



EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

January 17, 2017

Eagle Mountain City Council Chambers

1650 East Stagecoach Run, Eagle Mountain, Utah 84005

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

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

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

Mayor 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.

Mr. Ron Stewart of Gilbert and Stewart, Eagle Mountain's independent auditor, described the results of the City's fiscal year 2016 financial audit. The audit process evaluated three areas: financial, internal controls and State compliance. The City received an "unmodified opinion," meaning the best rating a city can receive for an audit, having no substantial noncompliance in audited procedures. There were three insubstantial items of noncompliance: (1) The State allows municipalities to have up to 25% of its revenues in its General Fund balance. Eagle Mountain had more than the allowable amount, so it will have to transfer the excess to the Capital Projects Fund. (2) The amount of the Treasurer's bond needed be increased to reflect the City's increased revenue. (3) The debt service payments exceeded the amount budgeted. These items must be corrected, but were not significant enough to affect the auditor's opinion of the City's audit compliance.

Councilmember Reaves asked how much time the City has to correct the minor issues of noncompliance. Mr. Stewart said the deadline was the end of the fiscal year, or June 30, 2017.

Mr. Stewart thanked the staff for the excellent job they did in providing all of the information the auditors requested.

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

10. MINUTES

Mayor Pengra asked for additional wording in the November 15, 2016 minutes. On page 8 there was a reference to “problematic agreements.” Mayor Pengra requested “in some instances” be added.

11. BOND RELEASES – Out of Warranty

Items 11B and 11C, SilverLake Plats 8 and 9, were removed from the agenda due to issues with landscape funds being included in the subdivision improvement bonds. Normally, these items are placed in separate bonds. The releases will be presented to the Council again once the issues have been resolved.

12. FY 2016 AUDIT– Acceptance of the FY 2016 Financial Audit

This item was discussed by Mr. Stewart at the beginning of the meeting.

13. RESOLUTION – Sewer System Management Plan

Public Utilities Manager Mack Straw said the Sewer System Management Plan (SSMP) was required by the State’s Municipal Wastewater Planning Program. The City has been doing everything covered by the SSMP. However, a formal plan, as required by the State, hadn’t been written previously.

Councilmember Reaves asked if the Wastewater Department was going to need funds to implement the plan. Mr. Straw said normal repairs and updates would be brought to the Council for approval.

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

Assistant City Administrator/Finance Director Paul Jerome listed the proposed budget amendments:

- Pass-through cost for building inspection services, increasing from \$52K to \$130K, since many more inspections were completed than were anticipated. These inspections are for commercial buildings and solar installations. The owners of the property being inspected pay the City for the inspections. These payments are passed through to the third-party inspectors.
- \$3,000 increase to a grant from Rocky Mountain Power for historical preservation in the Joe’s Dugout area.
- \$50K pass-through for petroglyph scanning and the design for the Oquirrh Mountain trailhead park, which will lead to the petroglyph park.
- Use of utility sale proceeds for the Eagle Mountain Blvd. east pulverize and pave project, as well as for replacing deteriorating waterlines. The deteriorating waterlines have damaged the road from the roundabout to the water tank. Some of

the utility sale proceeds, which have not been allocated, would be used for this project. While use of the funds for the project has already been approved, the funds weren't put into the budget until the City was ready to go to bid. The amendment would place the money into the budget. The project itself will have to be bid out and approved by the Council.

Councilmember Curtis asked about the amendment for Pony Express Parkway medians. Parks and Recreation Director Brad Hickman stated the funds were requested for design work.

Councilmember Westmoreland asked Mr. Hickman about the Hidden Canyon Park detention pond improvements. Mr. Hickman said the City built the pond with funds from the developers, along with some City funds. A Utah County TRCC grant was used for the trail leading from Sandpiper Road to the trail corridor. The trail will also be used to allow City staff to drive to the catch basin for cleaning.

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

City Planner Tayler Jensen said the general amendments for all subdivisions were intended to create a connected transportation system between neighborhoods and commercial areas with the goals of promoting walkability through additional connections and shorter block lengths, improving emergency response times, providing better routes to schools and parks, preventing isolated developments, and reducing impacts of development on arterial and collector roads by providing alternate routes. There would be exceptions for properties whose location or topography made it impossible to fully comply with the standards.

Definitions for *block*, *curb extension*, *chicane* and *connectivity index* have been added.

- *Block* means the distance along any given road frontage between two intersections with three or more connecting links.
- *Curb extension* means a traffic calming measure, primarily used to extend a sidewalk, reducing the crossing distance for pedestrians.
- *Chicane* means a series of narrowings or curb extensions that alternate from one side of a street to the other, forming S-shaped curves.
- *Connectivity index* means a ratio of roadway links and nodes that serve as a metric for measuring the level of connectivity.

Commercial setbacks would be reduced from a minimum of 25' to a maximum of 20' to facilitate locating parking behind commercial buildings, away from the street. Exceptions could be granted if necessary.

Mr. Mumford explained the Wasatch Front Regional Council and several local communities worked out the connectivity standards after conducting traffic impact studies, and have found them to be best practices for city planning.

Councilmember Curtis asked what makes cul-de-sacs problematic. Mr. Jensen said they limit walkability more than grid-pattern blocks do. They also make it harder for emergency responders to locate addresses.

