would be required without points.

Discussion on open space continued, including the percentage of points which should be allowed for trails. Councilmembers requested a restroom for the splash pad park and a sport court.

**MOTION:** *Councilmember Gricius moved to adopt an Ordinance of Eagle Mountain City, Utah, amending the General Plan map and the Spring Run Master Development Plan map, and removing the Extractive Industries Overlay Zone. Councilmember Curtis seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius and Benjamin Reaves. The motion passed with a unanimous vote.*

**MOTION:** *Councilmember Gricius moved to adopt a Resolution of Eagle Mountain City, Utah, amending the Spring Run Master Development Agreement, with the following conditions: the overlay zone shall be removed; the applicants shall work with City staff to reduce the amenity points devoted to trails and determine the feasibility of a park bathroom and a sport court; the applicants shall work with the*

*City Attorney and staff to clarify language in the agreement allowing continuation of the current, planned expansion of existing businesses, but not allowing new extractive industries businesses, specifically concrete and asphalt production. Councilmember Curtis seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius and Benjamin Reaves. The motion passed with a unanimous vote.*

11. A. ORDINANCE – Consideration of an Ordinance of Eagle Mountain City, Utah, Amending the Scenic Mountain Master Development Plan Map.
- B. RESOLUTION – Consideration of a Resolution of Eagle Mountain City, Utah, Approving the Amended and Restated the Scenic Mountain Master Development Agreement.

This item was presented by City Planner Tayler Jensen. This amendment to the Scenic Mountain Master Development Plan and Agreement maintained the same number of residential units (289) but included changes to the road layout, building types, parks and open space, a flex use area with commercial use, and included an area for possible UDOT acquisition for future expansion of Cory B. Wride Memorial Highway. The project was located south of Wride Memorial Highway at the eastern boundary of the City. This item was continued from the October 4, 2016 City Council meeting.

Since the October 4 City Council meeting, the applicants have redrawn the master development plan to allow for the likelihood that UDOT will purchase 7.15 acres at the northern end of the property. The parks and open space were removed from the northernmost property and their locations were left fairly indefinite. The interior roads were removed, leaving only the major roads indicated on the plan. The project was divided into three planning areas. The left-turn accesses to Wride Memorial Highway were removed.

The applicant proposed setbacks that were less than City requirements. Staff recommended the same setbacks as were allowed in SilverLake:

- 15 foot front yard setback
- 22 foot driveway setback
- 10 foot rear yard setback
- 5 foot minimum side yard setbacks
- 15 foot street side yard setback

*Mayor Pengra opened the public hearing at 7:38 p.m. As there were no comments, he closed the hearing.*

Councilmember Curtis asked about the widening of Inverness Lane. Mr. Mumford stated that staff was working on that with the developers.

Dylan Young, representing Fieldstone Homes, said nothing has been decided with staff. The updated traffic study didn't recommend improvements to either Inverness Lane or Mt. Airey Drive. It did indicate more left-hand turns from Mt. Airey Drive onto Wride Memorial Highway than the original did, but not many.

Mr. Trusty stated the level of service at that intersection was currently a C and was expected to drop to a D by 2022. "Level of service" refers to the time it takes for a car to pass through the intersection.

Mr. Cook said he had driven on Inverness Lane. When a car was parked on the side of the road, it effectively became a one-lane road, as a car heading in one direction would have to pull over in order to allow a car driving in the other direction to pass. He recommended adding language to the master development agreement regarding improvement of Inverness Lane.

He also felt there should be flexibility in the townhome area and asked if the Council would be comfortable giving the applicant that flexibility. He said once that was worked out, the rest of the issues should be worked out fairly quickly.

Mr. Young felt the Inverness Lane issue could be resolved; however, Fieldstone Homes didn't own the property. They couldn't develop on someone else's land; however, he has begun communicating with the owner.

Mr. Cook stated the property owner would have to be contacted. It was hoped he would see that developing the road was important to the development of his property.

Councilmember Reaves was concerned about the Inverness issue and the small setbacks Fieldstone Homes was requesting. Even following the SilverLake model was a problem, as the houses were very close together.

Mr. Young responded that Fieldstone Homes has agreed to comply with the 22' front setback. He was only requesting a four-foot minimum side setback, with a ten-foot minimum separation between homes, as was allowed in SilverLake. The four-foot minimum was being requested because one of the home designs was only useable with that.

Mr. Mumford stated a standard lot had to have a 15-foot separation. Cluster lots were allowed to have a ten-foot separation. A four-foot side setback would require the lots on both sides to be reviewed every time a plan was inspected.

Mr. Young said most of the home designs would allow six- to eight-foot side setbacks. Alternatively, Fieldstone Homes could use the approved master development plan and meet the minimums of the Code. The amendment request would provide a smaller side setback, allowing more single-family units and a clubhouse.

Councilmember Gricius was wary of allowing smaller setbacks. She said the minimum setbacks were determined for a reason, and smaller ones were an issue already. She also asked if the approved development plan allowed townhomes with unarticulated front elevations, as shown in the staff report. Mr. Mumford said it did not.

Mr. Young stated the front elevation was not articulated, but the rooftops would have a lot of variation. The garages wouldn't be straight across because of the slope the townhomes would be built on. They were in the process of being designed, and the designers might be able to add some articulation. The rear elevation would be visible from the street, and was very articulated and attractive.

Mayor Pengra asked Mr. Trusty if Inverness Lane was identified as a collector road. Mr. Trusty said it was not, but several subdivisions feed into it. Mayor Pengra wanted it to meet the standards of a minor collector. That requirement could be added when the other owner's development came through, or it could at least given a right-of-way sized for future growth. Mr. Trusty said it would have to be changed in the General Plan.

Councilmember Reaves asked what solution was most likely for widening Inverness Lane. Mr. Young responded that in the first phase, there would be a connection to Inverness. In the second phase, there would be an access to Wride Memorial Highway. He didn't feel Inverness Lane would need to be widened before the second phase was completed.

Councilmember Curtis asked if there was any way to require commercial property in the project. Mr. Cook said there was not. Furthermore, the developers were home builders and had no way to provide commercial development. However, Mr. Young offered to make it an option, conditioned on a commercial developer buying the property.

Mayor Pengra's opinion was that, while he would prefer a commercial area in the development, he accepted Mr. Young's offer of an option for commercial. His major concern was whether there was a way to work out an arrangement for the widening of Inverness Lane.

