

MINUTES
EAGLE MOUNTAIN CITY COUNCIL MEETING

March 16, 2010

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

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

4:00 PM WORK SESSION – CITY COUNCIL CHAMBERS

ELECTED OFFICIALS PRESENT: Councilmembers Donna Burnham, Eric Cieslak, Ryan Ireland, Nathan Ochsenhirt (arrived at 4:27 p.m.) and John Painter.

CITY STAFF PRESENT: Jerry Kinghorn, City Attorney; Fionnuala Kofoed, City Recorder; Steve Mumford, Planning Director; Ifo Pili, Assistant City Administrator; Chris Trusty, Public Works Director; Kent Partridge, Building Official; Gordon Burt, Finance Director; Linda Peterson, Public Information Director; Jena Harper, Deputy Recorder; Dave Norman, Assistant Public Works Director; Jason Walker, Management Analyst; Adam Ferre, Energy Director; John Hendrickson, City Administrator; Eric McDowell, Deputy.

Mayor Heather Anne Jackson called the meeting to order at 4:10 p.m.

1. **AGENDA REVIEW** – The City Council reviewed items on the Consent Agenda and Policy Session Agenda.
2. **CITY ADMINISTRATOR INFORMATION ITEMS** – This is an opportunity for the City Administrator to provide information to the City Council. These items are for information and do not require action by the City Council.
 - A. Sustainability Program Update
 - B. Economic Development Update
3. **ADJOURN TO A CLOSED EXECUTIVE SESSION** – The City Council adjourned into a Closed Executive Session for the purpose of discussing reasonably imminent litigation and the purchase, lease or exchange of real property, pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

MOTION: *Councilmember Cieslak moved to adjourn into a closed executive session for the purpose of discussing reasonably imminent litigation and the purchase, lease or exchange of real property, pursuant to Section 52-4-205(1) of the Utah Code, Annotated. Councilmember Ireland seconded the motion. Those voting aye: Donna Burnham, Eric Cieslak, Ryan Ireland, Nathan Ochsenhirt and John Painter. The motion passed with a unanimous vote.*

The meeting was adjourned at 6:29 p.m.

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

ELECTED OFFICIALS PRESENT: Councilmembers Donna Burnham, Eric Cieslak, Ryan Ireland, Nathan Ochsenhirt and John Painter.

CITY STAFF PRESENT: Jerry Kinghorn, City Attorney; Fionnuala Kofoed, City Recorder; Steve Mumford, Planning Director; Ifo Pili, Assistant City Administrator; Chris Trusty, Public Works Director; Gordon Burt, Finance Director; Linda Peterson, Public Information Director; Jena Harper, Deputy Recorder; Dave Norman, Assistant Public Works Director; Jason Walker, Management Analyst; Adam Ferre, Energy Director; John Hendrickson, City Administrator; Eric McDowell, Deputy.

Harper, Deputy Recorder; Jason Walker, Management Analyst; Adam Ferre, Energy Director; John Hendrickson, City Administrator; Eric McDowell, Deputy.

4. CALL TO ORDER

Mayor Jackson called the meeting to order at 7:11 p.m.

5. PLEDGE OF ALLEGIANCE

Regan Bolli led the Pledge of Allegiance.

6. INFORMATION ITEMS/UPCOMING EVENTS

- Hartley Lojik was crowned Miss Eagle Mountain 2010 on Saturday, March 6. Anna Barnum was named First Attendant, with Charlee Allen as Second Attendant.
- Lee Kline received the Woman of Achievement Award.
- Effective the week of March 29, 2010, trash collection services will be handled by Ace Disposal. For more information on the new disposal and recycling services go to www.eaglemountaincity.com
- The City's annual Easter Egg Hunt will be Saturday, April 3, 2010 at 10:30 a.m.
- Information on Pony Express Days 2010 is now available on the city website.

7. PUBLIC COMMENTS

Leigh Morrison, 4611 Conestoga Way, felt that the recreation center should go to bond election to allow the people to vote. He stated that it is not the best time to build a recreation center.

Lynnette Rose, 2613 E Cedar Drive, stated that the residents should be the ones to vote for a recreation center. She explained that some of her children and grandchildren live in Eagle Mountain City and that all of them want a recreation center.

John Wallace, 9298 N Deerfield Circle, stated that he is opposed to raising taxes for anything but feels that the recreation center should go to the public for a vote. He is concerned that the turnout for the bond election will be low if it is held in June. He would like to see it held in November.