Councilmember Bradley asked what problems these standards solve. He didn't think finding addresses should be difficult with GPS. Fire Chief Ross Fowlkes responded the GPS databases weren't always up-to-date.

Councilmembers asked if the 1200-foot limit for block lengths would create unnecessary roads. City Engineer Chris Trusty said the length equals two typical city blocks in Salt Lake City. Mr. Jensen said the intent was to reduce dead ends. There was also an option for mid-block pedestrian connections.

16. EAGLE MOUNTAIN HIGH SCHOOL

- A. ORDINANCE – Consideration of an Ordinance of Eagle Mountain City, Utah, Rezoning Approximately 45 Acres from Agriculture to Residential for a High School.
- B. MOTION – Consideration of a Site Plan for the Eagle Mountain High School.

Mr. Jensen stated the high school will be located south of the existing Frontier Middle School. The road to the school will be located south of the building. He noted that, by state law, the City was not allowed to impose any requirements on the site or design of the school unless they were related to safety.

The traffic study recommended an all-way stop at the intersection of Pony Express Parkway and the high school road. It also recommended a 200-foot southbound right-turn pocket, a 200-foot northbound left-turn pocket, and a 100-foot eastbound right-turn pocket.

Councilmember Curtis asked how the school district could be made to comply with the dark sky ordinance. Mr. Jensen said the law doesn't prohibit the City from requiring that, so it was allowable.

The Planning Commission recommended approval of the site plan, with the condition that the site comply with the traffic mitigation features recommended by the traffic impact study.

Councilmember Curtis asked about the recommendation that a traffic light be installed at the intersection of the high school road and Pony Express Parkway by 2024. It recommended a roundabout at Pony Express Parkway and Bobby Wren Blvd. by the same date.

City staff felt the high school road should connect to Eagle Mountain Blvd. They were in discussions with the school district and affected developers. The school district wouldn't be required to pay for the entire length of such a road.

Mr. Trusty stated the advantage of a roundabout was that it would address the higher traffic volume during peak times, without stopping traffic during other times.

Councilmember Curtis asked if the City could require the school district to construct a roundabout as part of this project. City Attorney Jeremy Cook said he would look at the Utah Code during the break between meetings.

Mr. Mumford pointed out a roundabout or traffic signal would be eligible for impact fee funding.

Mayor Pengra felt the City should challenge the recommendation for a three-way stop because it would be inadequate to handle traffic during school events. Mr. Trusty said he and Mr. Mumford were considering discussing the issue with Hales Engineering, which conducted the traffic impact study.

Councilmember Bradley thought the traffic impact study was wrong. He cited the inadequate traffic capacity of the roads by Westlake High School, as well as the inadequate parking. Mayor Pengra said the traffic and parking issues were due to the school being over capacity.

In response to earlier questions, Mr. Cook stated the Utah Code said municipalities may not require school districts to participate in the costs of road or sidewalk improvements, or studies of the impact of a school on a road or sidewalk, unless it is reasonably necessary for the safety of schoolchildren and not located on or contiguous to the school property, unless the road or sidewalk is required to connect an otherwise-isolated school site to an existing road. Mr. Cook said an argument could be made that the connection to Pony Express Parkway met that requirement, but not the possible roundabout at Bobby Wren Blvd. Councilmember Reaves asked why the school district couldn't go outside the parameters of the traffic impact study and consider all of the facets of school traffic, such as the number of students who will drive to school.

Mr. Trusty responded he had two books in his office containing traffic counts for various situations. They are used nationally to help set traffic numbers for traffic impact studies. There are communities that try to improve their infrastructure by asking school districts to provide more traffic solutions than the school requires. Since the schools are built to serve students in the city, school districts feel municipalities should contribute to the infrastructure serving the schools.

Mr. Mumford said every traffic study includes the professional opinion of the traffic engineer. Assumptions and judgments are part of every traffic study.

Councilmember Reaves asked if Mr. Trusty thought Eagle Mountain had enough data or history to show whether traffic studies have predicted traffic accurately. Mr. Trusty said the City had its own traffic counters and could make some measurements to compare actual traffic with past studies.

Councilmember Curtis asked Fire Chief Ross Fowlkes if the proposed traffic configuration would be adequate to manage an emergency situation.

Chief Fowlks stated [inaudible].

Councilmember Westmoreland asked what other alternatives there might there be if it was found that connecting to Eagle Mountain Blvd. was unrealistic.

Mr. Mumford answered the school district had originally proposed a second access to Pony Express Parkway, north of the school, but later abandoned the plan.

Mayor Pengra asked Mr. Pili and Mr. Trusty to describe Eagle Mountain's plans for managing traffic increases coming to Pony Express Parkway. Mr. Trusty said it would cost

approximately \$1M to build a road from the edge of the school property to Eagle Mountain Blvd. near the Sage Park subdivision. Intersection improvements on Pony Express Parkway at the high school road and Mid Valley Road, as well as widening Pony Express Parkway from Oquirrh Mountain Ranch to Hidden Valley Parkway, have been discussed. The total cost of those projects would be almost \$4M.

Mr. Pili said some potential funding sources would be impact fees, fund balance and funding from the Mountainland Association of Governments.

Councilmember Curtis asked if there were any legal options to require the school district to pay for road improvements needed to serve the school. Mayor Pengra pointed out that the school was being built for Eagle Mountain's benefit. The school was needed because of homebuilding, and developers paid impact fees on each home to fund facilities required to serve the residents who buy the new homes.

