

MINUTES
EAGLE MOUNTAIN CITY COUNCIL MEETING

February 5, 2008

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

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

Mayor Heather Anne Jackson called the meeting to order at 4:05 p.m.

CONDUCTING: Mayor Heather Anne Jackson

ELECTED OFFICIALS PRESENT: Councilmembers Donna Burnham, Eric Cieslak, Ryan Ireland, David Lifferth and Nathan Ochsenhirt

CITY STAFF PRESENT: John Hendrickson, City Administrator; Gerald Kinghorn, City Attorney; Gordon Burt, City Treasurer; Ifo Pili, Management Analyst; Jason Walker, Management Analyst; Linda Peterson, Public Information Coordinator; Fionnuala Kofoed, City Recorder; Melanie Lahman, Deputy Recorder; Peter Spencer, Planning Director; Mike Hadley, Senior Planner; Steve Mumford, Senior Planner; Chris Trusty, Public Works Director; Dave Norman, Staff Engineer; Adam Ferre, Energy Division Manager; Rand Andrus, Fire Chief; Neal Castleberry, Lieutenant; Eric McDowell, Sergeant

DISCUSSION/REVIEW ITEMS

1. DISCUSSION – Pony Express Days update – Lynn Story, Special Events Coordinator
2. DISCUSSION – Skate park update – Ifo Pili, Management Analyst
3. **AGENDA REVIEW**

The City Council reviewed items on the consent agenda and policy session agenda.

4. **CITY ADMINISTRATOR ITEMS**

Update on sewer treatment facility
Fire Requirements for Day Care Facilities

ADJOURN TO A CLOSED EXECUTIVE SESSION

Councilmember Lifferth moved to adjourn to a closed executive session at 6:05 p.m. for the purpose of discussing reasonably imminent litigation and the purchase of real property, pursuant to Section 52-4-205(1) of the Utah Code, Annotated. Councilmember Ochsenhirt seconded the motion. Those voting aye: Donna Burnham, Eric Cieslak, Ryan Ireland, David Lifferth and Nathan Ochsenhirt. The motion passed with a unanimous vote.

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

Mayor Heather Anne Jackson called the meeting to order at 7:12 p.m. Tiffany Ulmer led the Pledge of Allegiance.

CONDUCTING: Mayor Heather Anne Jackson

ELECTED OFFICIALS PRESENT: Councilmembers Donna Burnham, Eric Cieslak, Ryan Ireland, David Lifferth and Nathan Ochsenhirt

CITY STAFF PRESENT: John Hendrickson, City Administrator; Gerald Kinghorn, City Attorney; Gordon Burt, City Treasurer; Linda Peterson, Public Information Coordinator; Fionnuala Kofoed, City Recorder; Melanie Lahman, Deputy Recorder; Peter Spencer, Planning Director; Mike Hadley, Senior Planner; Steve Mumford, Senior Planner; Chris Trusty, Public Works Director; Dave Norman, Staff Engineer; Adam Ferre, Energy Division Manager; Kent Partridge, Building Official; Rand Andrus, Fire Chief; Neal Castleberry, Lieutenant; Eric McDowell, Sergeant

INFORMATION ITEMS/UPCOMING EVENTS

- Western States Presidential Primary today, 7:00 a.m.–8:00 p.m., Pony Express Elementary
- MAG East/West Corridor open house, February 6, 4:30–6:30 p.m., City Hall
- Town Hall meeting on planned skate park, February 13, 6:00 p.m., City Hall
- Babysitting C.P.R. class, February 20, 6:00 p.m., City Hall, for youth ages 11-17
- Web site launch party, February 21, 7:00 p.m., City Hall
- Senior Advisory Council dinner and movie, February 25, 5:00 p.m., City Hall

5. PUBLIC COMMENTS

Ms. Tiffany Ulmer, 1320 Harrier Street, commented on the proposed fencing ordinance, asking why vinyl was not included in the list of preferred fencing materials. She was concerned about allowing four-foot-high fencing in front yards, as she thought it was too high. The yard should be visible through the fence so no one could jump out from behind the fence to assault people walking along the sidewalk. Small children could also dart out from behind a solid fence faster than an oncoming car could stop. On the proposed equine overlay zone, she asked that a requirement for a public/private HOA arena for exercising horses be written into the amendment.

