

MINUTES OF THE
EAGLE MOUNTAIN CITY COUNCIL MEETING

March 1, 2005

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

Eagle Mountain City Council Chambers, 1680 East Heritage Drive, Eagle Mtn, Utah 84043

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

AGENDA REVIEW

DISCUSSION/REVIEW ITEMS

DISCUSSION – Street Name in front of new Administration Building.

DISCUSSION – Parkstrip Maintenance.

DISCUSSION – General Obligation Bond for Parks.

DISCUSSION – Setbacks in SilverLake Development.

ADJOURNMENT

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

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

ELECTED OFFICIALS PRESENT: Mayor Kelvin E. Bailey; Council Members David Blackburn, Vincent Liddiard, Brian B. Olsen, Janiece Sloan, and Linn Strouse.

CITY STAFF PRESENT: Chris Hillman, City Administrator; Gerald Kinghorn, City Attorney; Chris Trusty, City Engineer; Gina Peterson, City Recorder; Angela Cox, Deputy Recorder; Gordon Burt, Finance Director; Shawn Warnke, Planning Director; Adam Lenhard, City Planner; Mark Sovine, Public Works Director; Robert DeKorver, Fire Chief; Sergeant Jo Murphy, Utah County Sheriff's Department.

OTHERS PRESENT: Todd Panter, Sage Valley; Joy Malit, Overland Trails; Maritza Bailey, resident; Cary Brackett, Ranches HOA; Spencer Carper, resident; Robert Walker, resident; S. Calvo, resident; Craig Erickson, Eagle Mountain Fire Department; Sterling Allan, Pure Energy Systems; Bobby Colson, SilverLake; Eric Jones, Eagle Mountain Properties; Kyle and Marisa Rogers, Sage Valley.

The pledge of allegiance was led by Brian B. Olsen.

APPROVAL OF MINUTES

MINUTES of City Council Meeting – January 18, 2005

MINUTES of City Council Meeting – February 1, 2005

MOTION: *Vincent Liddiard moved to approve the City Council minutes from the January 18, 2005 meeting subject to the review of the tapes from that meeting.*

David Blackburn seconded the motion. Ayes: 5, Linn Strouse, David Blackburn, Vincent Liddiard, Brian B. Olsen, Janiece Sloan; Nays: 0. Motion passed.

MOTION: *David Blackburn moved to approve the City Council minutes from the February 1, 2005 meeting as amended. Vincent Liddiard seconded the motion. Ayes: 5, Linn Strouse, David Blackburn, Vincent Liddiard, Brian B. Olsen, Janiece Sloan; Nays: 0. Motion passed.*

PUBLIC COMMENTS

Sterling Allan stated that he is representing himself as a neighbor and he is the Executive Director for Pure Energy Systems. He asked if he would be allowed to install a sixty foot windmill in his back yard. Mayor Bailey stated that would not be allowed and asked Shawn Warnke to follow up with Mr. Allan on the applicable ordinance.

Mr. Allan also questioned the future use of the current City Hall. He continued in explaining his concern with flood control and questioned the methods of drainage. He then questioned recycling opportunities within the city and asked if an independent recycling operation would be allowed in Eagle Mountain City. Mayor Bailey responded that a person could start their own recycling business; however, the City would not be interested in contracting them and they would need to comply with all applicable codes and ordinances.

COUNCIL COMMENTS

Councilmember Vincent Liddiard explained that the last Citizens Academy class will be held on March 5, 2005 from 8:00 am – 5:00 p.m.

Mr. Liddiard then recognized Craig Erickson with the Eagle Mountain Fire Department and presented him with a Certificate of Outstanding Performance. He stated that at the next City Council meeting he will recognize Steve Conger.

Chief Robert DeKorver stated that the second ambulance will be in service tonight.

UPCOMING EVENTS

Councilmember Linn Strouse stated a spay and neuter clinic will be held in Lehi on March 4, 2005.

Chris Hillman stated that 300 dogs and cats are euthanized at the animal shelter in Orem each month.

Mayor Bailey commented that there have been a number of transportation meetings recently. He informed the public that they are trying to stay on top of transportation issues and are still looking for ways to get to I-15 without going through Lehi Main Street.

Mayor Bailey stated that the date has been changed on the event, "Linking of a New Beginning." He stated that this will be incorporated into the Pony Express Days and more information will be announced closer to the event.