17. ORDINANCE – Consideration of an Ordinance of Eagle Mountain City, Utah, Approving the Brandon Park Estates Master Development Plan.

Planning Manager Mike Hadley stated Brandon Park was located along Eagle Mountain Blvd., west of the cemetery and Pony Express Regional Park. The project included 542 single-family lots, with a density of 2.5 units/acre. It would be surrounded by three collector roads, in addition to Eagle Mountain Blvd.

Mr. Hadley said the developers planned to provide slightly more than the required park amenities, including a dog park and a hammock grove.

The Planning Commission recommended the following conditions of approval:

1. The applicant shall submit a land use map/bubble plan map showing the densities for each area of lot size and the park areas.
2. Amenities shall be added to the park that compensate for the size of the park and for the amenities that do not qualify under the amenities table.
3. The proposed dog park and hammock area plan shall define what improvements are being made to qualify for amenity points.
4. Another, smaller pocket park shall be added to meet required improved open space. Also, no lot should be farther than 1/4 mile from a park.
5. Fencing for the exterior of the project shall be reviewed and approved by staff.
6. More trails shall be added in the development to allow easier access and connectivity to the parks from all areas of the development.

The developers have complied with all of the conditions.

The plan includes a proposed church site and school site. The school district was contacted and requested that the site be larger. Councilmember Bradley pointed out one church site wouldn't be enough.

Councilmember Curtis asked what lot sizes the City needed in the housing mix. Mr. Mumford said quarter-acre and third-acre lots were lacking. The majority of the lots in this project were quarter-acre, with 141 smaller lots and 60 lots of half an acre or larger.

Mr. Mumford stated the developers have been very cooperative during the review process.

Councilmember Westmoreland asked if the project's roads will go anywhere but to Eagle Mountain Blvd. Mr. Trusty said at the moment there was nowhere else for them to go.

Councilmember Reaves asked how the project would be phased. He also felt the project was too dense and the open space was too confined to one location. He felt the open space should be improved early in construction, rather than in the later phases.

Mr. Mumford pointed out those details would be dealt with in the master development agreement.

Mayor Pengra asked why a master development plan was being approved without a master development agreement. Mr. Mumford said that was the normal process, to allow the zoning, lot layout and general phasing to be determined before dealing with all the details. The Council could approve the plan contingent on an approved agreement, or give a great deal of feedback now, to be included in the agreement. It has happened in the past that a lot of time and money have been invested in a master development agreement, but the Council didn't approve the master development plan submitted later.

Councilmember Curtis asked why the two major park spaces were adjacent, rather than spaced apart. Mr. Hadley responded the area was fairly flat land, but that was the lowest point of the project, so the park areas would also be used as a detention pond.

Mr. Mumford said the developers would dedicate their section of the Lehi-Fairfield dirt road to the City. The dirt road, which was a section of the Pony Express Trail, was planned to be part of Eagle Mountain's trail system.

18. MOTION – Consideration of City Center Commercial Phase A, Plat 1 Amended Recorded Plat.

City Planner Tayler Jensen stated this was a minor amendment. Lot 2 would be divided into three lots to allow each building of the previously-approved Shops at City Center project to be placed on its own lot. No changes would be made to public infrastructure.

Councilmember Reaves asked if the amendment would change the parking requirement. Mr. Jensen said it wouldn't. The developers would still be bound to the approved site plan.

19. MOTION – Consideration of a Preliminary Plat and Site Plan for the Village at Porter's Crossing.

This item was a 104-lot preliminary plat and a site plan for the 94 townhomes included in the preliminary plat. City Planner Tayler Jensen noted the application was transferring density from Pod 4 to Pod 13, which was allowed in the master development agreement.

The applicant proposed to meet the open space requirement by improving most of the open space and either improving or paying a park fee for the rest.

Councilmember Curtis asked if the park amenities in the townhome area were intended only for the townhome residents living by each park. Mr. Jensen said they were, because the townhomes wouldn't have private yards.

Councilmember Curtis asked how City staff would keep track of the densities in each pod. Mr. Jensen showed the Council a density table which will be updated regularly.

Councilmember Westmoreland asked if there would be a connection between Smith Ranch Road and Porter's Crossing by way of St. Andrew's Drive. Mr. Jensen said there would be a connection as part of a project in the near future.

Councilmember Westmoreland asked who would be responsible for constructing a wall between the residential project and the Porter's Crossing Town Center commercial area. Mr. Jensen said, because the commercial project was built first, the residential developer could choose whether or not to construct a wall.

Mr. Jensen said St. Andrew's Drive will be moved slightly to the south to make room for a row of homes, which will also improve the alignment for connecting through to Porter's Crossing Town Center. Diagonal parking will be added to St. Andrew's Drive for residential guest parking.

Councilmember Reaves felt the diagonal parking might be a safety hazard in the future, when the area developed more and traffic became heavier.

Mr. Jensen said the developer has revised the elevations twice to bring them up to City standards.

The Planning Commission recommended approval with conditions. The developer has agreed to the conditions.