6. CITY COUNCIL/MAYOR ITEMS

CITY COUNCIL COMMENTS

Councilmember Burnham

Councilmember Burnham asked the Council to consider creating a method of alerting citizens about events like shutoffs for utility work. She felt neighborhoods should organize for alerts. For instance, her Neighborhood Watch can begin a notification process with one phone call. Neighborhoods should at least have a phone tree. Councilmember Burnham complimented the city's snow plowing crew, but asked whether the budget was being overspent. Mr. Hendrickson responded that plowing was approximately 2% over budget at this point. He expected snow plowing costs to go 20-25% over budget, which will require a budget amendment. The plowing budget had already been increased 25% over last year.

Councilmember Cieslak

Councilmember Cieslak mentioned that he requested staff to design a written warranty release form a month ago. He wanted it brought forward as soon as possible to help eliminate verbal agreements. He

appreciated the quality of the city's snow plowing and has noticed that when the Street Department staff is not plowing, they are patching the roads.

Councilmember Ochsenhirt

Councilmember Ochsenhirt expressed appreciation for his appointment to the Council and the opportunity to serve the city.

Councilmember Ireland

Councilmember Ireland had no comment.

Councilmember Lifferth

Councilmember Lifferth noted the passing of Gordon B. Hinckley. He thanked the Street Department for the excellent job they have been doing on snow removal. He works in the Provo/Orem area and Eagle Mountain's snow removal is much better than theirs.

Mayor Jackson

Mayor Jackson asked residents not to park on the street in order to make snow plowing easier. She announced that she will begin holding Mayor's hours on the 2nd and 4th Tuesdays of the month from 6:00 – 8:00 p.m. on a first come, first served basis. Residents may make appointments with her, as well. There will be a Town Hall meeting on April 23 at 6:30 p.m. at City Hall with all current elected officials running for re-election. Commissioner Ellertson, Senator Madsen and Representative Sumsion have committed to attend. Mayor Jackson is waiting for a response from Congressman Cannon. Mayor Jackson stated that last Saturday evening she attended the Festival of Hope organized by the neighbors of a thyroid cancer patient in order to help pay her medical bills. She also attended the Lincoln Day dinner, a Republican Party event, at which she was able to talk to the Governor, the Lt. Governor and Congressman Cannon about city issues. She will attend a Mountainland Association of Governments meeting this week. This morning she attended a meeting of the North County mayors and stated that the North County mayors are working well together on transportation and other regional issues.

CONSENT AGENDA

Councilmember Burnham **moved** to remove the January 22, 2008, City Council minutes from the consent agenda and make it a scheduled item. Councilmember Cieslak **seconded** the motion. Those voting aye: Donna Burnham, Eric Cieslak, Ryan Ireland, David Lifferth and Nathan Ochsenhirt. The motion **passed** with a unanimous vote.

Councilmember Lifferth **moved** to approve the following items on the consent agenda:

8. The number (8) was inadvertently left out.
9. FINAL BOND RELEASES
O'Fallon's Bluff, Plat D
O'Fallon's Bluff, Plat E
10. REDUCED BOND LETTER
Valley View North, Plat B

Councilmember Ireland **seconded** the motion. Those voting aye: Donna Burnham, Eric Cieslak, Ryan Ireland, David Lifferth and Nathan Ochsenhirt. The motion **passed** with a unanimous vote.

SCHEDULED ITEMS

The minutes were removed from the consent agenda and added to the policy session agenda.

MINUTES – Consideration and approval of minutes of the January 22, 2008, City Council meeting

Councilmember Burnham made a correction to the January 22, 2008, minutes regarding the topic discussed by Mr. Rodger Harper, Manager of the North Pointe Solid Waste Special Service District. The draft minutes stated that his topic was city-wide recycling; however, the correct topic was the anti-flow-control bill being considered by the State Legislature. She also made a correction on the discussion of the library interlocal agreement. The minutes stated that the city's original library was in the basement of the fire station; however, there is no basement in the fire station. It was in a room in the fire station.