Elaine Duke, 2156 E Sunrise Drive, felt that only one proposition should be on the ballot. She was concerned that residents would get confused if there were two propositions. She would like to see the residents have an opportunity to vote for the recreation center.

Regan Bolli, 1959 E Church Way, explained that he was representing a large group of people that do not have extra money in their monthly budgets to pay for a recreation center. He felt that those who could afford a recreation center would be the ones that show up to vote for it.

Charlotte Ducos, 9328 N Deerfield Circle, stated that a recreation center should be built when the financial situation is right, not just because materials to build one are cheap. She felt that a lap pool should be included in the proposed recreation center plan. She wants election costs to be kept at a minimum.

Doug Comeau, 2137 Juniper Drive, wants to see the bond election held in June rather than November. He would like the residents to have an opportunity to vote for or against a recreation center.

Susan Vanderhoef, 1754 Independence Way, is concerned with parking on the streets and that children are going to get hit by vehicles because drivers won't be able to see them darting out between parked cars.

8. CITY COUNCIL/MAYOR'S ITEMS

Councilmember Painter

No comment.

Councilmember Cieslak

Councilmember Cieslak thanked the residents for coming to the meeting. He encouraged residents to fill out the survey on the City website concerning parking around Nolan Park. He asked residents to contact elected offices about Eagle Mountain's transportation issues.

Councilmember Ireland

Councilmember Ireland encouraged everyone to attend the caucus meetings at Rockwell High on March 23 at 7:00 p.m.

Councilmember Burnham

Councilmember Burnham congratulated the new Miss Eagle Mountain Royalty. She thanked Jessica Bare, Miss Eagle Mountain 2009, for her service. She also congratulated Lee Klein for receiving the Woman of Achievement award. She also encouraged residents to attend the caucus meetings.

Councilmember Ochsenhirt

Councilmember Ochsenhirt thanked the residents for expressing their opinions on the different issues. He encouraged residents to attend the meetings to express their opinions so that the City Council can hear them.

Mayor Jackson stated that building permit issuances are up, and bond ratings are great. She explained that construction of the Pony Express Parkway expansion has commenced and should be completed by June 3rd. She stated that the widening of SR 73 to Ranches Parkway is also underway.

9. APPOINTMENT

- A. Public Works Board – Branden Reall to fill the vacancy created by Brian Richards (3 year term).

MOTION: *Councilmember Ireland moved to appoint Branden Reall to the Public Works Board with a term end date of December 31, 2012. Councilmember Cieslak seconded the motion. Those voting aye: Donna Burnham, Eric Cieslak, Ryan Ireland, Nathan Ochsenhirt and John Painter. The motion passed with a unanimous vote.*

CONSENT AGENDA

10. MINUTES

- A. February 25, 2010 – Town Hall Meeting
- B. March 2, 2010 – Regular City Council Meeting

MOTION: *Councilmember Ireland moved to approve the consent agenda. Councilmember Ochsenshirt seconded the motion. Those voting aye: Donna Burnham, Eric Cieslak, Ryan Ireland, Nathan Ochsenshirt and John Painter. The motion passed with a unanimous vote.*

SCHEDULED ITEMS

PUBLIC HEARING

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

This staff-proposed Development Code amendment to Title 16, Section 16.35 Development Standards for Required Public Facilities, Table 16.35.130(b), Right-of-Way Classifications, proposes standards for roadways which were approved with the Future Land Use and Transportation Corridors Map, as well as some minor changes to other road sections.

Mr. Mumford explained that new classifications have been created. He stated that Freeway, Expressway, Highway, 7 Lane Major Arterial and Local Streets with Alleys have been adjusted/added on table 16.35.130. He explained that minor changes were made to some discrepancies in the table as well.

Mr. Mumford explained that the freeway classification includes a 300 foot right of way which provides for 8 lanes, a 30 foot median and 4 emergency lanes. He explained that the highway designation is for SR73 which included 6 travel lanes. He explained that UDOT currently owns 150 feet of right of way along the road through most of the City. He said the City is proposing that the right of way eventually be expanded to 162 feet.

Mr. Mumford stated that the seven lane major arterial is a portion of Airport Road. He explained that this provides for two additional lanes making it a 176 foot right of way.

Mr. Mumford explained that staff is proposing to eliminate the local streets with alleys designation and to use the local street standards instead.