Mr. Young said when all phases of the development were complete, there would definitely be a need for the widening of Inverness Lane. In the meantime, Fieldstone Homes had no way to improve Inverness because they did not own the property.

Mayor Pengra asked Mr. Cook what payment options were available for an Inverness project. Mr. Cook said the property owner might be willing to build it now and be reimbursed later through a pioneering agreement, the City could include the project in its Capital Facilities Plan and pay for it through impact fees, or it might be necessary for the City to pay for it.

**MOTION:**        *Councilmember Curtis moved to adopt an Ordinance amending the Scenic Mountain Master Development Plan map, contingent upon approval of the Scenic Mountain Master Development Agreement and the recommendations from staff that side setbacks be a minimum of five feet, with a minimum of ten feet separation between houses, and an amendment to condition #5 as recommended by City staff. Councilmember Gricius seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius and Benjamin Reaves. The motion passed with a unanimous vote.*

The amendment to condition #5 was as follows:

Minimum cluster lot setbacks shall be 15 feet in the front yard, 22 feet for the driveway, 10 feet in the rear yard, and 15 feet in street-side yards. The sideyard setback shall be a minimum of 5 feet, with a minimum of 10 feet between buildings.

**MOTION:**        *Councilmember Curtis moved to table a Resolution amending the Scenic Mountain Master Development Agreement. Councilmember Reaves seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius and Benjamin Reaves. The motion passed with a unanimous vote.*



12. MOTION – Consideration of Colonial Park Phase II, Plat 2 Final Plat, an Amendment of the Colonial Park Phase II Amended Plat.

This item was presented by City Planner Tayler Jensen. The proposed Colonial Park Phase II, Plat 2 final plat was designed to serve as an amendment to Colonial Park, Phase II. The new plat adjusted the lot lines for lots 201-204, slightly increasing lot 204 and reducing the others. All of the lots would remain over 7,000 square feet.

**MOTION:** *Councilmember Curtis moved to approve the Colonial Park Phase II, Plat 2 Final Plat Councilmember Reaves seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius and Benjamin Reaves. The motion passed with a unanimous vote.*

13. BID AWARD – Consideration and Award of Bid to Dura Edge Utah, Inc., for the Installation of Baseball Infields at Cory Wride Memorial Park.

This item was presented by Parks and Recreation Director Brad Hickman. The proposed bid award to Dura Edge Utah, Inc., was for the installation of infields at the Cory Wride Memorial Park. The Parks and Recreation Department wanted to finish this project to be sure it would be completed before the 2017 baseball season. An engineered clay surface would replace the existing dirt infields. The project was part of Phase 1A of the park improvement plan.

Councilmember Curtis asked how the project would be funded, since the funding approved for the park from the utility sale funds was \$100,000. Mr. Hickman said it would be funded by impact fees and grant funds. The \$100,000 would be used for phase 1B of the park improvements.

**MOTION:** *Councilmember Reaves moved to award a bid to Dura Edge Utah, Inc., in the amount of \$157,945.00 for installation of baseball infields at Cory Wride Memorial Park, and authorize the Mayor to sign the contract. Councilmember Curtis seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius and Benjamin Reaves. The motion passed with a unanimous vote.*

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

Councilmember Curtis

Councilmember Curtis said he enjoyed the last Planning Commission meeting.

Councilmember Reaves

Councilmember Reaves thanked everyone who stayed through the entire meeting.

Councilmember Gricius

No comment.

Mayor Pengra

No comment.

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

None.

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

17. ADJOURNMENT

**MOTION:** *Councilmember Curtis moved to adjourn the meeting at 9:01 p.m. Councilmember Gricius seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius and Benjamin Reaves. The motion passed with a unanimous vote.*

Approved by the City Council on November 1, 2016.



Fionnuala B. Kofoed, MMC  
City Recorder



# EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

**November 1, 2016**

Eagle Mountain City Council Chambers

1650 East Stagecoach Run, Eagle Mountain, Utah 84005

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

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

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

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

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

### **A. PRESENTATION – OHV Trail Vision**

Economic Development Manager Aaron Sanborn stated the OHV trails could be a great economic development resource. However, many were unmarked, especially in City Center, and some were in poor condition. The kiosk maps were outdated. Most of the City's trails were unknown around the state.

Mr. Sanborn recommended improving the condition of the trails, the trail marking and the signage. Mr. Sanborn said he was told by Steve Hawkins of the Utah ATV Association that clear signage was very important to riders. Mr. Hawkins suggested making parking and a wash station available.

Mr. Sanborn recommended publicizing Eagle Mountain's trails with an internet video and other marketing. He said the Utah ATV Association would be willing to host a trail ride. He stated the suggested projects could be completed for about \$65,000, some of which could come from grants.

Councilmember Bradley asked if the City had utilized its geographic information system on the trails. Mr. Sanborn said it was used to lay out the trail system.

Councilmember Bradley said Devon Supertramp was a Utah-based YouTube celebrity who might be willing to come to the City and make a trail video. He also suggested getting the trails featured on the At Your Leisure television show.

Councilmember Reaves thanked Mr. Sanborn for the presentation. He felt publicizing the trail system could attract people and businesses to the City. He asked if one parking lot would be enough and suggested installing restrooms, as well.

Mayor Pengra asked what timeline was being considered for trail projects. City Administrator Ifo Pili said funding would be requested for the next fiscal year.

Mr. Pili said the next step would be to choose a date for the trail ride event.

Councilmember Reaves asked what it would take to complete the trail maintenance by next spring or fall. Mr. Sanborn said some projects would have to wait for better weather, but City staff could begin working with the GPS system and defining the plans for marking the trails.

City Administrator Ifo Pili recommended bidding a sign installation project right away, or having the Parks and Recreation Department start working on trail improvements.

Mayor Pengra stated that when Mr. Sanborn was made the Economic Development Manager, he was asked to find some projects to enhance Eagle Mountain's economic development. Mr. Sanborn recommended investing in outdoor recreation. Mayor Pengra asked the Council if they would support Mr. Sanborn's further refining a plan for improving the trail system into an economic development asset. The Council agreed.

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

13. ORDINANCE – Consideration of an Ordinance of Eagle Mountain City, Utah, Amending the Fiscal Year 2016-2017 Budget.

City Treasurer David Mortensen described the six budget amendments, all of which were accounting procedures. None involved allocating additional funds to any projects.