1. "No parking" signage shall be installed on roadways less than 32 feet in width, with 150-foot maximum spacing.
2. The 8-foot trails shall be removed from the interior of the Landscape plan, but maintained on the exterior of the development. 8-foot paths removed shall be replaced with standard 5-foot sidewalks, with the saved amenity points being allocated to the townhome park.
3. In the event that the 0.9 acres is not dedicated and improved the applicant will escrow 150% of the pro rata cost of improving this open space as per Paragraph 8.3 of the MDA.

20. MOTION – Consideration and Appointment of a City Councilmember as Mayor Pro Tempore.

Mayor Pengra explained the position of Mayor Pro Tempore was taken in turns by Councilmembers. Councilmember Westmoreland should be appointed for 2017.

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, Benjamin Reaves and Tom Westmoreland. Stephanie Gricius was excused

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

4. CALL TO ORDER

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

5. PLEDGE OF ALLEGIANCE

Colby Curtis led the Pledge of Allegiance.

6. INFORMATION ITEMS/UPCOMING EVENTS

- **Live Christmas Tree Disposal** – As a courtesy to Eagle Mountain residents, Eagle Mountain City offers free disposal of live Christmas trees. Please leave trees, stripped of all decorations, in the parking lot at the Pony Express Rodeo Arena, 4447 Major Street, through Thursday, January 19.
- **Shoe Drive** – Miss Eagle Mountain, Kaylie Blacka, is collecting shoes for the people of Burkina Faso, Africa. Shoes can be in any style or size, they just need to be in good condition. Drop-off locations are available at City Hall, the Direct Communications building (across from Maverik), and Ridley's Market. Shoes will be collected until spring.
- **Miss EM Pageant Orientation** – An orientation meeting for those interested in getting information about participating in the Miss Eagle Mountain scholarship pageant will be held on Saturday, January 21 from 10:00 a.m. to 11:00 a.m. in the City Council Chambers. Eligible ages are 17-24. Participants must be residents of Eagle Mountain, Cedar Fort, or Fairfield.

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

None.

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

Councilmember Curtis

Councilmember Curtis encouraged youth 14 – 18 to join the Youth Council.

Councilmember Bradley

Councilmember Bradley welcomed everyone to the meeting. He extended his condolences to the Smith family on the passing of Glenneth Smith.

Councilmember Reaves

Councilmember Reaves was glad to be at the meeting. He welcomed the Boy Scouts in the audience and encouraged them to be involved in the community.

Councilmember Westmoreland

Councilmember Westmoreland thanked everyone for coming to the meeting.

Mayor Pengra

Mayor Pengra welcomed everyone to the meeting.

9. APPOINTMENTS

- A. Planning Commission – 3-year terms
 - i. Muriel E. Xochimitl
 - ii. Mike Owens
- B. Library Board – 3-year terms
 - i. Dave Ulibarri
- C. Military & Veterans Board – 3-year terms
 - i. Mike Ditto
 - ii. Erika Douglas
 - iii. Matt Cloutier

MOTION: *Councilmember Curtis moved to appoint Muriel E. Xochimitl to the Planning Commission for a term ending December 31, 2019. Councilmember Bradley seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Ben Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

MOTION: *Councilmember Bradley moved to appoint Mike Owens to the Planning Commission for a term ending December 31, 2019. Councilmember Westmoreland seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Ben Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

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

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

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

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

City Recorder Fionnuala Kofoed administered the oath of office to Ms. Xochimitl and Mr. Owens. The others were unable to attend the meeting and will receive the oath of office at another time.

CONSENT AGENDA

10. MINUTES

- A. November 15, 2016 – Regular City Council Meeting
- B. December 6, 2016 – Regular City Council Meeting

11. BOND RELEASES – Out of Warranty

- A. Parkside, Phase A
- B. SilverLake, Plat 8
- C. SilverLake, Plat 9

Items 11B and 11C were removed from the agenda.

12. FY 2016 AUDIT– Acceptance of the FY 2016 Financial Audit

13. RESOLUTION – Sewer System Management Plan

MOTION: *Councilmember Curtis moved to approve the Consent Agenda, with the exception of items 11B and 11C. Councilmember Bradley seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

SCHEDULED ITEMS

PUBLIC HEARING

14. 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 included increases to the General Government Fund for planning inspections provided by WC3 Services and an historical preservation project; an increase in Capital Projects for Evans Ranch park, Hidden Canyon detention pond, Eagle Mountain Boulevard east pulverize and pavement project, park restrooms, well generators, Nolen Park pavilion, Pony Express Parkway median landscaping project and the City Center streetscape project. The expenditures included pass-through expenses for inspections and expenses associated

with grants that were awarded to the City. They also included approved expenditures from the proceeds of the sale of the gas and electric utilities.

Mr. Jerome recapped the presentation he gave during Work Session, which is found on pages 2 and 3 of these minutes. He explained budget amendments were adopted for emergencies, unforeseen expenses and additional revenue, such as grants.

Councilmember Bradley asked if 100% of the utility sale proceeds had been allocated. Mr. Jerome said about \$1.8M was still unallocated. He pointed out that none of the allocated projects would go forward until the money was appropriated through a budget amendment.

Councilmember Bradley asked how binding the previous Council's decisions were as to how the money should be expended. Mayor Pengra said those decisions weren't binding on this Council.

Mr. Pili pointed out there were some projects that have been completed because of the current Council's approval.

After Mr. Jerome discussed the petroglyph preservation project, Councilmember Reaves emphasized how important it was that the developers of Oquirrh Mountain Ranch, Scott Kirkland and Ryan Kent, have stepped up and worked with City to preserve and protect the petroglyphs west of Pony Express Parkway.