Mr. Mumford stated that minor changes were also made to the 5-lane major arterial, minor arterial, major collector and minor collector.

Councilmember Painter asked if there were standards for freeway right-of-way.

Mr. Mumford explained that there isn't anything in place which is why it is being proposed that it be included in the table.

Mr. Trusty stated that cross sections have evolved over the years. He explained that most communities have standards that specify how many lanes, intersections, right of way, etc. for various roads.

Mr. Mumford stated that when it comes down to it UDOT will set the standard and the City will try to conform for notification purposes.

Mayor Jackson explained that UDOT will consider the City's requirements when building a road within the City.

Mayor Jackson opened the public hearing at 8:10 p.m.

Regan Bolli, 1959 E Church Way, explained that he was representing a large group on this issue. He stated that it is in the City's best interest to preserve the right of way now to avoid future problems. He felt that the locations of the proposed roads were the best locations.

McKay Edwards, SITLA, thanked staff for the work they did on right of way classifications. He feels that the right of way is adequate. He suggested that the City look at Highway 189 in Provo Canyon. He said that it is hard to predict how many freeways there will be in the City. He feels that it is a useful tool to have the freeway right of way on the table.

Mayor Jackson closed the public hearing at 8:18 p.m.

MOTION: *Councilmember Ireland moved to adopt an ordinance of the City Council of Eagle Mountain City, Utah, amending Title 16, of the Eagle Mountain city code. Councilmember Burnham seconded the motion. Those voting aye: Donna Burnham, Eric Cieslak, Ryan Ireland, Nathan Ochsenhirt and John Painter. The motion passed with a unanimous vote.*

PUBLIC HEARING

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

This staff-proposed Development Code amendment to Title 17, Section 17.65 Home Businesses, allows City staff to approve minor exceptions to the home business standards, rather than requiring City Council approval.

Mr. Mumford explained that all business license exceptions are denied by the licensing official, and then appealed to the Planning Commission & City Council. He explained that the proposed change would allow the Planning Director to approve minor change that do not adversely impact surrounding residents or affect the residential characteristics of the neighborhood, or significantly increase traffic or the demand on utilities. He stated that any other exception would require petition to the Planning Commission and City Council.

Councilmember Ireland asked if the code change could read "Any petition for a minor exception from the standards listed in section 17.65.060, A through F, may be approved administratively at the discretion of the Planning Director."

Councilmember Painter suggested that other department heads such as the City Engineer, Fire Chief and Economic Development Director review business license appeals in order to eliminate individuals having to appeal to the Planning Commission and City Council.

Mayor Jackson opened the public hearing at 8:25 p.m.

No public comment.

Mayor Jackson closed the public hearing at 8:25 p.m.

Councilmember Ochsenhirt asked if the intent was to streamline the process in order to get businesses up and running. He concurred with Councilmember Painters suggestion.

Councilmember Ireland feels that items A through F in section 17.65.060 should be approved by the Planning Director.

MOTION: *Councilmember Ireland moved to adopt an ordinance of the City Council of Eagle Mountain City, Utah, amending Title 17, of the Eagle Mountain city code adding items "A through F" after 17.65.060 in the proposed change. Councilmember Ochsenhirt seconded the motion.*

Councilmember Painter felt that this was an opportunity for Planning Commission and City Council to remove them from the process and allow the departments to do their jobs and streamline the process.

Mayor Jackson concurred with Councilmember Ireland's comments.

Those voting aye: Donna Burnham, Eric Cieslak, Ryan Ireland and Nathan Ochsenhirt. Those voting nay: John Painter. The motion passed with a 4 to 1 vote.

PUBLIC HEARING

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

Mr. Mumford explained that several meetings had been held concerning yard sale temporary signage. He stated that the proposed changes have incorporated Planning Commission and City Council comments.

Mr. Mumford explained that the current proposal would allow residents to put yard, garage and moving sale signage out under certain regulations. He stated that the signs must be no larger than 4 square feet in size. He said that they must be located on private property, unless the sale is registered with the City prior to the date of sale. Mr. Mumford went on to explain that an approval process would be set up on the City website that would list the yard/garage sales each weekend. He explained that if a resident wanted to put up temporary signage for their sale they would register online, then they would be able to post their signs in the right-of-way and have their address listed on the City website that week. He said that the registration would be simple, quick and free and it would be easy to maintain. Mr. Mumford felt that there could be drawbacks to the proposal, such as cluttered streets and signage being posted without permission.