Councilmember Burnham **moved** to approve the January 22, 2008, City Council minutes as amended. Councilmember Ireland **seconded** the motion. Those voting aye: Donna Burnham, Eric Cieslak, Ryan Ireland, David Lifferth and Nathan Ochsenhirt. The motion **passed** with a unanimous vote.

11. PUBLIC HEARING – Consideration and approval of an amendment to the Development Code regulating fencing

The amendment to the Development Code regulating fencing was presented by Senior Planner Steve Mumford. At the direction of the City Council, Planning Department staff looked into amending the fencing section of the Development Code, specifically to address chain link fencing requirements in industrial areas of the city. The resulting proposal included amendments to the chain link fencing section of Title 1, 12.13, as well as the general fencing provisions found in 12.12 of the Development Code. Specifically, the amendment would permit chain link fencing in industrial areas of the city with certain standards; clarify the requirements for chain link fencing on detached residential lots; prohibit chain link fencing in commercial and multi-family areas; require additional space between sidewalks and fencing for improved maneuverability and aesthetics and clarify some general fencing provisions.

Vinyl-coated chain link fencing, with a maximum of eight feet in height, is proposed for industrial areas. If the fence is visible from the street or parking area, additional landscaping will be required. Solid fencing may be required if outdoor storage is visible.

Commercial fencing would not exceed six feet in height and may not be chain link. Residential fencing would be no higher than six feet in the rear and four feet high between the house and the street. Miscellaneous properties would be reviewed on a case-by-case basis. Recommended materials would be masonry, cedar or decorative iron. Sport courts would be exempt from height restrictions, but such fences would not be permitted along lotlines. Fencing along streets would have to have a four-foot setback to provide adequate room for well-maintained landscaping.

Mayor Jackson opened the public hearing at 7:40 p.m.

Ms. Tiffany Ulmer, 1320 Harrier Street, asked the Council to specify whether existing fences which do not comply with the amended standards would have to be removed or rebuilt. She pointed out that a four-foot setback is where utility lines are located. She asked whether fences along the sides of

properties would be able to extend to the sidewalk or whether they would be required to have a four-foot setback.

Mr. Nate Shipp, Development Associates, supported the ordinance, saying a master planned community is helped by having a reliable standard.

Mayor Jackson closed the public hearing at 7:43 p.m.

Councilmember Ireland recommended that section 12.12.9, listing recommended fencing materials, be deleted.

Mr. Spencer asked the Council if they were comfortable with a four-foot setback. Mr. Hendrickson said staff will find out whether it would interfere with utility easements.

Mr. Adam Ferre, Energy Division Manager, stated that a fence built on an easement is not a problem if the resident calls Blue Stakes and has the area properly marked. The problem arises when residents build fences without leaving access to utility boxes. The code requires ten-foot clearances at the front and back of utility boxes and three feet on either side. Mr. Ferre said State law requires landowners to have their land marked by Blue Stakes before digging.

Councilmember Lifferth asked if the ordinance should specify a recommended depth of digging. Mr. Ferre said utility lines are installed at specific depths, but lots may be leveled after the utilities are installed.

Councilmember Cieslak said the ordinance would not affect existing fences. However, Mr. Hendrickson pointed out that it would apply to fences which are rebuilt after the ordinance is adopted.

Mr. Kinghorn asked what the setback standard was in The Ranches CC&Rs. He wondered if setting a different standard in the Development Code would require builders to deal with conflicting standards. Mr. Mumford said he believed most areas of The Ranches required a three-foot setback.

Councilmember Lifferth asked if this amendment would conflict with State standards. Mr. Kinghorn responded that this is not a taking, it is a land use regulation.

This was a discussion item which was not voted on at this meeting. After receiving comments from the Council and the public, an ordinance will be written and presented to the Council at a future meeting.