Mayor Pengra opened the public hearing at 7:32 p.m. As there were no comments, he closed the hearing.

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

PUBLIC HEARING

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

- A. Chapter 16.30 – General Requirements for All Subdivisions
- B. Chapter 17.10 – Definitions
- C. Chapter 17.35 – Commercial Zone

City Planner Talyer Jensen recapped the presentation he made in Work Session, which is found on page 3 of these minutes.

Under General Requirements for All Subdivisions, a requirement for a circulation plan was added. A circulation plan addresses street connectivity, pedestrian circulation, emergency access, and parking movements. If cut-through traffic is likely, traffic calming measures such as curb extensions, chicanes, raised crossings, or other features shall be required.

Definitions for *block*, *curb extension*, *chicane* and *connectivity index* have been added. *Block* means the distance along any given road frontage between two intersections with three (3) or more connecting links. *Curb extension* means a traffic calming measure, primarily used to extend a sidewalk, reducing the crossing distance for pedestrians. *Chicane* means a series of narrowings or curb extensions that alternate from one side of a street to the other, forming S-shaped curves. *Connectivity index* means a ratio of roadway links and nodes that serve as a metric for measuring the level of connectivity.

The previous setback for commercial buildings was a minimum of 25'. This will be changed to a maximum of 20' to encourage parking behind the buildings, rather than between the street and the building. Councilmember Westmoreland asked if there should be a minimum setback, as well, to allow for a sidewalk. Mr. Jensen said sidewalks didn't need to be considered in the setback because they were located in the right-of-way.

Mayor Pengra opened the public hearing at 7:36 p.m. As there were no comments, he closed the hearing.

Mayor Pengra asked if Mr. Jensen had any examples of subdivisions that would not have complied with these new Municipal Code standards. Mr. Jensen said Spring Run, Phase C, had very long blocks and very few connections.

Councilmember Curtis asked if there would be an additional fee for reviewing a circulation plan as part of a preliminary plat application. Mr. Jensen said it would be included in the current plat review fee.

Councilmember Curtis asked if the circulation plan requirement could be approved as a one-year trial project, to avoid creating new, permanent regulations that were untested.

After discussion, the Council decided this would work well as a permanent regulation.

Councilmember Reaves mentioned connectivity was written into the City's General Plan. He felt the City would see increased benefit from connectivity as it becomes more populous.

Councilmember Curtis stated a developer expressed concern in Planning Commission meeting about the maximum 20-foot setback for commercial buildings. He felt it didn't allow adequate flexibility for businesses that fronted Wride Memorial Highway. Commissioner Boles requested specific guidelines for exceptions to the setback.

Mayor Pengra asked Mr. Mumford to comment on whether business frontages should face towards or away from City roads.

Mr. Mumford said the discussion of a reduced setback was precipitated by a medical office building proposed for the intersection of Ranches and Pony Express Parkways. The developer was concerned about the Council's discretion to require a 25-foot minimum setback. The issue came up with the Shops at City Center, as well. In answer to Mayor Pengra's question, he had seen good and bad examples of the rear elevations of commercial buildings facing roads. He felt it was preferable to have the front elevations facing the road.

Mr. Jensen stated the owners of the recently-approved Pony Express Dental had been reluctant to build close to the road, but were pleased with the resulting visibility.

Councilmember Curtis questioned the requirement for data or research to allow an exception to the setback standard. He didn't want to create additional costs for applicants.

Councilmember Westmoreland wondered if the Code should have separate requirements for plaza-style and street-side commercial developments.

Discussion ensued regarding setbacks for various kinds of developments. A question was raised as to whether the amendment should be passed or tabled for further study. The Council concluded these standards were reasonable and could be updated if necessary.

MOTION: *Councilmember Bradley moved to adopt an Ordinance of Eagle Mountain City, Utah, amending Chapters 16 and 17 of the Eagle Mountain Municipal Code as presented by staff. Councilmember Westmoreland seconded the motion.*

Councilmember Westmoreland wanted the Code to retain enough flexibility to accommodate future business design trends.

The Council further discussed the wording of the setback amendment and decided the wording as presented would allow the City and developers to balance their interests.

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

PUBLIC HEARING

16. EAGLE MOUNTAIN HIGH SCHOOL

- A. ORDINANCE – Consideration of an Ordinance of Eagle Mountain City, Utah, Rezoning Approximately 45 Acres from Agriculture to Residential for a High School.
- B. MOTION – Consideration of a Site Plan for the Eagle Mountain High School.

This item was presented by City Planner Tayler Jensen. The proposed ordinance rezoned approximately 51 (corrected from 45) acres from Agriculture to Residential for a high school. The proposal also included a site plan for the school. The property is located south of Cory B. Wride Memorial Park and west of Pony Express Parkway. The City's review focused on traffic mitigation and safety needs, and included compliance with the dark sky section of the Municipal Code.

Mayor Pengra opened the public hearing at 8:20 p.m.

Mike Owens, a member of the Planning Commission, had serious concerns about the accuracy of the traffic study. It was conducted while Ranches Academy was closed for the Christmas break, which he felt artificially reduced the traffic count. The school was designed exactly like Westlake High School, which is also located on Pony Express Parkway. Traffic on that end of Pony Express Parkway was extremely congested. He recommended adjusting the siting of the new high school road to allow more than one access to Pony Express Parkway.