SCHEDULED ITEMS

PUBLIC HEARING – Sage Valley Master Development Plan Amendment Consideration of an amendment to the Sage Valley Master Development Plan.

Adam Lenhard, City Planner, explained that the Sage Valley Master Development Plan was originally approved with a density ceiling of up to 67 dwelling units. Plat A has 21 recorded dwelling units. Future plats would be eligible for 46 more dwelling units as currently approved. The applicant wishes to increase the overall density of the project to 100 units and bring the development under the City's new Development Code to develop at Tier 1 Residential Zone standards. Mr. Lenhard addressed the recommended conditions of approval.

Mayor Bailey remarked that this item is not on the agenda for action tonight and will be brought back before the Council at a future City Council meeting. He also indicated that a list of questions had been submitted by the residents of Cedar Pass Ranch which he has answered and is submitting a copy of the questions and answers to the City Recorder. This will be attached to the minutes.

Mayor Bailey opened the public hearing at 7:27 p.m.

Todd Panter from Sage Valley advised that he is representing the Sage Valley Neighborhood. He stated that this is the fifth meeting that he has been to in conjunction with this project and many of the residents are getting tired of the process. He questioned what this proposal would be accomplishing.

Mayor Bailey responded that this proposal is accomplishing a number of things for the existing residents of Sage Valley, including park improvements, and trails. Mr. Panter expressed that he hopes that all of the promises of the developer come to fruition. Discussion ensued on animal rights on half acre lots. Mr. Panter told the City Council that what they do now will set an example for future development.

Marisa Rogers a resident of Sage Valley declared her concern with the lack of horse trails through the proposed amendment. Mayor Bailey stated that Ms. Rogers's concerns are valid and they will be addressed.

Mayor Bailey closed the public hearing at 7:42 p.m.

PUBLIC HEARING – Impact Fee Ordinance

ORDINANCE – Consideration and adoption of an ordinance amending the Capital Facility Plan, the Economic Analysis for Proposed Impact Fees and Consideration of a Proposed Amendment to the Impact Fee Ordinance to increase impact fees for public services provided by the City.

Jerry Kinghorn, City Attorney detailed that this is the required background analysis information for increasing the City's impact fees. The ordinance proposes to increase impact fees for public services provided by the City.

Mayor Bailey opened the public hearing at 7:47 p.m.

Eric Jones, Eagle Mountain Properties, voiced his concerns with the fees in the South Service Area. Mr. Jones stated that he supports the increase in fees for the waste water treatment plant; however, he expressed his concern with the proposed increase in the equity buy in for the Pony Express Well. Mr. Jones reported that properties in Eagle Mountain Properties Master Development Plan have water rights that have been transferred into the valley and almost all of them have the Walden Well as a point of diversion. He doesn't believe that it is a fair to be charged this impact fee if they are not using this well.

Mr. Kinghorn explained that this impact fee will only be charged when the water rights are using the Pony Express Well as a point of diversion and it is designated on the water right.

Mr. Jones then expressed his concern with park and trails impact fees. An impact fee is being proposed for a park in the Smith Ranch area and he believes that the park is too far away from the South area and would not benefit the residents in the South.

Mayor Bailey informed Mr. Jones that these parks are being used for sports and recreational activities and people in all areas of the city use them. Mr. Jones also questioned some items in the Economic Analysis. Discussion ensued on the park equity buy-in as it is being proposed.

Mayor Bailey proposed that the impact fee ordinance be adopted excluding the park equity buy-in until it can be reevaluated.

Mayor Bailey closed the public hearing at 8:08 p.m.

MOTION: *David Blackburn moved to approve Ordinance 07-2005 an ordinance amending the Capital Facility Plan, the Economic Analysis for Proposed Impact Fees and Consideration of a Proposed Amendment to the Impact Fee Ordinance to increase impact fees for public services provided by the City as amended to conform to the Economic Analyses. Vincent Liddiard seconded the motion. Ayes: 5, Linn Strouse, David Blackburn, Vincent Liddiard, Brian B. Olsen, Janiece Sloan; Nays: 0. Motion passed.*

MOTION – Consideration to amend the setback requirements for the SilverLake Development.

