

**MINUTES**  
**EAGLE MOUNTAIN CITY COUNCIL MEETING**

**March 1, 2011**

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

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

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

1. **SITE VISIT** – The Mayor and City Council did a site visit to the Direct Communications Building located at 3726 E. Campus Drive, in the Eagle Mountain Business Campus, to view the office space the Incubator Program will occupy. The Work Session resumed directly following their return to City Hall.

**ELECTED OFFICIALS PRESENT:** Donna Burnham, Jonathan Celaya, Ryan Ireland, Nathan Ochsenhirt (arrived at 5:09 p.m.) and John Painter.

**CITY STAFF PRESENT:** John Hendrickson, City Administrator; Ifo Pili, Assistant City Administrator; Jerry Kinghorn, City Attorney; Fionnuala Kofoed, City Recorder; Jenalee Harper, Deputy Recorder; Adam Ferre, Energy Division Director; Chris Trusty, Public Works Director; Steve Mumford, Planning Director; Rand Andrus, Fire Chief; Linda Peterson, Public Information Director; Gordon Burt, Finance Director; Kent Partridge, Building Official; Eric McDowell, Sheriff.

Mayor Heather Anne Jackson called the meeting to order at 5:06 p.m.

2. **AGENDA REVIEW** – The City Council reviewed items on the Consent Agenda and Policy Session Agenda.
3. **CITY ADMINISTRATOR INFORMATION ITEMS**  
  
No items.
4. **ADJOURN TO A CLOSED EXECUTIVE SESSION** – The City Council adjourned into a Closed Executive Session for the purpose of discussing reasonably imminent litigation and the purchase, lease or exchange of real property, pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

**MOTION:** *Councilmember Burnham moved to adjourn into a closed executive session for the purpose of discussing reasonably imminent litigation and the purchase, lease or exchange of real property, pursuant to Section 52-4-20(1) of the Utah Code, Annotated. Councilmember Painter seconded the motion. Those voting aye: Donna Burnham, Jonathan Celaya, Ryan Ireland, Nathan Ochsenhirt and John Painter. The motion passed with a unanimous vote.*

The meeting adjourned at 6:06 p.m.

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

**ELECTED OFFICIALS PRESENT:** Donna Burnham, Jonathan Celaya, Ryan Ireland, Nathan Ochsenhirt and John Painter.

CITY STAFF PRESENT: John Hendrickson, City Administrator; Ifo Pili, Assistant City Administrator; Jerry Kinghorn, City Attorney; Fionnuala Kofoed, City Recorder; Jenalee Harper, Deputy Recorder; Adam Ferre, Energy Division Director; Chris Trusty, Public Works Director; Steve Mumford, Planning Director; Rand Andrus, Fire Chief; Linda Peterson, Public Information Director; Gordon Burt, Finance Director; Kent Partridge, Building Official; Eric McDowell, Sheriff.

5. CALL TO ORDER

Mayor Heather Anne Jackson called the meeting to order at 7:07 p.m.

6. PLEDGE OF ALLEGIANCE

Adam Ferre led the Pledge of Allegiance.

7. INFORMATION ITEMS/UPCOMING EVENTS

Mayor Jackson explained that Item #12 was removed from the agenda and that it would not be discussed during the meeting.

- The Eagle Mountain Fire Department is offering a free merit badge clinic on March 12<sup>th</sup> and March 19<sup>th</sup> from 9:00 a.m. to 12:00 p.m. at fire station #2 in the Ranches. Attending both days will enable scouts to complete the requirements for the fire safety, emergency preparedness, and first aid merit badges. Registration information is available on the city website.
- The 2011 citizen satisfaction survey is now available on the main page of the city website under "news". All completed surveys will be entered into a drawing, and three winners will be selected to receive a \$50, \$75, or \$100 credit on their utility bill. The survey is being conducted by students in the BYU MPA program and will be available through March 18<sup>th</sup>. City employees and immediate family members are not eligible for the credit.
- Tickets are now on sale for the Pony Express Days 2011 Clint Black concert and fireworks at the SilverLake amphitheater. Tickets are \$15 pre-sale or \$20 at the door, with children 2 and under free. Tickets are available online on the city website or at city hall.
- Registrations and tickets for most Pony Express Days events are available online this year. The Pony Express Days section of the City website has more details on this year's events.

8. PUBLIC COMMENTS

Nikki Wickman, 2766 Fort Hill Road, explained that she did not want to see the energy tax rate raised. She asked if the City was raising the rate to be able to cover the costs of Mr. Olsen's legal expenses. She stated that she would feel better about the tax rate if Mayor Jackson fired her lobbyist and did away with her advertising campaign.

Mayor Jackson explained that the energy tax rate had been in discussion long before the City was made aware of the possibility of having to reimburse Mr. Olsen for his legal expenses. She said that the energy tax rate had nothing to do with Mr. Olsen. She also explained that the lobbyist and advertising campaign were not "hers". She reminded Mrs. Wickman that the City Council made the decision as an elected body to have a lobbyist and an advertising campaign.

9. CITY COUNCIL/MAYOR'S ITEMS

Councilmember Burnham

No comment.

Councilmember Celaya

No comment.

Councilmember Painter

Councilmember Painter thanked the scouts for coming to the meeting to earn their merit badge. He said that he enjoys seeing new people participate in City Council meetings.

Councilmember Ochsenhirt

No comment.

Councilmember Ireland

No comment.

10. PRESENTATIONS/AWARDS

A. CMC Jenalee Harper

Mrs. Kofoed presented Mrs. Harper with her Certified Municipal Clerk Certificate.