Elise Erler, representing SITLA, noted that SITLA is the site's closest neighbor on the east and south. SITLA supported the rezone.

Jeff Ruth, a resident of City Center, asked that SITLA agree to expand Pony Express Parkway to four lanes to allow for safety with the amount of traffic that will be using the road. SITLA has never allowed Eagle Mountain to expand the Pony Express Parkway.

Mike Kieffer objected to the siting of the school because it only allowed one traffic outlet, which would be onto Pony Express Parkway. If there were an emergency, students and staff would be unable to leave quickly. He requested the high school road be extended to Eagle Mountain Blvd.

Jen Preece agreed that there wasn't enough traffic access to the high school site. She felt Pony Express Parkway should be widened. Pony Express Parkway near Westlake High School has been widened and the traffic is still congested.

Mayor Pengra closed the public hearing at 8:28 p.m.

Mayor Pengra asked Mr. Mumford if conversations have been held with SITLA on widening Pony Express Parkway. Mr. Mumford said there has been some conversation, but the master development plan as written didn't allow widening the road. SITLA was willing to consider amending the plan.

Mayor Pengra asked Ms. Erler what process would be required to allow widening of the road. Ms. Erler said the master plan contemplated widening to two lanes, however, a bypass road was expected to be built to carry most of the traffic. Mayor Pengra pointed out the bypass road would increase the City's costs. It would be more economical to widen an existing road.

Ms. Erler stated multiple parties would have to be consulted, in the context of a much larger set of issues.

Councilmember Bradley felt widening Pony Express could be done sooner and more economically than building the bypass road.

He noted that the applicants didn't own the entire property. Mr. Mumford said they were in the process of contracting to purchase it.

Mayor Pengra stated widening Pony Express Parkway would cost \$10M. It will be very difficult to collect enough impact fees to pay for it, aside from the issue of amending the master development plan to allow it. He said a connection must be made to Eagle Mountain Blvd., which would cost about \$1M.

Ms. Erler noted the high school was originally intended to be built further west, on Mid Valley Road. The roads were planned in relation to that location.

Councilmember Reaves asked what the school's boundary would be. Mayor Pengra said the school would serve Eagle Mountain, Fairfield and Cedar Fort.

Frank Pulley, the Director of Facilities for Alpine School District, explained the district followed the recommendations of the traffic impact study with the building of each school. Schools were

built in response to demand from communities. The site was moved because of the property cost. Approximately fifty acres are required for each high school.

Councilmember Bradley felt the traffic study didn't accurately represent the traffic flow in the City. He pointed out the congestion around Westlake High School. Mr. Pulley said he was aware that traffic became congested around schools at the beginning and end of the school day.

Councilmember Bradley felt the taxes received by the school district should pay for roads that serve the school.

Mayor Pengra agreed traffic studies didn't always accurately represent actual traffic; however, traffic was increasing in response to Eagle Mountain's growth. He felt the planned traffic access to the school site wasn't adequate.

Councilmember Westmoreland was more concerned with safety than how quickly traffic could enter and exit the site. The incident several months ago at Eagle Valley Elementary demonstrated how critical road access was for student safety. He couldn't responsibly approve a single access to the high school.

Mayor Pengra asked staff if they were comfortable moving forward with the school with additional access still to be determined.

Mr. Trusty said he could approve it with an additional access to Eagle Mountain Blvd. He said the high school traffic would occur at different times than other peak traffic. His concern was with the school buses traveling to the elementary, junior high and high schools. He felt long turning lanes could alleviate congestion from bus traffic.

Mayor Pengra asked what it would take to connect to Eagle Mountain Blvd. Mr. Trusty said Eagle Mountain Blvd. was eligible for impact fees, so it could be added to the Impact Fee Facilities Plan. Staff was in the process of working on that. The property owner to the west seemed to be amenable to selling or dedicating property for a road through his development.

Mayor Pengra supported the school, but felt the Council might want to deny the application until there was a transportation plan in place. Following a denial, staff would make finding a traffic solution a priority.

Mr. Pulley stated if the Council denied the application, he felt the Council should provide data to the school district explaining why the application was denied. The school district was hurrying this project to alleviate crowding at Westlake.

Mr. Pili stated the staff has been working with the school district for over a year. He felt the staff would be able to work out a traffic solution. He recommended approving the project, because there was a tight schedule for completing the school on time.

Mr. Cook pointed out the State Code grants a lot of discretion to the school districts for siting and building schools, and very little to cities to regulate them. Municipalities are responsible to deal with traffic issues.

Mayor Pengra noted Alpine School District has always given him more than adequate courtesy. The school district was not required to provide transportation infrastructure. He stated the school district generated taxes to educate children.

Mr. Pili said he and the school district disagreed on impact fees every time a school was built, but they always came to agreement. All schools are built to serve residents of local jurisdictions, which are responsible for transportation and safety.

Mayor Pengra said the only reason he recommended tabling the item was to finalize traffic plans. He wished he had worked harder to finalize these plans before the rezone came up for a vote.

Mr. Pulley stated the schedule for breaking ground was sometime during March or April.

Councilmember Reaves asked Mr. Pulley what a collaborative solution could be, without an excessive burden on the City. Mr. Pulley responded that district representatives have been working with City staff for several weeks to prepare for this meeting and work for the best interests of both.