Nathan Shipp, the Developer of SilverLake, has requested that the setbacks be amended for some of his plats. Specifically, he is requesting that the side yard setback requirement be reduced. Plats were recorded with the side yard setbacks as 5 feet one side and 10 feet on the other side, or 7.5 feet each side. Corner lots are 15 feet on the street frontage and 5 feet on the interior lot side (this standard will stay the same).

Mr. Kinghorn stated the City Council may suggest a motion to approve a notice to be recorded on the plats clarifying that the development is subject to the same architectural guidelines as is required in The Ranches.

David Blackburn stated that he would appreciate if the developer would expand his lots regardless of what the setback requirements are.

Vincent Liddiard stated he feels that the lots should be larger to accommodate larger homes rather than decreasing setbacks. In addition he discussed the side lots having landscaping installed to the rear corner of the home and fencing in the sideyard to assist in preserving the original grade.

Representing SilverLake Bobby Colson mentioned that the front landscaping can be taken to the rear corner of the home.

Mayor Bailey also stated that the window wells will need to be alternated to mitigate drainage problems. A fence will need to be installed on the lot lines in the side yard.

MOTION: *Vincent Liddiard moved to authorize the Mayor to execute a notice recorded on plats for the SilverLake development that setbacks are subject to the same architectural guidelines as The Ranches subject to the following conditions:*

- 1. That front and sideyard landscaping be completed the the back of the house to ensure proper drainage;*
- 2. That window wells will be offset at least 6 feet from the window wells of the adjacent house, or only installed on one side;*
- 3. That a fence be installed along the side of the home to the back property line.*

Linn Strouse seconded the motion. Ayes: 5, Linn Strouse, David Blackburn, Vincent Liddiard, Brian B. Olsen, Janiece Sloan; Nays: 0. Motion passed.

MOTION – Authorize the Mayor to sign a Cooperative Agreement with the Utah Department of Transportation (UDOT) for Corridor Preservation along SR-73 from Eagle Mountain Boulevard to Mt. Airey Drive.

UDOT is requesting the City enter into an agreement to establish and preserve a corridor along SR-73 from Eagle Mountain Boulevard to Mt. Airey Drive to facilitate traffic flow, and to be in accordance with Eagle Mountain City's Future Land Use Plan and Transportation Corridors. The agreement also specifies and restricts locations for possible future traffic signal installations along SR-73.

MOTION: *Vincent Liddiard moved to authorize the Mayor to sign a Cooperative Agreement with the Utah Department of Transportation (UDOT) for Corridor Preservation along SR-73 from Eagle Mountain Boulevard to Mt. Airey Drive with the change of adding a stop light at the intersection of Sunset Drive for future planned commercial development. Brian B. Olsen seconded the motion. Ayes: 5, Linn Strouse, David Blackburn, Vincent Liddiard, Brian B. Olsen, Janiece Sloan; Nays: 0. Motion passed.*

CONSENT AGENDA

PARTIAL PAYMENT

- A. Utility Administration Building – Ellsworth Paulsen (PP No. 6)

PARTIAL BOND RELEASE

- A. Showdown at Eagle's Gate – Plat A – Tall Maple Development (PBR No. 5)

FINAL BOND RELEASE

A. Eagle's Gate – Plat D – Centex Homes

MOTION: *David Blackburn moved to approve the consent agenda. Brian B. Olsen seconded the motion. Ayes: 5, Linn Strouse, David Blackburn, Vincent Liddiard, Brian B. Olsen, Janiece Sloan; Nays: 0. Motion passed.*

OTHER BUSINESS

Jerry Kinghorn stated that the Sage Valley Master Development Plan will be on the next City Council agenda as an action item. At that time he will be looking for comments from the City Council on the requirements for this amendment to the Master Plan agreement.

David Blackburn stated that he would like the Public Works Department to prepare a list of all roads that are currently under warranty in the City.

Mayor Bailey stated the City Council needs to determine a name for the road in front of the new City Hall. Some discussion took place regarding the street name.

MOTION: *Linn Strouse moved to name the street in front of the new City Hall Stagecoach Run. Brian B. Olsen seconded the motion. Ayes: 5, Linn Strouse, David Blackburn, Vincent Liddiard, Brian B. Olsen, Janiece Sloan; Nays: 0. Motion passed.*

ADJOURNMENT

MOTION: *David Blackburn moved to adjourn the meeting at 8:27 p.m.*

Gina Peterson, City Recorder

Approved: April 19, 2005