12. PUBLIC HEARING -- Consideration and approval of an amendment to the Development Code for an equine overlay zone

The amendment to the Development Code for an equine overlay zone was presented by Senior Planner Mike Hadley. The purpose of the equine overlay zone is to provide a mechanism to designate specific areas within the city for equestrian uses and to allow for activities not normally permitted by existing zoning. Another goal is to address the uniqueness of horses in residential zones in a manner that is conducive to existing and eventual development in the city.

The setbacks in the proposed zone comply with tier one and base density requirements, with the addition of a 35-foot setback from the house or patio to the equine area.

Equine animals are horses, mules, donkeys and llamas. The overlay zone would allow a maximum of two equine animals on a half-acre or one-acre lot. There would be no other changes to existing livestock standards.

Councilmember Cieslak asked if there would be a minimum amount of land required per animal. Mr. Hadley responded that the equine overlay zone would require 660 square feet per animal.

Mayor Jackson opened the public hearing at 8:06 p.m.

Mr. Fran Fillerup, SITLA, said SITLA supports equine use in the city; however, it does not support equine rights on half acre lots. He spoke to Mr. Dean Miner and Mr. Scott McKendrick of the USU Extension Service, who stated that small horse areas would require all feed to be brought in. It requires one acre of irrigated land to allow a horse to graze without extra feed. Half an acre also does not allow a horse sufficient room to exercise. He agreed with Ms. Ulmer's comment that an equine overlay zone should include an amenity where horses can be exercised and added that it should connect with the Pony Express Trail.

Mr. Clint Chidester, 1113 Waddell Street, stated that this amendment is a slight improvement over the current ordinance. Nearby communities allow large animals on half-acre lots. Without secondary water, irrigated pasture is a moot point. Feed has to be brought in. Horses will only exercise when their owners exercise them. He encouraged Council to revisit the entire existing ordinance. He felt animal rights are inherent in land ownership unless specifically prohibited. Animal rights are a selling point in this area. He also pointed out that pre-built corral fencing panels are made five feet high.

Ms. Donna Milakovic suggested the Council consider what types of fencing, such as corral fencing or electrical fencing, would be allowed on half acre lots and whether it would affect neighbors.

Mayor Jackson closed the public hearing at 8:16 p.m.

Mayor Jackson noted that one of the purposes of the amendment was to give back property rights taken from residents in Overland Trails. It also solves the nuisance issue of flies from animal lots bothering neighbors without animal rights.

Councilmember Ireland said a large lot in a smaller-lot neighborhood, according to current ordinance, could have horses, which is a mismatch. The issue is not the lot size, it is the nature of the subdivision. People who do not like flies and the smell of manure will know not to buy in an equine neighborhood. He strongly supported the amendment.

Councilmember Ochsenhirt asked whether there was language creating an adequate buffer zone between animal rights and non-animal-rights areas. Mr. Spencer said the city's nuisance ordinance addresses odors, flies, runoff, etc.

Councilmember Ochsenhirt said non-animal lots could abut animal lots, which could create issues. He thought there should be something to prevent a lot with animal rights from abutting one without animal rights.

Councilmember Ireland said Overland Trails and Equestrian Estates have horse trails around their perimeters, which would prevent lots with animal rights from abutting those without animal rights.

Mr. Spencer said the overlay zone could not establish a buffer zone when the ordinance does not. It would have to be changed by ordinance.

Mayor Jackson asked whether a perimeter trail could be required as a subdivision amenity.

Mr. Kinghorn pointed out that future subdivisions could be required to have open space buffers as part of the development approval process. The buffering problem being discussed is created when an equine overlay zone is applied to an existing development, possibly creating conflicts with adjoining properties. The overlay zone designation is discretionary and can be denied by the Council.

Mr. Hendrickson stated that the amendment did not address the required setback from adjacent lots or adjacent habitable dwellings. Mr. Hadley said the requirement was in the draft that went before Planning Commission, but they questioned whether an ordinance could control setback from perimeter or a building on another lot. Mr. Hendrickson responded that that was done in another community he worked in. A minimum distance can be required between habitable buildings on adjacent lots.

Councilmember Lifferth said an injustice was done when animal rights were removed from residents on half-acre lots and this amendment is designed to correct that.