Councilmember Curtis asked whether this high school would have the same amount of parking as Westlake, or additional parking. Mr. Pulley said it will be the same amount as Westlake.

Councilmember Westmoreland asked if there were plans for an adjacent LDS Seminary building. Mr. Pulley said the school district always worked with the LDS Church on the purchase and siting of land for LDS Seminary buildings. Sometimes a building was built and sometimes a nearby church was used.

Councilmember Bradley asked if a north access to the school had been considered. Mr. Pulley said he was willing to look at it.

Mayor Pengra said it was clear to him the City had an obligation to act on traffic issues as soon as possible.

Mr. Cook stated the State Code allows the City to regulate school site plans based on safety issues.

Mayor Pengra asked Mr. Pulley if he would be willing to amend the site plan if a location for a second access could be determined. Mr. Pulley said he would if that was what the Council required.

Discussion ensued on what effect a second entrance might have on traffic flow.

Mr. Pili noted that, whether or not the Council approved this site plan at this meeting or later, the City was obligated to manage the traffic infrastructure. The City had enough money to widen Pony Express Parkway, using a combination of available funding sources. He said the access from the school to Eagle Mountain Blvd. was essential.

Councilmember Reaves asked for clarification that the extension to Eagle Mountain Blvd. could not be made part of this discussion, but it was the City's intent to move forward with that road.

Mr. Pili confirmed it was the highest transportation priority. He reiterated the road would benefit the landowners on that route.

MOTION: *Councilmember Reaves moved to adopt an Ordinance of Eagle Mountain City, Utah, rezoning approximately 51 acres from Agriculture to Residential for a high school. Councilmember Westmoreland seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

Councilmember Curtis expressed disappointment in Alpine School District. He felt the district was disregarding the safety of the students.

Mayor Pengra felt the district had not disregarded the students' safety.

Councilmember Reaves felt the City had been bullied by the school district, but a difficult decision needed to be made. The City would have to trust the process.

Councilmember Westmoreland didn't like the position the City was in. However, he thought the real pressure would fall on City staff to resolve the issues. He was confident in the staff that they would be able to do so.

MOTION: *Councilmember Westmoreland moved to approve a site plan for the Eagle Mountain high school. Councilmember Bradley seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, and Tom Westmoreland. Those voting no: Benjamin Reaves. The motion passed with a vote of 4:1.*

Mayor Pengra expressed frustration with the inability to get a commitment from SITLA to move forward with amending the master development plan to allow widening of Pony Express Parkway.

PUBLIC HEARING

17. ORDINANCE – Consideration of an Ordinance of Eagle Mountain City, Utah, Approving the Brandon Park Estates Master Development Plan.

Planning Manager Mike Hadley recapped the presentation he gave in Work Session, which is found on pages 6 and 7 of these minutes.

Mayor Pengra opened the public hearing at 9:38 p.m.

Paul Linford, representing the applicants, expressed appreciation for City staff. He and the staff have worked together and made many changes to the plans for the development. He noted the Pony Express Trail property was not part of the open space requirement, but it will be deeded to the City.

Elise Erler, representing SITLA, stated SITLA property adjoined the Brandon Park property. SITLA supported the proposed development.

Mayor Pengra closed the public hearing at 9:40 p.m.

Councilmember Westmoreland asked Mr. Linford how long it would take to build out the entire project. Paul Watson, the project engineer, responded they expected to build on fifty lots per year. If the market

improved, they would build as fast as the market allowed. They expected to complete the development in five years.

Councilmember Curtis stated he would like to see a minimum lot size of a quarter-acre.

Mr. Hadley said the majority of the lots are quarter-acre to just under 1/3-acre. The intent was to allow residents to buy a small lot and move up to a larger lot within the development.

Councilmember Reaves felt the design was congested, without enough access to amenities.

Lot sizes were discussed further. Councilmember Curtis stated none of the lots were 1/3-acre. One-third acre lots were lacking in the City's available housing mix.

Mr. Linford said there would be collector roads on three sides of the subdivision, once the adjoining property owners built their projects and the collector roads. Mr. Linford's group would build a collector road from Eagle Mountain Blvd. into the subdivision, which would be the primary access, with the dirt road (Lehi-Fairfield Road) being a secondary access until it was deeded to Eagle Mountain to be part of the trail system, after the other roads were built.

Mr. Linford noted they designed the project with half-acre lots at City staff's recommendation. The subdivision was very large, which increased the perception of congestion. They tried to accommodate what everyone wanted.

Councilmember Curtis liked the hammock park, but was concerned about upkeep.

Councilmember Bradley pointed out snowmelt or heavy rains would fill the detention ponds, limiting their usefulness as parks. Mr. Mumford explained the Municipal Code doesn't count the land that detains the water in a ten-year flood in the required open space. Detention ponds are built large and wide to contain more water in a 100-year storm event. They are designed to be large and flat enough to accommodate soccer fields.

Mr. Watson said the park ponds would be made as wide and shallow as possible, to percolate water into the ground within 24 hours. They would be located at the lowest point in the project. The two large parks were located together to improve water detention and to save maintenance costs.

Councilmember Bradley said, while he appreciated the careful planning, he felt some residents would be too far away from the parks.

Councilmember Bradley asked if the developers would be willing to work some 1/3-acre lots into the plan.

