

**MINUTES OF TOWN COUNCIL MEETING
TOWN OF EAGLE MOUNTAIN, UTAH
TOWN CENTER
1680 E. Heritage Dr.
Eagle Mountain, UT 84043
March 16, 1999**

1. Roll Call:

Mayor Bateman called the meeting to order at 7:13 pm.

Councilmembers present: Mayor Robert E. Bateman
Diane Bradshaw, Cyril Watt, Bill Chipman

Town Staff:

Town Administrator: John Newman
Town Attorney: Jerry Kinghorn
Town Engineer: Korey Walker
Recording Secretary: Vada Hunter

Other present: Mark Sovine, resident; Tom Anderton, resident; Jody Hooley,
Resident; Liisa Nusz, resident; James Dahl, MCM Engineering; Jeff Lafetra, Trophy Homes;
Wayne Corbridge, Trophy Homes; Howard Ault, resident

2. Pledge of Allegiance:

Mark Sovine led the Town in the Pledge of Allegiance.

3. Approval of Agenda:

MOTION *Cyril Watt moved to approve the agenda. Diane Bradshaw seconded.
Ayes: 4, Nays: 0. Motion passed.*

4. Approval of Minutes (March 2, 1999):

MOTION *Diane Bradshaw moved to approve the minutes of March 2, 1999, as
amended. Ayes: 4, Nays: 0. Motion passed.*

5. General Discussion/Questions/Announcements:

Mayor Bateman announced that the Alpine School District changed the route for the school bus and the students no longer have to stand on SR-73 to be picked up. The bus will go into the North Ranch area to pick up the students.

Mayor Bateman announced that Liisa Nusz is working on the Welcome Wagon and Library and would give a presentation during the Council Meeting.

Mayor Bateman announced that the Garden Club would meet on April 8th, and that there would be a Neighborhood Watch meeting on March 24th.

Mayor Bateman announced there would be a Cedar Pass Homeowners Association Meeting on April 1, 1999.

It was announced that Mark Zitting resigned from the Planning Commission.

6. Appointments:

Mayor Bateman said he was putting a committee together to look at rate structures for the water. He said they already had Tom Anderton, John Jacob, and Harry Bonnell on the committee and would like to get three more volunteers from the center of Town. The name of Chris Kemp was suggested.

7. Public Notices:

Mayor Bateman said there would be a Public Hearing on March 30th to consider the Eagle Mountain Properties Master Plan Proposal.

8. Public Comment:

There was no public comment.

9. The Ranches Update/Bob Lynds:

Bob Lynds said things were looking positive to close on the Special Improvement District (SID) by May 31st or maybe sooner. He said the golf contract would be announced this week. He also mentioned that he liked the Concept Review meetings and felt like they really benefited from them.

Bill Chipman asked about the trucks going through Cedar Pass Ranch. Bob Lynds said he was working with Korey Walker on this.

Jerry Kinghorn commented that he was working with Laura Lewis on the gas line project.

10. Eagle Mountain Properties Update/Jim Peterson:

Jim Peterson said he would like to have some displays from The Ranches to put on the walls of the Community Center for people to look at. He said the Community Center was available for all kinds of community activities. The scheduling goes through Liisa Nusz. She has a key to the building.

Diane Bradshaw asked if there could be a calendar displayed showing availability.

Liisa Nusz gave a handout to the Council., She said she had been able to get a lot of sponsors for the Welcome Wagon bags she was making for new residents to the Town. She said they should be available to handout at the Pony Express Days on June 19th.

Liisa also gave a presentation about the library. She has worked very hard to put this together. She said that before they can get any help from the government they must be established first. She was starting her own organization called "Friends of Eagle Mountain Library". She said there would be a lot of fundraisers to raise money for the library. She also would like a lot of volunteers to help and is asking for donations from businesses to help with the library.

Bob Lynds said his secretary would be available to help during business hours. She has prior library experience.

11. Motion to approve CONSENT AGENDA ITEMS as follows:

- A. Warrant Register
- B. Partial Payment Requests
- C. Final Payments
- D. Partial Bond Releases
- E. Contract Change Orders

- F. Payment Direct from the Town – Waterline Repair
- G. Letter to Approve Fire Station Claims – Settlements

Mayor Bateman asked to strike item E. Item H is a \$550.00 payment to haul trash for cleanup at the fire station.

MOTION *Bill Chipman moved to approve the Consent Agenda Items as amended. Cyril Watt seconded. Ayes: 4, Nays: 0. Motion passed.*

12. Discussion regarding changing the Town logo:

There was a lot of discussion about the Town logo. Many of the people including the Town Council like the eagle logo that was developed by Eagle Mountain Properties, but there are too many legal issues involved to use this logo. There would have to be a license agreement with Eagle Mountain Properties to use this logo.

Jerry Kinghorn, Town Attorney, said that the Town should try to negotiate with Eagle Mountain Properties to allow the Town to use the logo. He said they would need to be careful with how the name was used. He said this needs to be taken care of in a short period of time. He said if they can't work it out with Eagle Mountain Properties, then they should design their own logo or have a contest.

Jim Peterson said he would work with Jerry Kinghorn on a license agreement.