Funds for the General Plan rewrite were budgeted in fiscal year 2016. \$95K was not expended during FY 2016. In order to use it in fiscal year 2017, a budget amendment was required.

The amendment for the North Service Area water tank design project was also due to FY 2016 funds, in this case \$2.3M, not being expended until FY 2017. These funds would come from the Water Impact Fees Fund.

The amendment for Wride Memorial Park referred to \$800K from the Park Impact Fee Fund balance, which the Council had already approved. The amendment would make the funds available for use.

The Petroglyph Park preservation amendment was based on the Oquirrh Mountain Ranch Master Development Agreement. Because there has already been damage to the petroglyphs, City Administration proposed providing funds in advance and being reimbursed later by the developer.

The final two amendments were for fund transfers to put the other amendments into effect.

Councilmember Curtis questioned whether the budget amendment for Wride Memorial Park exceeded the funds already approved by the Council. Mr. Jerome explained these funds were to be used to finish a project already approved by the Council with funds the Council had approved. It didn't change the total expenditure already approved.

Mayor Pengra stated these amendments were accounting actions to implement already-approved projects. The impact fees to be used could only be used for regional park improvements. They had to be expended within six years after being collected.

Councilmember Curtis asked for a spreadsheet showing all the expenditures planned for the utility sale proceeds and when they were approved, to be updated as funds are expended.

Mayor Pengra reviewed the history of Wride Memorial Park's City Council approvals.

Councilmember Bradley felt some of these funds should be expended on other regional parks.

Mr. Pili stated the Council has approved \$5M total from City funds for the park, as well as a \$1.8M donation from Ivory Homes.

Mayor Pengra said the Council would be provided with a spreadsheet showing approvals and expenditures.

Councilmember Gricius approved of using impact fees, because that would free more utility sale proceeds for other projects.

Councilmember Westmoreland stated these funds were being used because Wride Memorial Park was the only current park project in process.

Mr. Jerome said, because the City was growing so quickly, within a year and a half the City would have enough impact fees to complete phase 1A of Wride Memorial Park, further freeing utility sale proceeds.

Mayor Pengra pointed out the Council was in charge of what was approved in Wride Memorial Park. City staff was not adding additional funds to what was already approved.

14. MOTION – Consideration of the Neighborhood Matching Grant Project List.

Economic Development Manager Aaron Sanborn updated the Council on the progress of the Neighborhood Match Program.

Four projects were being presented for approval: the SilverLake Amphitheater, Pioneer Park Splash Pad, The Ranches west entry landscaping and Sweetwater Park. Two other projects needed further review. Staff was consulting with the applicants.

Councilmember Gricius asked why two projects were still under review. Mr. Sanborn said the two were placed on private land, which opened the City up to risk.

City Attorney Jeremy Cook explained there were also concerns about investing City funds in projects on private property. Staff is studying the projects to try to make them work.

Councilmember Gricius said the program was intended to enhance neighborhoods, most of which had HOAs. She felt the program should be re-evaluated.

Mr. Pili noted the two projects had other issues, such as the requested playground locations. Staff was attempting to solve the problems so the projects could go forward.

Councilmember Gricius asked if staff was screening the projects before they were sent to the Parks and Recreation Advisory Board. Mr. Sanborn said they were. Councilmember Gricius said the re-evaluation by staff afterwards seemed to the Board to indicate staff wasn't honoring their decisions.

Councilmember Reaves said the Board found a resolution to be implemented for next year's match program. Projects will be reviewed by staff before they go to the Parks and Recreation Advisory Board.

Councilmember Reaves asked if staff was trying to find a way to accommodate neighborhoods whose land was private. Mr. Pili stated staff wanted to move the four projects along while finding solutions for the two projects with more complicated issues. The neighborhoods whose projects were being held up have been notified that the projects are still being evaluated for solutions.

There was consensus that this was an entirely new program for the Council, City staff and the Board, and as such would require fine-tuning.

Councilmember Curtis thanked Mr. Sanborn for spearheading this very complicated project. On the Pioneer Park splash pad project, he questioned whether the City needed three splash pads.

Councilmember Gricius asked what the ongoing maintenance cost for the splash pad would be.

Mayor Pengra responded he discussed that at length with Mr. Hickman. Mr. Hickman said he's done extensive research on splash pad design and maintenance since the Nolen Park

splash pad was installed. City staff will have to consider several design possibilities. Splash pad maintenance was well within the department's budget.

Councilmember Bradley wanted to see specific plans for the approved projects before funds were approved. Mr. Hickman said the Council would see the plans. Tonight's approval would give staff the ability to do the planning and design work.

Councilmember Reaves said he had heard Pioneer Park might not be large enough to fit a splash pad, which might cause the project to be moved to Walden Park. The move was proposed by the Parks and Recreation Advisory Board, but the HOA wanted it to stay in Pioneer Park.

Mayor Pengra felt an approved project should not be changed at the last minute.

Councilmembers had no questions on either of the other projects.

Mr. Cook stated one of the difficulties was that after the Parks and Recreation Advisory Board approved the projects, he and Mr. Sanborn had to work out the complications, such as whether individuals or volunteer private contractors could do some of the work. Outdoor structures should generally be built by professionals.

15. BID AWARD – Consideration and Award of Bid to Stratton and Brätt Landscapes, LLC for the 2016 Pony Express Parkway Landscape Modification.

Parks and Recreation Director Brad Hickman stated this project was designed by Landmark Design Group. It was intended to redesign the medians on Pony Express Parkway in The Ranches. The low bid was almost \$200,000 below the amount budgeted for the project. The project included removal of the berms and sprinkler pop-ups that have caused irrigation run-off onto the streets. It would be funded from utility sale proceeds.

The engineer's estimate was approximately \$500,000 for the base project. The bid went out with an additive alternative listed in addition to the base bid. The bids came back between \$300,000 and \$400,000 for both the base and the additive alternate.

Councilmember Westmoreland felt this project could provide a direction for future landscaping in street medians.

Mr. Hickman said the goals were to prevent irrigation run-off onto road surfaces and improve visibility by removing trees.

Mayor Pengra mentioned Mr. Hickman, Mr. Trusty and Mr. Mumford had worked over and above expectations, dealing with multiple stakeholders and working out many details.

3. ADJOURN TO A CLOSED EXECUTIVE SESSION

No Closed Executive Session was held.

The meeting was adjourned at 6:17 p.m.