Mr. Mumford recommended that yard sale and informational signage be permitted in park strips on local streets in neighborhoods and that on arterial and major collector streets signage be allowed on the green space between the sidewalk and the fence.

Mayor Jackson opened the public hearing at 8:39 p.m.

Charlotte Ducos, 9328 Deerfield Circle, asked if real estate open house signage would be included on the list of permitted signage. She also asked if businesses could put up sale signs.

Mr. Mumford explained that a separate section, approved at a previous Council Meeting, permitted real estate open house signage with specific conditions. He explained that in the code grand openings of businesses can have signage and that sale signage is restricted to business property only.

Elaine Duke, 2156 E Sunrise Drive, thought that the online registration for signage was a great idea. She asked that the weed abatement issue be addressed.

Mayor Jackson closed the public hearing at 8:42 p.m.

Councilmember Ireland asked how much it would cost the City to set the online registration up. He asked that an objectionable word filter be placed on the form.

Mr. Mumford explained that it would be limited as to what information can be entered.

Linda Peterson explained that more discussion would need to take place to determine how the form will work.

Mr. Painter stated that this would be a great service to the residents. He was concerned that the cost to pay an employee to run this site may be expensive. He asked to see numbers on the issue.

Linda Peterson stated that it would be determined by how many people used the website.

MOTION: *Councilmember Burnham moved to adopt an ordinance of the City Council of Eagle Mountain City, Utah, amending Title 17, of the Eagle Mountain city code as proposed. Councilmember Ireland seconded the motion. Those voting aye: Donna Burnham, Eric Cieslak, Ryan Ireland and Nathan Ochsenhirt. Those voting nay: John Painter. The motion passed with a 4 to 1 vote.*

PUBLIC HEARING

14. ORDINANCE – Consideration and Approval of an Ordinance of the City Council of Eagle Mountain City, Utah, Amending the Fiscal Year 2009-2010 Annual Budget.

Mr. Walker explained that the City has received complaints from residents regarding the noise levels from the skate park. He said that in an effort to mitigate the sound issues, staff is proposing that a sound wall be constructed adjacent to the skate park. He explained that fund for this project were not budgeted, so the amendment would be necessary so that the project can be funded. He stated that funds for this project would be transferred into the Capital Projects Fund from the Capital Projects Reserve Fund.

Mr. Walker stated that a third party consultant recommended that the best solution to mitigate sound would be to build a berm. He explained that the proposed berm would have three tiers on the skate park side with landscaping with dirt sloping down on the backside. Mr. Walker explained that the amendment is for \$60,000 but he does not believe that it will cost that.

Mr. Trusty explained that UDOT's approximation for building a retaining wall was \$60,000. He said that staff is proposing that this be built in house. He stated that it will cost approximately \$40,000 for staff to purchase supplies and build.

Mr. Walker explained that the BYU Physics Department took sound measurements from intermittent points and determined that the sound does peak at certain times but that it is not significantly louder than the limit.

Mayor Jackson opened the public hearing at 8:56 p.m.

Regan Bolli, 1959 E Church Way, asked if the berms would deflect the noise to the homes north of the skate park.

Dan Cotton, 4391 N Major Street, explained that they have been discussing the problem with the City since November. He feels that the berm is a viable solution and requested that the Council approve the amendment.

Mark Mach, 4347 Major Street, stated that he invited the Council and Mayor to come to his home at any time so that they could experience the noise problem being caused by the Skate Park. He said that they don't hear sound all of the time and that it depends on the amount of kids that were at the skate park. He felt that the sound studies were not done at peak times. He stated that he would have never built his home here had he known that the skate park would be right next to it.

Mayor Jackson closed the public hearing at 9:02 p.m.

Councilmember Ireland asked if there was room to add 3 feet of dirt to the existing berm.

Mr. Trusty stated that he did not think that there would be enough room and that it will not block the sound as well as a retaining wall will.

Councilmember Painter asked how many people were actually at the skate park during the time the sounds studies were being conducted.

Mr. Walker explained that BYU had stated that approximately 25 kids were at the skate park during the time of the study. He said that the study also determined that when there were more than 15 people at the park, the majority observed while others skated on the ramps.

Councilmember Ochsenhirt feels that this is not the only situation within the City where there are noise issues. He is concerned that if this budget amendment is approved to appease 3 or 4 homes it will cause future problems with spending money to pacify a minority group of residents.