Mayor Jackson brought up the issue of corral panels being built at five feet high. Councilmember Ireland suggested that fences be from five to six feet high.

This was a discussion item which was not voted on at this meeting. After receiving comments from the Council and the public, an ordinance will be written and presented to the Council at a future meeting.

Councilmember Cieslak expressed appreciation for the public comments providing various points of view.

Councilmember Ireland & Mayor Jackson expressed appreciation for staff's work on the ordinance.

13. ORDINANCE – Consideration and approval of Ordinance 03-2008 amending and re-enacting Ordinance 23-2006 providing for the organization of the Youth City Council

An ordinance organizing the Youth City Council was presented by Mayor Jackson. This ordinance amends Ordinance O-23-2006, which provides for the organization of a Youth City Council, changing the age requirement from seventh grade to ninth grade. After changing the minimum age to 7th grade in 2006, the City found that there was little participation from 7th and 8th graders. Also, most activities for city youth councils are designed for 9th to 12th graders.

Mr. Kinghorn indicated that some recent changes had been made in the ordinance, changing the election dates to September. A revised ordinance was distributed to Council members.

Councilmember Cieslak **moved** to adopt Ordinance O-03-2008 providing for the organization of the Youth City Council. Councilmember Ochsenhirt **seconded** the motion. Those voting aye: Donna Burnham, Eric Cieslak, Ryan Ireland, David Lifferth and Nathan Ochsenhirt. The motion **passed** with a unanimous vote.

14. RESOLUTION – Consideration and approval of Resolution R-02-2008 adopting and approving an emergency operations plan

A resolution adopting an emergency operations plan was presented by Fire Chief Rand Andrus. The plan has been in draft form since the end of 2005. Adoption of the plan will allow City government to be better prepared to meet the needs of city residents during emergencies. Adopting the plan will also make the City eligible to apply for grants for emergency management. Eagle Mountain City's plan was created to be dovetailed into the Utah County Emergency Plan as well as the State of Utah's plan.

Councilmember Ireland **moved** to approve Resolution R-02-2008 adopting an emergency operations plan. Councilmember Lifferth **seconded** the motion. Those voting aye: Donna Burnham, Eric Cieslak, Ryan Ireland, David Lifferth and Nathan Ochsenhirt. The motion **passed** with a unanimous vote.

15. MOTION – Consideration and approval of the Saddle Junction master site plan and final plat

The Saddle Junction master site plan and final plat were presented by Planning Director Peter Spencer. Saddle Junction will be located on the southwest corner of Ranches Parkway and S.R. 73. The Maverik gas station/convenience store currently under construction is located on the property. A master site plan review addresses issues such as land use, landscaping, architecture, parking, overall utilities and traffic circulation. This allows for a comprehensive and thorough review of a future commercial site. Once the master site plan is approved, the City Council may elect to grant the Planning Commission final approval authority for sequential site plans as they come forward.

In addition to the gas station, businesses expected to locate in Saddle Junction include a car wash, fast food restaurant, financial building and two retail stores. There will also be a seminary building adjacent to Rockwell Charter High School, which will be fenced off from the commercial operations. Outdoor elements include decorative light fixtures, rough-hewn timber, cultured stone, rock or brick and a rustic appearance. The development will be built in phases. The Planning Department has determined that there is adequate distance between the high school and seminary buildings and the commercial buildings, including those which sell liquor.

The City's signage ordinance requires an overall monument sign for each commercial development with room to list every establishment in the development. The proposed monument sign will be ten feet tall by 13 feet wide. It would be located in the City's right of way, which would require the developer to execute a commercial sign lease. Both City staff and the Planning Commission recommend that the City Council allow future site plans at this location to be approved at the Planning Commission level, as long as they comply with this master site plan

Mr. Kinghorn asked Mr. Shipp if this action is a final plat approval. Mr. Shipp said it was. Mr. Kinghorn asked if there were any public roads in the development. Mr. Shipp said there were not. Mr. Kinghorn said approving the final plat would not create a signage requirement. Lots along Ranches Parkway would have different requirements than the other lots.

Mayor Jackson noted that a question being answered is whether the City Council will retain approval authority or if the Planning Commission will be allowed authority to approve future plats.