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

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

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Chief Deputy City Recorder; Aaron Sanborn, Economic Development Manager; Linda Peterson, Communications and Community Relations Director; Steve Mumford, Community Development Director; Chris Trusty, City Engineer; Brad Hickman, Parks and Recreation Director; Eric McDowell, Chief Sheriff's Deputy.

### 4. CALL TO ORDER

Mayor Pengra called the meeting to order at 7:02 p.m.

### 5. PLEDGE OF ALLEGIANCE

Mayor Pengra led the Pledge of Allegiance.

### 6. INFORMATION ITEMS/UPCOMING EVENTS

- **Voter Information** – Please visit the City website, News section for voter information ahead of the General Election on November 8. Early voting is ongoing through November 4.
- **Bag the Leaf** – Eagle Mountain City is again offering a Bag the Leaf program through November 25. The City will provide free leaf bags to residents, available for pick up at City Hall or The Ranches HOA office. Bagged leaves will be picked up and disposed of by Eagle Mountain City's Storm Drain Department. Program guidelines and contact information are located on the City website, News section.
- **Road Closure on Pony Express Pkwy** – *Please note - this project was rescheduled from last week.* The north (westbound) side of Pony Express Parkway between Smith Ranch Road and Porter's Crossing will be closed for construction activity from Wednesday, November 2 through Friday, November 4 from approximately 9:00 a.m. to 3:30 p.m. Traffic will be shifted to one lane in each direction on the south side of the road. Map photos are available on the City website, News section.
- **Vaccination Clinic** – The Utah County Health Department is hosting a vaccination clinic on Thursday, November 10 from 8:00 a.m. to 10:00 a.m. at City Hall. A list of insurances accepted and vaccinations available is located on the City website, Calendar page.
- **Turkey Trot** – Eagle Mountain City's annual Turkey Trot will be held on Thanksgiving Day, November 24. It starts at Hidden Hollow Elementary and finishes on Pony Express Pkwy. across from City Hall. Check-in is from 7:00 a.m. – 8:00 a.m. and the race starts at 8:00 a.m. Entry is free but pre-registration is required and available on the City website, Calendar page. Same-day registration is only available from 7:00-7:30 a.m. Free donuts, apples, water, hot chocolate, Chick-Fil-A meal coupons and t-shirts will be available for participants while supplies last.



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

Marion Cline was very happy about the approval of the Pioneer Park splash pad project. In response to Councilmember Curtis' earlier question, she felt three splash pads would benefit the City. As to parking, there were several City-owned properties that might be used for parking; however, most people walk to that park.

Sam Allen thanked the Council for providing a restroom in the park near his house. He said the water main on his house broke last weekend. He felt the pipe was substandard, and the City building inspectors should have required better quality pipe when his house was built 14 years ago. He expressed several complaints about a previous City building inspector and suggested the City hire expert building inspectors. He felt the City was responsible to pay for the repairs to the broken water main.

Mayor Pengra stated, while he couldn't speak to what may have happened with Mr. Allen's home when it was built, he stood by the quality of the City inspectors' work.

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

Councilmember Curtis

Councilmember Curtis invited youth 14 – 18 to participate in the Youth Council. He thanked everyone attending the meeting and those who contact the Council individually.

Councilmember Bradley

Councilmember Bradley thanked those attending the meeting. He appreciated the emails he received regarding the Neighborhood Match Grant Program.

Councilmember Reaves

Councilmember Reaves welcomed everyone, especially the Boy Scouts. He encouraged the Scouts to continue being involved in their local government. He appreciated the comments he received on various issues, which helped him as he studied the issues.

Councilmember Westmoreland

Councilmember Westmoreland was grateful to be back at City Council meeting and to the other Councilmembers for how well they take care of City issues.

Councilmember Gricius

Councilmember Gricius announced the Veterans' Day breakfast on Saturday, November 5 at 8:00 a.m.

Mayor Pengra

Mayor Pengra thanked everyone for attending the meeting.

9. PROCLAMATION – Type I Diabetes Awareness

Mayor Pengra read the proclamation. He said the City planned to repeat last year’s activities, which consisted of changing the City’s outdoor building lights to blue and posting information on the website. He thanked Sydney Glass for spearheading the project.

Councilmember Curtis described his experience with being diagnosed with type I diabetes and expressed appreciation for people’s support of those with the disease.

**MOTION:** *Councilmember Curtis moved to proclaim November 14 to 18, 2016, Type I Diabetes Awareness Week. Councilmember Gricius seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

**CONSENT AGENDA**

10. MINUTES

- A. October 18, 2016 – Regular City Council Meeting

11. RESOLUTION

- A. Appointment of Jeff Weber to the Utah Valley Dispatch Special Service District Board

12. BOND RELEASES

- A. Pioneer Addition Phase VII C – Into Warranty
- B. Sunset Ridge, Plat 2 – Out of Warranty
- C. Valley View Ranch, Phase A-9 – Out of Warranty

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

**SCHEDULED ITEMS**

**PUBLIC HEARING**

13. ORDINANCE – Consideration of an Ordinance of Eagle Mountain City, Utah, Amending the Fiscal Year 2016-2017 Budget.

This item was presented by Assistant City Administrator/Finance Director Paul Jerome. The proposed amendments to the FY 2016-2017 budget include: carryover expenditures that were approved in FY 2015-2016 for the General Plan rewrite and the North Service Area water tank project. This was originally a waterline project; however, the water tank obviates the need for a waterline. There were also amendments to the General Fund Capital Projects Fund for Wide Memorial Park, Phase 1A and the future Petroglyph Park. The other amendments transfer impact fees to the General Fund Capital Projects Fund for those projects.

Mr. Jerome clarified that every project paid for by utility sale proceeds will be brought to the Council as a budget amendment, and no expenditure exceeds the amount previously approved by the City Council.

*Mayor Pengra opened the public hearing at 7:26 p.m.*

Cody Guyman asked where the water tank would be located and where the petroglyphs were. Mayor Pengra explained the City wasn't going to disclose the location of the petroglyphs until security measures were in place. Some damage has already been done. City Engineer Chris Trusty said the water tank will be located next to Camp Williams near the existing water tank.

*Mayor Pengra closed the public hearing at 7:28 p.m.*

Councilmember Bradley informed the public that the budget amendment was scrutinized very carefully by both City staff and the City Council.