Mayor Jackson explained that the materials alone for the wall will cost approximately \$10,000. She said that the increase in cost comes from beautification and landscaping. She said that the park has been there for years with no beautification added to it.

Councilmember Burnham echoed Councilmember Ochsenhirt's comments. She is concerned that a large amount of money is being spent just to appease a few people.

Mayor Jackson stated that the improvements were necessary as it has been left un-landscaped for many years.

Councilmember Burnham asked if the kids who use the skate park could be recruited to lay the sod and help landscape.

Chris Trusty said that the installation of the sod is minimal when purchasing large amounts.

Councilmember Ireland suggested that dirt be added to the berm for now and that the parks be prioritized before spending a large amount of money.

Mr. Trusty feels that just adding dirt to the top of the berm may reduce the noise slightly but will not solve the problem.

Councilmember Burnham feels that the berm should be landscaped because it is the entrance to Pony Express Park.

Councilmember Cieslak asked if raising the berm would cause any safety risks.

Sergeant McDowell stated that it would not increase any safety risks and that the Sheriff's Department already does routine checks out there.

MOTION: *Councilmember Burnham moved to adopt an ordinance of the City Council of Eagle Mountain City, Utah, amending the fiscal year 2009 – 2010 annual budget not to exceed \$40,000.00. Councilmember Ochsenhirt seconded the motion.*

Mayor Jackson stated that the City could use the TRCC (restaurant tax) grant to fund the project. The City had rolled over funds for three years and there was approximately \$36,000.00 that the city could apply for.

Councilmember Painter asked if the grant money was also paying for the Pony Express statue.

Mayor Jackson explained that the Pony Express statue was being paid for with a separate grant. She stated that the grant money that would be used to pay for the berm/retaining wall has to be used this fiscal year.

Councilmember Painter asked if there were previous plans to use the grant money.

Mayor Jackson stated that there were no plans to use the grant money prior to this amendment.

Mrs. Kofoed explained that the grant money would be reimbursed to the City after the project was complete and that the reimbursement had to be submitted by the end of October 2010.

Those voting aye: Donna Burnham, Eric Cieslak and Nathan Ochsenhirt. Those voting nay: Ryan Ireland and John Painter. The motion passed with a 3 to 2 vote.

15. ORDINANCE – Consideration and Adoption of an Ordinance of the City Council of Eagle Mountain City, Utah, Amending Title 5, of the Eagle Mountain City Code.

Mayor Jackson explained that this staff-proposed Code amendment to Title 5, Section 5.05 Business Licensing, removes the set fee for business licenses and instead refers to the most recent Consolidated Fee Schedule.

MOTION: *Councilmember Ireland moved to adopt an ordinance of the City Council of Eagle Mountain City, Utah, amending Title 5, Section 5.05, Business licensing, of the Eagle Mountain City Municipal Code. Councilmember Burnham seconded the*

motion. Those voting aye: Donna Burnham, Eric Cieslak, Ryan Ireland, Nathan Ochsenhirt and John Painter. The motion passed with a unanimous vote.

16. RESOLUTION – Consideration and Adoption of a Resolution of the City Council of Eagle Mountain City, Utah, Providing for a Special Election to be Held on June 22, 2010 for the Purpose of Submitting to the Qualified Electors of Eagle Mountain City, Utah, two Propositions as follows:
- A. The Issuance of Not to Exceed \$11,000,000 General Obligation Bonds to Finance Costs of Constructing a Community Recreation Facility and Related Improvements.
 - B. The Issuance of Not to Exceed \$6,000,000 General Obligation Bonds to Finance Costs of Constructing an Outdoor Aquatic Facility and Related Improvements.
- Approving the Form of and Directing the Publication of a Notice of Election and the Ballot Propositions; and Related Matters.

Mr. Walker explained that the City Council made a motion at the March 2, 2010 City Council meeting requesting that the City staff prepare a resolution providing for a Special Election to be held on June 22, 2010. He explained that the resolution allows a proposition to be considered; one for a multipurpose facility and one for an outdoor aquatic facility only. He stated that the election would provide Eagle Mountain residents an opportunity to vote for or against general obligation bonds to finance the construction costs.

Mayor Jackson explained that there are two options being proposed. She stated that option A. would not exceed \$11,000,000 and that the lap pool was included in this option. She explained that option B. would not exceed \$6,000,000 and that it did not include a lap pool.