Mr. Shipp pointed out that, as more commercial projects are brought for approval, the Council may want to consider changing the sign ordinance to allow well-designed electric signs rather than back-lit marquee signs.

Councilmember Ireland was concerned that the Council be careful to apply ordinances as written.

The Council and the applicant discussed signage and traffic issues in detail.

Councilmember Ireland **moved** to approve the Saddle Junction master site plan and final plat subject to the following conditions:

1. Planning Conditions
 - a. EASEMENTS. That the plat have the appropriate easement language as noted on the redlines and in the staff report.
 - b. MISC. REDLINES. That the remaining redlines be addressed and approved.
 - c. SCHOOL REGULATIONS. That all State statues and City ordinances be followed, with the required distances from commercial businesses to public institutions maintained.
2. Engineering/Public Works
 - a. WATER & SEWER DESIGN. That an additional 8" main to feed lot #5 & #7 with the appropriate manholes be provided and shown on the plans. That the sewer draining on the south end of the project discharge as per the City Engineer's approval.
3. Fire
 - a. HYDRANTS. That two fire hydrants be added to lot 103 and one to lot 105.
 - b. FAST FOOD. That a type 1 hood be required for the fast food operation.
 - c. LOCK BOXES. That all commercial buildings be required to have a lock box.
 - d. REDLINES. That various other redlines be approved.
4. Landscaping
 - a. PARKING ISLANDS. That the required landscaped islands with trees be added as per the redlines.
 - b. BUFFER. That the required buffers around the automotive site be provided.
 - c. FENCING. That six-foot privacy fencing between the future seminary building and the automotive and second retail sites be provided.
 - d. BERMING. That a 3.5-foot berm be provided along the northern boundary of the project.
 - e. SIGNAGE. That irrigated landscaping be provided around any monument signage.
 - f. PLANS. That a color plan be submitted and approved by the City.
5. Reviews
 - a. That future reviews be made by the City Council
6. Signage
 - a. That signage match that of CARisma car wash.
 - b. That each lot may have a monument sign.

Councilmember Lifferth **seconded** the motion. Those voting aye: Donna Burnham, Eric Cieslak, Ryan Ireland, David Lifferth and Nathan Ochsenhirt. The motion **passed** with a unanimous vote.

16. MOTION – Consideration and approval of the CARisma car wash site plan

The CARisma car wash site plan was presented by Planning Director Peter Spencer. CARisma car wash will be located south of the Maverik gas station and convenience store near the entrance to The Ranches. The applicant is proposing a 3,461-square-foot commercial building consisting of five car wash bays: three self-serve and two automatic. The total site area is approximately 1.25 acres in size.

The Council and applicant discussed signage, traffic and water use in detail.

Councilmember Ireland **moved** to approve the CARisma Car Wash site plan, subject to the following conditions:

1. SIGNAGE. That the applicant enter into a sign lease agreement with the City for a monument sign as specified in the staff report located no closer than 25 feet from the east property boundary of Ranches Parkway.
2. UTILITY DEMANDS. That the storm drain calculations be verified by the City Engineer.
3. LANDSCAPE PLAN. That the landscape plan redlines be addressed and approved by City staff. This includes the required berming and irrigation, as noted in the staff report.
4. SCREENING. That the screening detail of the proposed dumpster be submitted.
5. SNOW STACKING. That there be snow stacking capacity of a 4" base over the entire parking lot, to be shown on the plans.
6. FIRE CODE. That a lockbox be required on the exterior of the building.
7. SUBMITTED PLANS. That all redlines be addressed and approved by City staff.

Councilmember Cieslak **seconded** the motion. Those voting aye: Donna Burnham, Eric Cieslak, Ryan Ireland, David Lifferth and Nathan Ochsenhirt. The motion **passed** with a unanimous vote.