**MOTION:** *Councilmember Gricius moved to adopt an Ordinance of Eagle Mountain City, Utah, amending the fiscal year 2016-2017 budget. Councilmember Bradley seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

14. MOTION – Consideration of the Neighborhood Match Grant Project List.

This item was presented by Economic Development Manager Aaron Sanborn. The City Council approved a Neighborhood Match Grant program in May, 2016. City staff received eleven applications from various groups throughout the City. The Parks and Recreation Advisory Board reviewed all of the applications and recommended approval of six projects. Two of the six projects were not presented at this meeting because they required additional staff review.

The projects being presented were the SilverLake Amphitheater, the Pioneer Park splash pad, landscaping of The Ranches west entry, and the Sweetwater Park playground. Staff recommended approval of the projects, which would allow City staff to move forward with working with the applicants, draw up the plans and complete the projects.

Mayor Pengra explained two projects were taken off of the approval list; however, it was expected that the issues with the projects could be solved. He commended Mr. Sanborn for managing such a difficult, first-time project.

Councilmember Reaves asked if this approval should include the two projects still in the approval process. Mayor Pengra said it would only be for the four listed projects. He committed to seeking remedies for the issues delaying the other two projects.

Councilmembers Gricius and Curtis thanked Mr. Sanborn.

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

Mayor Pengra thanked the Parks and Recreation Advisory Board and City staff for the tremendous amount of work they put into this program. He stated the Board went far beyond what should be expected of a board of volunteers.

Councilmember Gricius thanked the residents who put in so much time and effort, and were patient during the approval process.

Mr. Cook clarified the detention pond was not a park, just improvements. The applicants didn't ask for a park in a detention pond. He and City staff were looking for alternatives.

15. BID AWARD – Consideration and Award of Bid to Stratton and Brätt Landscapes, LLC for the 2016 Pony Express Parkway Landscape Modification.

This item was presented by Parks and Recreation Director Brad Hickman. The proposed bid award is for the modification of the landscape medians along Pony Express Parkway in The Ranches.

Mr. Hickman stated this project entailed implementing the changes designed by Landmark Design Group. The engineer's estimate was \$500,000 for the base bid. The bids came in much lower than that for both the base bid and an additive alternate. Stratton and Brätt Landscapes submitted the lowest bid, at \$301,544.00.

Mayor Pengra stated that since the bid came in so low, some of the unused funds could be used for landscaping along the side of the road.

Councilmember Reaves asked if the City had ever worked with this company in the past. Mr. Trusty said they had worked with Brätt in the past, before they merged with Stratton. They installed the landscaping around City Hall and the roundabout.

**MOTION:** *Councilmember Gricius moved to award a bid to Stratton and Brätt Landscapes, LLC for the base bid in the amount of \$183,077.32 and the additive alternate in the amount of \$118,466.88 for the 2016 Pony Express Parkway Landscape Modification, and authorize the Mayor to sign the contract. Councilmember Reaves seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Benjamin Reaves. The motion passed with a unanimous vote.*

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

Councilmember Curtis

*See board report.*

Councilmember Bradley

*See board report.*

Councilmember Reaves

No comment.

Councilmember Westmoreland

*See board report.*

Councilmember Gricius

*See board report.*

Mayor Pengra

Mayor Pengra reported that the Unified Fire Authority was in the process of searching for a new Chief and Deputy Chief. They hoped to choose a candidate and make an employment offer by the end of the month. No current UFA personnel applied for the position.

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

Councilmember Curtis said the Planning Commission met on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays of the month at 6:00 p.m. Youth Council met on the 2<sup>nd</sup> and fourth Wednesdays.

Councilmember Bradley said City staff would inform residents when the next Economic Development Board meeting was scheduled.

Councilmember Westmoreland said the October Library Board meeting was cancelled.

Councilmember Gricius said there would be no Planning Commission meeting on Tuesday due to Election Day.


18. COMMUNICATION ITEMS

A. Upcoming Agenda Items

19. ADJOURNMENT

**MOTION:** *Councilmember Gricius moved to adjourn the meeting at 7:47 p.m. Councilmember Bradley seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Benjamin Reaves. The motion passed with a unanimous vote.*

Approved by the City Council on November 15, 2016.



Fionnuala B. Kofoed, MMC  
City Recorder



# EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

**November 15, 2016**

Eagle Mountain City Council Chambers

1650 East Stagecoach Run, Eagle Mountain, Utah 84005

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

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

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

Mayor Pengra called the meeting to order at 5:03 p.m.

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

- A. **PRESENTATION** – Cory B. Wride Memorial Park, Details of Phases 1A and 1B

Assistant City Administrator/Finance Director Paul Jerome explained the details of the work to be done on Phase 1A of the park. Projects will include field surfacing and lighting, landscaping, signage, concessions, park equipment, shade structures, concrete work, a parking lot and utilities. The total \$1,840,000 funding will come from a lighting grant, impact fees and community improvement fees.

Phase 1B will consist of a large pavilion, various ball courts, several playgrounds, landscaping, signage, trail improvements, a lighted parking lot and utilities. The \$5,300,000 cost will come from utility sale proceeds and a donation from Ivory Homes.

Parks and Recreation Department Director Brad Hickman stated the project was divided into phases to show where the money was going to come from. Some of the Phase 1B funds will have to be expended right away to complete the parking lot, but neither phase will cost more than was approved by the Council.

Councilmember Gricius asked if an agreement has been worked out as to how much green space will be in the Ivory Homes subdivision. Mr. Pili said it had not. Councilmember Gricius said, if the conclusion is that no green space would be required in Ivory's subdivision, she would like their \$1.8M park donation to be used in the subdivision rather than in Wride Park.

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

12. ORDINANCE – Consideration of an Ordinance of Eagle Mountain City, Utah, Amending Chapters 15, 16 and 17 of the Municipal Code.

City Planner Tayler Jensen described the amendments. The amendment to Chapter 15.70.020 clarified that electrical meters must be placed on side elevations of houses. This was already the case, but it wasn't spelled out in the Municipal Code.

Chapter 16.10.060 would be amended to state a master development plan could serve as a preliminary plat. It would have to meet the requirements of a preliminary plat, and the developers would have to notify the Planning Commission and City Council, at the time of application, of their intent to use it as a preliminary plat.

Councilmember Curtis asked how that would be tracked. Mr. Jensen said a check box would be added to the application form, and the substitution would be called out in each staff report.