Mr. Walker explained that there would be full sized locker rooms so that they do not have to be rebuilt later on because they are expensive.

Mayor Jackson stated that leisure pools make money and that lap pools in the long run do not make money.

Mr. Walker stated that it is much more cost effective to eliminate the lap pool. He feels that it would be a mistake to eliminate elements of the leisure pool.

Mr. Walker reviewed the operation and maintenance costs with the Council. He stated that many of the numbers were based off of Payson City's because they are similar in population and have a similar operation. He said that he was confident that an outdoor pool will cover its operation expenses.

Mayor Jackson stated that she did not want to see taxes raised to cover operation and maintenance costs.

Mr. Walker explained that a study was conducted by VCBO to see what amenities residents wanted to see in a recreation center. He said that the number one amenity was a swimming/aquatics center; second, a walking/jogging area; and third, family oriented swimming.

Councilmember Ireland was concerned that a lot of residents would not be able to afford a recreation center. He does not want the City to go into debt for a want. He stated that many cities did not get recreation centers until they had reached 100 plus years of incorporation. He feels that getting a recreation center at this time is premature.

Councilmember Ochsenhirt stated that the time it has taken other cities to get recreation centers should be irrelevant. He felt that it should be based upon population. He said that the City is at a high population and is in desperate need of recreation facilities.

Councilmember Burnham expressed concern about the financial impact that this recreation center would have on the residents. She also expressed concern about the impact a recreation center would have on a big corporation's decision to locate within Eagle Mountain.

Mayor Jackson explained that the tax rate would never increase unless property values continue to decrease. She stated that based upon a realtors perspective, home values have hit rock bottom and will not decrease anymore. She explained that every time a new home is built or a new business locates within Eagle Mountain the tax rate will decrease.

Mr. Pili stated that businesses that are currently looking into locating in Eagle Mountain are attracted to the low property tax rates. He explained that big companies are generally given tax increment deals.

Councilmember Burnham stated that it may take longer for the tax rate to drop if the City is offering tax increment deals to businesses.

Mr. Hendrickson said that each company looks for something different but generally they look for tax increment deals and amenities such as recreation centers.

Mr. Pili feels that it is important to not attach economic development to the recreation center.

Councilmember Ireland feels that getting a recreation center could affect smaller business and when they choose to build.

Councilmember Burnham asked if the primary election would be a closed one.

Mrs. Kofoed explained that the County will not know if they will have a primary until after the caucuses.

Councilmember Burnham does not want people to be limited on voting because they are affiliated with one party or the other.

Councilmember Cieslak wants this to be the resident's choice. He wants them to be able to vote on it. He said that residents can make their voices heard and that by approving this item it will allow the residents to do so.

MOTION: *Councilmember Cieslak moved to adopt a resolution of the City Council of Eagle Mountain City, Utah, providing for a special election to be held June 22, 2010 for the purpose of submitting to the qualified electors of Eagle Mountain City, Utah, a proposition as follows:*

The issuance of not to exceed \$7,000,000 general obligation bonds to finance costs of construction an outdoor aquatic facility and related improvements. With a bond term of 20 years. Councilmember Painter seconded the motion.

Discussion ensued concerning the anticipated opening date of the recreation center if it is approved

at a bond election.

Councilmember Cieslak stated that the bond election is the time for residents to tell the City whether or not this is a good economic time to be building a recreation center. He stated that it should be the resident's choice, not the Council's.

Mr. Kinghorn said that at the next meeting a public hearing will be held to allow the residents to voice their opinion on the economic development impact. He explained that after this public hearing the City Council still has the option to not hold a bond election.

Those voting aye: Eric Cieslak, Nathan Ochsenhirt and John Painter. Those voting nay: Donna Burnham and Ryan Ireland. The motion passed with a 3 to 2 vote.

17. RESOLUTION – Consideration and Adoption of a Resolution of the City Council of Eagle Mountain, Utah, Expressing Support for a Joint Land Use Study among Camp Williams and the Surrounding Communities.

The proposed resolution supports a joint land use study (JLUS) with Camp Williams and surrounding communities. The study would act as a guide for the participating communities to further community growth and development that is compatible with the mission of Camp Williams. Eagle Mountain City will act as the sponsoring agency for a grant to fund the study.