B. Energy Department Safety Award

Mr. Ferre explained that this award was presented to the electrical department for having no accidents and being safe on the job. He said that this award was given to the City by the Intermountain Power Superintendants Association.

**CONSENT AGENDA**

11. MINUTES

A. February 15, 2011—Regular City Council Meeting

**MOTION:** *Councilmember Celaya moved to approve the Consent Agenda with Minutes as amended. Councilmember Painter seconded the motion. Those voting aye: Donna Burnham, Jonathan Celaya, Ryan Ireland, Nathan Ochsenhirt and John Painter. The motion passed with a unanimous vote.*

**SCHEDULED ITEMS**

## **PUBLIC HEARING**

12. ORDINANCE – Consideration and Adoption of an Ordinance of the City Council of Eagle Mountain City, Utah, Amending the Municipality Energy Tax Rate on Rocky Mountain Power and Questar.

**\*\* This item was removed from the agenda without action\*\***

13. MOTION – Consideration and Approval of a Letter of Support or Opposition for the Siting of a Class 5 Landfill in Fairfield.

The Intermountain Regional Landfill is located 2 ½ miles south of Fairfield. The 330-acre site is a Class 1 facility approved to take non-hazardous municipal waste from cities that contract for waste disposal. The owners are interested in contracting with additional cities. They also want to acquire a Class 5 permit which will allow them to accept non-municipal waste. The property is designed to be a 65-year facility with a 200,000 ton capacity.

Mayor Jackson explained that the recommendation from staff is to write a letter of opposition on the basis that a traffic impact study be completed before the class 5 permit is issued.

Mr. Hendrickson explained that class 5 would allow contracts to be made with anyone. He explained that if the contract was just with the cities of northern Utah County approximately 20 semi-trucks per day would be traveling to the plant. He said that there are no studies to show the impact of a class 5 permit.

Mayor Jackson explained that a traffic study needs to be completed so that information is on the record so that in the future UDOT can determine if S.R. 73 needs to be widened.

Councilmember Celaya said that it is the City's responsibility to protect the residents of the City and that he is okay with a letter of opposition because a traffic study needs to be done to determine the impact that this could have on the residents.

**MOTION:** *Councilmember Celaya moved to approve a letter of opposition for the siting of a class 5 landfill in Fairfield, requesting that a traffic study be conducted. Councilmember Painter seconded the motion. Those voting aye: Donna Burnham, Jonathan Celaya, Ryan Ireland, Nathan Ochsenhirt and John Painter. The motion passed with a unanimous vote.*

## 14. CITY COUNCIL/MAYOR'S BUSINESS

### Mr. Hendrickson

Mr. Hendrickson explained that a few years ago the City had looked at the possibility of forming a fire district. He said that Saratoga Springs was not interested in moving forward with it therefore the City did not pursue it any further. He explained that other city managers in the northern Utah County area have expressed some interest in forming a metro fire agency. He stated that the reasons for this agency would be to help maintain local control and to have automatic aid with other agencies. He said that more resources would be available and that this could possibly help with purchasing equipment on an economy scale which could save money. He said that equipment could also be shared. He said that this should be something that the City should seriously considering participating in.

Rand Andrus explained that this concept has been used in Salt Lake County and that it has been very successful. He said that there are about 10 departments that are part of the metro plan. He said that this type of plan provides automatic aid, which means the City would not have to ask for aid, it would automatically be dispatched. He said that the City would also do the same for other departments participating in the Metro Plan.

Mr. Hendrickson said that the bids for the widening of S.R. 73 have been accepted today. He said that the completion date would be sometime in August or September.

Mayor Jackson explained that the residents would be made aware of the process through the newsletter as the City receives more information regarding the widening of the road.

Councilmember Ochsenhirt

No comment.

Councilmember Ireland

Councilmember Ireland asked Captain Conger to come forward and share more information on his merit badge classes.

Captain Conger explained that the Fire Department is offering merit badge classes for scouts to earn the emergency preparedness, fire safety and first aid merit badges. He said that these classes will be offered quarterly. He said that interested individuals can email him at [sconger@emcity.org](mailto:sconger@emcity.org).

Councilmember Ireland asked if the City would be removing their Spice Ordinance now that the state has passed a law on the issue.

Mr. Kinghorn explained that the City will probably need to go back and repeal the ordinance once the law is actually in place. He said that the City will also want to talk with the Sheriff's Office to see how the state law will be enforced.

Councilmember Burnham

Councilmember Burnham thanked everyone for coming to the meeting and participating.

Councilmember Celaya

No comment.

Councilmember Painter

Councilmember Painter explained that he has always felt that the City had a really strong staff. He said that Mrs. Harper was a good example of the type of employees the City has working for them. He said that the Recorder's Office has always provided timely and accurate information to him any time he has requested it. He said that he appreciated staffs efforts.

Mayor Jackson asked if other cities had all of their clerks/recorders certified.

Mrs. Kofoed explained that it is uncommon to have all individuals in the department certified. She said that Clearfield City recently had their last deputy get certified.

15. CITY COUNCIL BOARD LIAISON REPORTS

No reports were made.

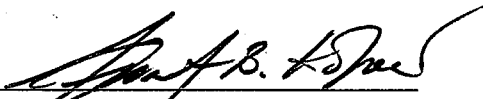
16. COMMUNICATION ITEMS

A. Upcoming Agenda Items

17. ADJOURNMENT

Councilmember Ochsenhirt moved to adjourn the meeting at 7:50 p.m.

APPROVED BY THE CITY COUNCIL ON APRIL 5, 2011.

  
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Fionnuala B. Kofoed, CMC  
City Recorder