Mr. Linford responded the lots, as designed, were larger than most of the lots being developed in Eagle Mountain. He pointed out that this was a master development plan. Specific lot sizes could be decided at a later meeting. He said the project has been in process for a year, attempting to accommodate all the recommendations made by City staff.

Councilmember Reaves asked when the developers would like to break ground.

Mr. Watson said they would like to begin in the spring.

Mr. Hadley stated the Municipal Code was recently changed to allow a master development plan to act as a preliminary plat. That was the intent with this item.

Councilmember Reaves asked in what phase the pocket park would be built. He didn't want the residents in the first phase to be without amenities, since the City's demographic was families with small children.

Mr. Watson said the pocket park was designed to be part of the drainage system, and would be built in a future phase. If he had to build parks in earlier phases, he would have to build more pocket parks.

Mr. Linford pointed out there was a trail system nearby which would serve residents. The development as planned would have the pocket park within two years.

Mr. Mumford stated the Municipal Code requires the park to be built early in the project, or the developers would have to bond for 150% of the cost.

Councilmember Curtis requested a sunset clause in the master development agreement. He recommended ten years, with a five-year option for an extension.

MOTION: *Councilmember Bradley moved to adopt an Ordinance of Eagle Mountain City, Utah, approving the Brandon Park Estates Master Development Plan, subject to approval of a master development agreement, which will include a provision that the pocket park will be completed within two years. Councilmember Reaves seconded the motion. Those voting aye: Adam Bradley, Benjamin Reaves and Tom Westmoreland. Those voting no: Colby Curtis, The motion passed with a vote of 4:1.*

18. MOTION – Consideration of City Center Commercial Phase A, Plat 1 Amended Recorded Plat.

The proposed City Center Commercial Phase A, Plat I Amended plat created two additional building lots to give each building in the previously-approved Shops at City Center project an individual lot. The property is located west of the recently-constructed Chevron gas station and south of Eagle Mountain Boulevard.

MOTION: *Councilmember Curtis moved to approve City Center Commercial Phase A, Plat 1 Amended plat. Councilmember Reaves seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

19. MOTION – Consideration of a Preliminary Plat and Site Plan for the Village at Porter's Crossing.

This item was presented by City Planner Tayler Jensen. Mr. Jensen recapped the presentation he made in Work Session, found on pages 7 and 8 of these minutes.

Councilmember Bradley asked the applicants what was planned for St. Andrew's Drive, west of this development.

Trevor Hull of T-Squared Consulting, representing SK Hart, explained the extension of St. Andrew's Drive was originally designed in a series of angles. The new plan will take it straight southwest, across Gazelle Run, and extend it to Porter's Crossing.

Councilmembers discussed the safety of diagonal parking with the applicants, and whether it should be front-in or back-in. They decided to leave it as planned.

Councilmembers asked how the development would be buffered from the back of the commercial area. Mr. Linford pointed out the commercial development was built first, so the residential development wasn't required to provide a buffer; however, the commercial development had installed a landscape buffer. There will be a fence, whose design will be decided at a later time.

Councilmember Curtis brought up the amount of improved open space for the townhomes, which was an acre less than required.

Mr. Linford stated the HOA would only apply to the townhomes, not to the single-family lots. All of the amenities would be for the townhomes, including a splash pad, clubhouse, trails, park benches and fire pits. Other land and amenities would be provided for the single-family lots.

MOTION: *Councilmember Bradley moved to approve the preliminary plat for the Village at Porter's Crossing and the site plan for the townhomes, with the conditions presented by staff. Councilmember Westmoreland seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

The conditions presented by staff were as follows:

1. "No parking" signage shall be installed on roadways less than 32 feet in width, with 150-foot maximum spacing between the signs.
2. Townhome elevations shall be updated to include a variety of colors prior to City Council meeting. (Developer has complied with this.)
3. Townhome elevations shall be updated to include additional architectural elements found in Chapter 17.72.040.2 prior to City Council meeting. (Developer has complied with this.)
4. The 8-foot trails shall be removed from the interior of the landscape plan, but maintained on the exterior of the development. The 8' paths removed shall be replaced with standard 5-foot sidewalks, with the saved amenity points being allocated to the townhome park.
5. In the event that the 0.9 acres is not dedicated and improved, the applicant shall escrow 150% of the pro rata cost of improving this open space as per Paragraph 8.3 of the MDA.

20. MOTION – Consideration and Appointment of a City Councilmember as Mayor Pro Tempore.

This item was presented by Mayor Chris Pengra, who recommended the City Council appoint Councilmember Westmoreland as Mayor Pro Tempore to cover for the Mayor in the event of his absence.

MOTION: *Councilmember Bradley moved to approve the appointment of Councilmember Westmoreland as Mayor Pro Tempore. Councilmember Reaves seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

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

No comments.

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

None.

23. CITY COUNCIL BOARD LIAISON ASSIGNMENTS

Mayor Pengra removed this item from the agenda.


24. COMMUNICATION ITEMS

- A. Upcoming Agenda Items
- B. Financial Report

25. ADJOURNMENT

MOTION: *Councilmember Reaves moved to adjourn the meeting at 10:34 p.m. Councilmember Westmoreland seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

Approved by the City Council on February 7, 2017.



Fionnuala B. Kofoed, MMC
City Recorder