17. MOTION – Consideration and approval of adoption of Resolution R-03-2008 authorizing the issuance and sale of not more than \$4,750,000 aggregate principal amount of water and sewer revenue bonds, series 2008, of Eagle Mountain City, Utah; fixing the maximum aggregate principal amount of the bonds, the maximum number of years over which the bonds may mature, the maximum interest rate which the bonds may bear, and the maximum discount from par at which the bonds may be sold; providing for the publication of a notice of bonds to be issued; providing for the running of a contest period; and related matters

Resolution R-03-2008 authorizing the issuance and sale of revenue bonds and related matters was presented by Mr. Hendrickson. The bonds are expected to be used to purchase property for the future expansion of the sewer treatment plant. The costs may be recouped over the long term through impact fees charged to users of the treatment plant.

Councilmember Cieslak **moved** to approve Resolution R-03-2008 authorizing the issuance and sale of not more than \$4,750,000 aggregate principal amount of water and sewer revenue bonds, series 2008, of Eagle Mountain City, Utah; fixing the maximum aggregate principal amount of the bonds, the maximum number of years over which the bonds may mature, the maximum interest rate which the bonds may bear, and the maximum discount from par at which the bonds may be sold; providing for the publication of a notice of bonds to be issued; providing for the running of a contest period; and related matters. Councilmember Burnham **seconded** the motion.

Mr. Hendrickson stated that this is a 30-year bond not to exceed 6% interest. At the moment the interest rate is approximately 4.55%.

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

CITY ADMINISTRATOR ITEMS

Mr. Hendrickson asked Public Works Director Chris Trusty for an update on the progress of the wastewater treatment plant. Mr. Trusty reported that bypass pumping is in progress. The Huber screen

should be installed this week. -The EPA has notified the City that it approved Findings of No Significant Impact and directed the City to publish the report. City staff noticed some errors in the FONSI, which they will point out to the EPA. Contractors will be pre-qualified so that bid proposals can be processed quickly in March and April. The treatment plant project is on schedule.

Councilmember Lifferth asked how the heavy snow this winter has affected the flows to the treatment plant and lagoon storage space. Mr. Trusty said the lagoons are fairly low and land application is minimal.

Mr. Hendrickson asked Chief Andrus to explain the City's requirements for preschools. Chief Andrus explained that the fire code requires that care of more than four children over 2.5 years old be regulated under school occupancy requirements. Chief Andrus asked the State Fire Marshal about preschool standards. The Fire Marshal responded that the fire code classifies residential preschools as day care centers, type one or type two depending on the number of children. Day care centers must have secondary access. Children younger than 2.5 years old must be cared for on grade, not above or below grade. Licenses granted under the previous Uniform Fire Code were grandfathered in, but any new or changed application must meet the International Fire Code Standards.

Mr. Hendrickson announced that Chief Andrus applied for a grant which would partially fund salaries and benefits for additional firefighters over five years, after which the City would take over full responsibility for funding. Because the city is growing, the fire fighters are needed; however, the Council would have to approve the funds expended as the City's part of the agreement and Mr. Hendrickson has to review the City budget to make sure the City can meet the expenses:

Mr. Hendrickson told the Council that the City's revenues are higher than expected. However, expenditures are higher than expected, as well. Approximately \$95,000 was paid to the County in overdue property taxes. The City will protest those taxes.

Mr. Hendrickson said the City has asked its lobbyist to work on four items: Pony Express, a water storage tank and distribution, funding to expand the library and fire station funding.

CITY COUNCIL/MAYOR'S BUSINESS

Councilmember Burnham

Councilmember Burnham had no comments.

Councilmember Cieslak

Councilmember Cieslak had no comments.

Councilmember Ireland

Councilmember Ireland had no comments.

Councilmember Lifferth

Councilmember Lifferth had no comments.

Mayor Jackson

Mayor Jackson stated that Council members have received copies of several government building use regulations. She would like those to be reviewed so Eagle Mountain's building use ordinance can be discussed on February 19th. She also said the Council would be receiving an email with possible times

for a budget meeting. She asked them to let her know what times would work for them so the meeting could be set up.

ADJOURNMENT

Councilmember Cieslak **moved** to adjourn the meeting at 10:21 p.m.

APPROVED BY CITY COUNCIL FEBRUARY 19, 2008



Fionnuala Kofod, City Recorder