Chapter 16.35.105 would allow no more than 33% percent of a development project's amenity points to go into one type of amenity. The purpose was to provide increased variety in Eagle Mountain's parks.

Councilmember Reaves asked for clarification that this would not result in a park having only three amenities. He was concerned about developers meeting the minimum requirements, which might not meet the residents' needs. Mr. Jensen said the intent of the amendment was to make at least 67% of the amenities something other than asphalt trails and parking, which would be an improvement over recent applications.

Mayor Pengra felt it would be counterproductive to be too specific about amenity points, as that could become restrictive.

Mr. Mumford pointed out the way the amendment was written would allow for a major, very attractive amenity taking 67% of the points, which would be worthwhile. Being a minimal requirement, it would leave room for creativity.

Chapter 17.10.030 was being amended because Utah Code 10-9a-505.5 states that one definition of family is a group of not more than four persons not related by blood, marriage, adoption, or legal guardianship living together as a single housekeeping unit in a dwelling unit. As the Municipal Code allowed only up to three persons to make up a family, it should be changed to comply with State Code.

13. RESOLUTION – Consideration of a Resolution of Eagle Mountain City, Utah, Approving the Amended and Restated Scenic Mountain Master Development Agreement.

City Attorney Jeremy Cook had been negotiating this agreement since it was tabled at the last meeting. A major issue was traffic on Inverness Lane. The intersection with Mt. Airey Drive was too small to allow for a left-hand turn lane. There was also not enough room at the other intersections on Inverness Lane to create turning lanes. A piece of land not owned by the Scenic Mountain applicants will have to be acquired in order to finish the road.

Mr. Cook recommended limiting the project to 45 building permits in the cluster home area until Inverness Lane was complete. Inverness would have to have a 32-foot pavement width, which would allow for parking on one side and two lanes of traffic. Because of the amount of traffic likely to use the road, the sidewalk and parking strip would be reduced four feet wide each on both sides of the road, and parking would only be allowed on one side of the road, to allow for a wider asphalt surface. This was a compromise due to the physical layout of the location.

Mayor Pengra noted the Municipal Code required only 30 building permits be allowed until the road had two points of egress. Mr. Cook said they would have to provide a second exit from the development before pulling the final 15 building permits.

Mr. Cook said he was negotiating the location of the entrance monument, because UDOT was expected to buy the land it was expected to be located on. A solution would be for the developer to donate the land to the City, which could construct an entry monument later.

Councilmember Gricius asked about the duration of the master development agreement. Mr. Cook said he would find the specific reference in the agreement during the break between meetings.

Councilmember Westmoreland asked if the paragraph in the agreement about the City's remedies upon default referred specifically to Inverness Lane, and whether it would be void if that issue was resolved. Mr. Cook said it was a broad protection for the City. He didn't want to try to address specific issues before they appeared. The developers could present solutions to specific problems as needed.

Councilmember Bradley wanted the elevations of the townhomes to comply with the Municipal Code, which states the front elevations should be articulated and garages should not dominate the front. The developers' explanation at a previous meeting was that they wanted the most attractive elevation, which was the rear elevation, to face the road, since it was an entry into the City.

Councilmember Bradley also questioned the alley-loaded front elevations shown in the agreement. Mr. Jensen said it was included to provide more flexibility to the developers, but would have to be approved by the Council at site plan approval.

Councilmembers preferred that the developers comply with the Municipal Code.

Councilmember Gricius requested a maximum term of ten years for the master development agreement.

Mr. Cook pointed out a project large enough to require a master development agreement was very unlikely to be built within ten years.



Councilmember Curtis felt the City had negotiated at length with these developers without making much progress.

3. ADJOURN TO A CLOSED EXECUTIVE SESSION

No Closed Executive Session was held.

The meeting was adjourned at 6:00 p.m.

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

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

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

4. CALL TO ORDER

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

5. PLEDGE OF ALLEGIANCE

Tom Westmoreland led the Pledge of Allegiance.

6. INFORMATION ITEMS/UPCOMING EVENTS

- **Bag the Leaf** – Eagle Mountain City is again offering the Bag the Leaf program through November 25. The City will provide free leaf bags to residents, available for pick up at City Hall or The Ranches HOA office. Bagged leaves will be picked up and disposed of by Eagle Mountain City's Storm Drain Department. Program guidelines and contact information are located on the City website, News section.
- **Turkey Trot** – Eagle Mountain City's annual Turkey Trot will be held on Thanksgiving Day, November 24. Start is at Hidden Hollow Elementary and finish is on Pony Express Pkwy across from City Hall. Check in is from 7:00 a.m. – 8:00 a.m. Race starts at 8:00 a.m. Entry is free but pre-registration is required and available on the City website, Calendar. Day-of registration is only available from 7:00-7:30 a.m. FREE donuts, apples, water, hot chocolate, Chick-Fil-A meal coupons and t-shirts will be available for participants while supplies last.
- **Care Packages for Deployed Military** – Eagle Mountain City's Military and Veterans' Board will again be distributing care packages to military service members from Eagle Mountain who will be gone during the holidays for a significant deployment. Please contact

the MVB at [mvb@emcity.org](mailto:mvb@emcity.org) with the service member's name and address where they can mail a care package from the community. This is for citizens of Eagle Mountain only. Donation boxes are available in the lobby at City Hall, at The Ranches Academy, and Mountain Trails Elementary through November 21. For a list of acceptable items, please visit the City website, News section.

- **General Plan Update Feedback Invited** – Eagle Mountain City is updating the General Plan. The General Plan is the guiding document for the growth and future of the City. It includes goals and strategies for land use, transportation, housing, parks and open space, economic development and more. Visit the City website, News section to view information and give feedback.
- **HawkWatch International** – The City Library is hosting a free event with HawkWatch International on Wednesday, November 16 from 6:00-7:30 p.m. Join us for a unique opportunity to see raptors up close and learn about raptor conservation and the birds of prey who share our environment.
- **Deck the Halls** – The City's annual Christmas Tree Lighting and visit with Santa will be held on Friday, December 2 from 6:30 p.m. to 8:00 p.m. at City Hall. This event is free. The Eagle Mountain Arts Alliance is offering an essay contest and gingerbread house contest. Details are available on the City website, Events calendar.
- **Santa on the Fire Truck** – Santa will make his annual rounds to Eagle Mountain neighborhoods on the fire truck on Saturday, December 3, starting at 8:00 a.m. and ending at approximately 2:00 p.m. More info on the City website, Events calendar.