MOTION: *Councilmember Burnham moved to adopt a resolution of the City Council of Eagle Mountain, Utah, expressing support for a joint land use study among Camp Williams and the surrounding communities. Councilmember Cieslak seconded the motion. Those voting aye: Donna Burnham, Eric Cieslak, Ryan Ireland, Nathan Ochsenhirt and John Painter. The motion passed with a unanimous vote.*

18. RESOLUTION – Consideration and Adoption of a Resolution of the City Council of Eagle Mountain, Utah, Amending and Adopting a Water Conservation Plan for Eagle Mountain City.

In conjunction with the Water Conservation Plan Act, Eagle Mountain City is required to implement a Water Conservation Plan and update it every five years. The proposed update does not modify any existing City policy as it relates to water conservation in Eagle Mountain.

Mr. Kinghorn recommended adding language to the right of way inventory because all of the water rights had not yet been received.

MOTION: *Councilmember Ireland moved to adopt a resolution of the City Council of Eagle Mountain, Utah, amending and adopting a water conservation plan for Eagle Mountain City with the City Attorney's recommended changes. Councilmember Cieslak seconded the motion. Those voting aye: Donna Burnham, Eric Cieslak, Ryan Ireland, Nathan Ochsenhirt and John Painter. The motion passed with a unanimous vote.*

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

The proposed amendment to the consolidated fee schedule would remove the shut-off date printed on final notices for City utilities. This would allow for additional time for technicians to carry out the utility shut-off as well as to avoid clerks working after hours to prepare for shut-off.

MOTION: *Councilmember Cieslak moved to adopt a resolution of the City Council of Eagle Mountain, Utah, amending and adopting the consolidated fee schedule as discussed. Councilmember Burnham seconded the motion. Those voting aye: Donna Burnham, Eric Cieslak, Ryan Ireland, Nathan Ochsenhirt and John Painter. The motion passed with a unanimous vote.*

20. AGREEMENT – Consideration and Approval for an Interlocal Cooperation Agreement between Eagle Mountain City, Utah, and Utah County Relating to the Conduct of the Community Development Block Grant Program.

The cities and towns in Utah County are applying for Urban County status through the Community Development Block Grant (CDBG). By doing so, Utah County will be able to receive a direct allocation from HUD, rather than going through the Small Cities program offered by the State of Utah. In order to become an Urban County, all cities/towns need to approve the Utah County Interlocal Cooperation Agreement.

MOTION: *Councilmember Burnham moved to approve an interlocal cooperation agreement between Eagle Mountain City, Utah, and Utah County relating to the conduct of the Community Development Block Grant. Councilmember Cieslak seconded the motion. Those voting aye: Donna Burnham, Eric Cieslak, Ryan Ireland, Nathan Ochsenhirt and John Painter. The motion passed with a unanimous vote.*

21. CITY COUNCIL/MAYOR'S BUSINESS

Mayor Jackson explained that things are being done to improve the City's sustainability.

Councilmember Burnham

Councilmember Burnham explained that some residents currently using Waste Management have received Ace Disposal cans. She stated that they were worried that they would be forced to change service.

Mayor Jackson explained that Waste Management is discontinuing their services in Eagle Mountain so all residents will be using Ace Disposal.

Councilmember Ochsenhirt

Councilmember Ochsenhirt congratulated the new Miss Eagle Mountain and thanked the residents for coming to the meeting.

Councilmember Painter

Councilmember Painter expressed concern regarding a comment made in a recent news article entitled "Google Fiber." He was concerned that Lehi City stated that they were the technical capital of Utah.

Councilmember Cieslak

Councilmember Cieslak encouraged residents to let their voice be heard whether they do or do not want the recreation center. He reminded residents to contact their elected officials and asked them to thank them for giving the City what they have so far.

Councilmember Ireland

Councilmember Ireland thanked the staff for all that they do and feels that by focusing on the code it allows staff to do their jobs more efficiently.

22. CITY COUNCIL BOARD LIAISON REPORTS

No reports.

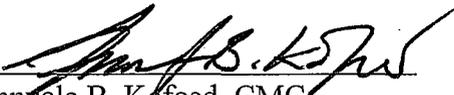
23. COMMUNICATION ITEMS

- a. Upcoming Agenda Items
- b. Financial Reports

24. ADJOURNMENT

Councilmember Ochsenhirt moved to adjourn the meeting at 10:26 p.m.

APPROVED BY THE CITY COUNCIL ON APRIL 20, 2010



Fionnuala B. Kofoed, CMC
City Recorder