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

None.

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

Councilmember Gricius

Councilmember Gricius thanked everyone for coming. She said the first annual Veterans' breakfast, sponsored by the Military and Veterans Advisory Board, was a success with about 60 people attending.

Councilmember Westmoreland

Councilmember Westmoreland welcomed everyone to the meeting.

Councilmember Reaves

Councilmember Reaves welcomed everyone to the meeting.

Councilmember Bradley

Councilmember Bradley encouraged everyone to participate in the Turkey Trot run on Thanksgiving Day.

Councilmember Curtis

Councilmember Curtis encouraged youth 14-18 to participate in the Youth Council.

Mayor Pengra

Mayor Pengra informed the audience there was a presentation during Work Session on the beginning phases of the Cory B. Wride Memorial Park improvements. He presented information about projects which have recently been completed using the proceeds from the gas and electric utility sale.

9. APPOINTMENTS

A. Library Board – 3 year terms

- I. Daniel Farmer
- II. Mellissa Ochsenhirt
- III. Kim Reid

**MOTION:** *Councilmember Curtis moved to appoint Daniel Farmer to the Library Board for a term ending December 31, 2019. Councilmember Bradley seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Ben Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

**MOTION:** *Councilmember Curtis moved to appoint Mellissa Ochsenhirt to the Library Board for a term ending December 31, 2019. Councilmember Westmoreland seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Ben Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

**MOTION:** *Councilmember Curtis moved to appoint Kim Reid to the Library Board for a term ending December 31, 2019. Councilmember Reaves seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Ben Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

City Recorder Fionnuala Kofoed administered the oath of office to Ms. Ochsenhirt, Ms. Reid and Mr. Farmer.

**CONSENT AGENDA**

10. MINUTES

- A. November 1, 2016 – Regular City Council Meeting

11. 2017 MEETING SCHEDULE

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

**SCHEDULED ITEMS**

**PUBLIC HEARING**

12. ORDINANCE – Consideration of an Ordinance of Eagle Mountain City, Utah, Amending Chapters 15, 16 and 17 of the Municipal Code.

- A. Chapter 15.70.020 – General Specifications for Electrical Service

- B. Chapter 16.10.060 – Approval Process (Master Development Plans)
- C. Chapter 16.35.105 – Park and Improved Open Space Requirements
- D. Chapter 17.10.030 – Definitions

This item was presented by City Planner Tayler Jensen. The proposed change to Chapter 15.70.020 of the Municipal Code specified that electrical meters be placed on side elevations of single-family residential homes, which had not been clearly stated beforehand.

The amendment to Chapter 16.10.060 allowed a master development plan to serve as a preliminary plat, if the master development plan map provided the level of detail required for preliminary plats, and if the developers notified the City of their intent to do so.

The Chapter 16.35.105 amendment required a higher level of variety in parks and improved open spaces, by restricting trails and parking spaces from providing more than 33% of a project's required amenity points.

The amendment to Chapter 17.10.030 updated the definition of "family" to comply with Utah State Code. The Municipal Code stated that "a group of not more than three persons not related by blood, marriage, adoption, or legal guardianship living together as a single housekeeping unit in a dwelling unit" could be defined as a family; the Utah Code required it to be not more than four persons.

*Mayor Pengra opened the public hearing at 7:26 p.m. As there were no comments, he closed the hearing.*

This item was discussed in Work Session. No further discussion was held.

**MOTION:** *Councilmember Reaves moved to adopt an Ordinance of Eagle Mountain City, Utah, amending Chapters 15, 16 and 17 of the Municipal Code as presented by staff. Councilmember Westmoreland seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

13. RESOLUTION – Consideration of a Resolution of Eagle Mountain City, Utah, Approving the Amended and Restated Scenic Mountain Master Development Agreement.

This item was presented by Community Development Director Steve Mumford. This applicant-proposed amendment to the Scenic Mountain Master Development Agreement maintained the same number of residential units (289) but includes changes to the building types, parks and open space, a flex use area with commercial, and included an area for possible UDOT acquisition for future expansion of Wride Memorial Highway. The project is located south of Wride Memorial Highway at the eastern boundary of the City. *This item was tabled from the October 18, 2016 City Council meeting.*

One of the primary issues to be negotiated was the widening of Inverness Lane, referred to in paragraph 14 of the agreement. It needed to be widened to 32 feet of asphalt, to provide two 12-foot traffic lanes and room for an 8-foot parking lane on the south side. The future road northwest of Inverness Lane would also have to be 32 feet wide, as it will be an access road to the highway.

Councilmember Gricius asked Dylan Young, Fieldstone Homes' representative, when he expected the development to be fully built. Mr. Young responded that the original master development agreement didn't have a specific ending date, so one hadn't been contemplated with this amendment.

Jason Harris, also with Fieldstone Homes, said he expected it to be a 5 to 7-year project, allowing for the cyclical real estate market.

Councilmembers suggested a ten-year term. Due to the City's previous experiences with lengthy or indefinite master development agreements, they wanted a time limit on this and future agreements.

Mr. Harris was concerned that a time limit might allow the City to change something Fieldstone was entitled to. He preferred to address specific issues, rather than choose an arbitrary term.

Mayor Pengra stated in some instances, existing 20-year agreements have been problematic for the City. Limited terms protect both the City and the developer. Expectations and markets always change, and a term limit frees the City and the developers to renegotiate vested rights that might need to change.

Mr. Harris suggested putting a clause in the agreement stating items could be readdressed if an issue of public health and welfare came up. Mr. Cook pointed out that is already covered by State law.

Mr. Cook stated, once the infrastructure was constructed, the developers wouldn't leave the housing undeveloped. Preliminary and final plats would protect their rights under the master development agreement. A clause could be added providing an automatic five-year extension if the infrastructure was substantially completed, as was done with Spring Run.

Councilmember Curtis pointed out that lengthy development agreements don't allow the Council to make decisions in the future that protect the residents. Mr. Harris stated that brief agreements might not protect residents in the development, if the developer was free to leave without constructing all the agreed-to amenities.

Mayor Pengra stated approval of each plat included the requirements of the master development agreement, so the developers wouldn't be free to leave.

Discussion was held regarding whether a term would commence at execution of the agreement or whether it would allow breaks for periods of inactivity. Councilmembers asked how Fieldstone would define inactivity. Mr. Harris said it would be failure to submit a final plat.

Mr. Cook felt a longer term on a master development agreement was a better solution than one that referred to periods of inactivity.

Councilmember Curtis pointed out the original master development agreement was executed in 2005. Eleven years later, the agreement was still in force, but the City and the market were very different. The agreement became wrong for both the developers and the City.

Mayor Pengra acknowledged Mr. Harris' concerns. He pointed out master agreements affect community planning. The City would have no recourse if a lengthy agreement worked against the City's interests and the developer chose not to negotiate different terms.

Mr. Harris proposed, if the project went inactive by failing to submit a final plat, a ten-year term limit would begin. He felt a set term limit impinged on Fieldstone's property rights.

Councilmember Gricius proposed a ten-year term, with an automatic five-year extension if the infrastructure was substantially completed. Substantial completion could be defined in the agreement. Submission of a preliminary or final plat would, according to the Municipal Code, provide an automatic two-year extension.

Councilmember Bradley noted the townhome elevations submitted by Fieldstone didn't comply with the Municipal Code. He asked that Exhibit F, showing the townhome elevations, be removed from the agreement. Mr. Harris said Fieldstone would be happy to comply with the Municipal Code.

Discussion of Inverness Lane resumed. Mr. Mumford stated the widening of the section of Inverness Lane not owned by Fieldstone would require buying the land or obtaining a right-of-way from the property owner. The road should be added to the Transportation Master Plan and the Impact Fee Schedule if the Council planned on it being a collector road in the future.

Mr. Harris said Fieldstone would only be willing to widen the road if they were assured the other piece of land could be acquired. Otherwise, the development would be stopped if the property couldn't be acquired. They would agree if the purchase or condemnation was guaranteed in the agreement. Mayor Pengra said the City Council had the option to commit to condemn the property after Fieldstone built 45 homes. Mr. Cook confirmed that possibility; however, condemnation actions were lengthy and expensive. It could be exacted when that owner was ready to develop the property.

Mayor Pengra recommended tabling the agreement and directing staff to continue negotiating with Fieldstone. Mr. Cook felt staff would be unable to concede any further, which would keep the existing agreement in place. He felt tabling the agreement wouldn't be productive. Since he was aware the Council would be unwilling to condemn the property, the only other option was for the Council to determine how many units they would allow to be built before the improvements to Inverness were built. Mr. Cook and City staff recommended 45 units.

**MOTION:** *Councilmember Gricius moved to adopt a Resolution of Eagle Mountain City, Utah, approving the Amended and Restated Scenic Mountain Master Development Agreement, with a ten-year sunset clause, with an automatic five-year renewal period if substantial infrastructure improvements had been completed within the ten years, and with the intent that the elevations in Exhibit F abide by the Municipal Code, and directing the City Attorney and City staff to work with the developer to define substantial improvements. Councilmember Reaves seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

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

Councilmember Curtis  
No comment.

Councilmember Bradley  
No comment.

Councilmember Reaves  
No comment.

Councilmember Westmoreland  
No comment.

Councilmember Gricius  
No comment.

Mayor Pengra  
No comment.

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

None.

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

17. ADJOURNMENT

**MOTION:** *Councilmember Bradley moved to adjourn the meeting at 8:52 p.m. Councilmember Gricius seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

Approved by the City Council on January 17, 2017.

  
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Fionnuala B. Kofoed, MMC  
City Recorder



# EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

**December 6, 2016**

Eagle Mountain City Council Chambers

1650 East Stagecoach Run, Eagle Mountain, Utah 84005

## **6:00 P.M. POLICY SESSION – MAIN CONFERENCE ROOM**

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

**CITY STAFF PRESENT:** Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Fionnuala Kofoed, City Recorder; Melanie Lahman, Chief Deputy City Recorder; David Mortensen, City Treasurer; Steve Mumford, Community Development Director; Chris Trusty, City Engineer; Brad Hickman, Parks and Recreation Director; Jeff Weber, Facilities and Operations Director; Ross Fowlks, Fire Chief; B.J. Eccles, Sheriff's Deputy.

### 1. CALL TO ORDER

Mayor Pengra called the meeting to order at 6:04 p.m.

Mayor Pengra asked if there were any public comments. As there were none, he moved on to the scheduled item.

### 2. BID AWARD – Consideration and Award of Bid to S & L, Inc. for the 2016 Cory B. Wride Memorial Park Construction, Phase 1A.

This item was presented by Parks and Recreation Director Brad Hickman. The proposed bid award was for the construction of the Cory B. Wride Memorial Park, Phase 1A. Improvements would include a parking lot, a concession/restroom building, a plaza, baseball dugouts and shade structures. The parking lot and utility facilities for Phases 1A and 1B would be built with Phase 1A.

Councilmember Gricius asked for clarification as to whether the base bid only was being awarded or whether the bid additive was being awarded, as well. Mr. Hickman said only the base bid was being awarded.

Discussion ensued on the color and texture of the aggregate that would be used to surface the concession and restroom building. Mr. Hickman explained the colors were designed to coordinate with monuments already located along the Pony Express Trail.

Councilmember Reaves asked if there was a plan or timeline showing how the contractor would meet the June 30, 2017 completion date. Mr. Hickman said the contractor was able to meet the completion date and was anxious to begin the project.



Councilmember Westmoreland asked if the project included scoreboards. Mr. Hickman said it did.

Councilmember Curtis asked about the life expectancy of the shade structures. Mr. Hickman responded they were rated for 20 years. The manufacturer recommended taking them down during the winter.

Mayor Pengra invited public comment; however, there were no comments.

Councilmember Bradley brought the discussion back to the colors of the surface aggregate for the concession/restroom building. Mr. Hickman asked if the Council wanted to treat the colors as a theme for the park. Councilmembers said they did want a theme.

Mayor Pengra asked Mr. Hickman to bring in several color options, so the Council could come to a consensus.

**MOTION:** *Councilmember Bradley moved to award a bid to S & L, Inc. in the amount of \$2.2M, for the 2016 Cory B. Wride Memorial Park, Phase 1A construction project. Councilmember Westmoreland seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

### 3. ADJOURNMENT

**MOTION:** *Councilmember Gricius moved to adjourn the meeting at 6:25 p.m. Councilmember Curtis seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

Approved by the City Council on January 17, 2017.



Fionnuala B. Kofoed, MMC  
City Recorder