MOTION *Bill Chipman moved to instruct Jerry Kinghorn to get with Eagle Mountain Properties to work out a licensing agreement for use of the logo for the Town; and have said agreement to the Town by March 23, 1999; and if said agreement has not taken place by such time then the Town will hold a contest to choose a new logo. Diane Bradshaw seconded. Ayes: 5, Nays: 0. Motion passed.*

13. Consideration to Approve the Rapids II Agreements and Access Request Form with Williams Gas Pipelines:

MOTION *Bill Chipman moved to approve Rapids II Agreements and Access Request Form and authorize John Newman to negotiate gas prices for the Public Works Board. Cyril Watt seconded. Ayes: 4, Nays: 0. Motion passed.*

14. Class II Preliminary Plat Approvals:

A. Horseshoe Station (R-1 N-13 & R-1 N-15)

Several of the Council members had concerns about the access road because of how dangerous it is. Mayor Bateman suggested that maybe it could be kept as an emergency road when needed.

DRC Recommendations:

1. The following changes and additions must be made to the plan:
 - a. Secondary street access must be provided (this is proposed to be accomplished through Friday's Station (R-1 N-17) immediately adjacent to and east of this phase.
 - b. A grading plan must be submitted.
 - c. Relative to storm drain, information must be submitted including the golf course pond #13 and the Tickville Wash.
 - d. Adjacent subdivision names must be indicated.
 - e. Adjacent utility lines and facilities must be indicated.

- f. The difference between proposed and existing water and sewer lines must be indicated.
 - g. General planting design/landscaping plan must be submitted (this information has been submitted and is included in this report).
 - h. Hydrological calculations for curb capacity and drainage basins must be provided.
2. Special Improvement District (SID) information must be submitted including the amount to be paid upon recordation.
 3. Water rights must be documented prior to final approval.
 4. Subdivision traffic volumes must be submitted and must correspond to the submitted traffic plan (this information has been submitted to the DRC).
 5. CC&R's must be submitted prior to final approval.

MOTION

Cyril Watt moved to approve the Class II Preliminary Plat Approval for Horseshoe Station (R-1 N-13 & R-1 N-15) with a requirement to make the access road to be an emergency road only, and subject to the Town Staff and Town Attorney recommendations. Diane Bradshaw seconded. Ayes: 4, Nays: 0. Motion passed.

Eagle's Gate at Red Hawk Ranch:

Wayne Corbridge and Jeff Lafetra of Trophy Homes gave a brief presentation. This subdivision will be done in three phases.

Diane Bradshaw voiced her concern about having 500 homes.

DRC Recommendations:

1. The following changes and additions must be made to the plan:
 - a. A grading plan must be submitted.
 - b. Relative to storm drain, information must be submitted including the golf course ponds and Evans Wash.
 - c. Adjacent utility lines and facilities must be indicated.
 - d. The difference between proposed and existing water and sewer lines must be proposed.
 - e. General planting design/landscaping plan must be submitted.
 - f. Hydrological calculations for curb capacity and drainage basins must be provided.
 - g. Entrance landscaping restrictions for required site distance.
 - h. The proposed second entrance from SR-73 to the golf course must be widened and separated into two accesses to SR-73.
2. Special Improvement District (SID) information must be submitted including the amount to be paid upon recordation.
3. Water rights must be documented prior to final approval.
4. Evaluation of water system pressure and user of a pressure reducing system.
5. Hydrological calculations for curb capacity and drainage basins must be provided.
6. Subdivision traffic volumes must be submitted and must correspond to the submitted traffic plan (this information has been submitted to the DRC).
7. CC&R's must be submitted prior to final approval.
8. The Town Council must make a determination whether or not private streets will be acceptable in this project.

MOTION

Bill Chipman moved to approve the Preliminary Plat Approval for Eagle's Gate at Red Hawk Ranch (R-1 N-26 & R-1 N-27) subject to

approval of the Town Staff and Town Engineer, and granting exceptions to The Ranches Master Development Agreement:

Waiver #1: Item 6.4.1.3.(C), regarding roof pitches, be modified to approve a minimum roof pitch of 5:12 only on the Prairie style elevations since the flatter roof is a key aspect of the Frank Lloyd Wright Prairie style of architectural elevations.

Waiver #2: Item 6.4.1.4(A), regarding offering at least one two-story plan, be waived since this is an empty nester community where almost no one would select the two-story plan, and if they did, it would "stick out" and look out of place in a community of otherwise one-story homes.

Waiver #3: Item 6.4.1.4(B), regarding garage orientation, be modified to approve our product offering of 2 plans (Summit Series, Plans 1 & 2) which will only be built with side-loaded garages and a third plan (Heritage Series, Plan 1) which will have a side-load garage on every home where the basement option is selected. In exchange, we will commit to 30% of all lots either having a side-load or corner-load garage. (A corner-load garage would normally be front-loaded on an interior lot, but because of the side street on the corner, the garage can be loaded from the side street).

Waiver #4: Item 6.4.1.4(C), regarding porches be modified to require ¼ of the houses have useable front porches. This is appropriate in a golf course community since the living areas are on the rear of the homes because of the golf course views, and so, rear porches are used the most. Furthermore, since the golf-course-view issues push the garages to the front of the home, it is difficult and sometimes contrived to force porches on the fronts of certain plans.

Diane Bradshaw seconded, Ayes: 4, Nays: 0. Motion passed.

Simpson Spring (R-1 N-1 & R-1 N-2):

DRC Recommendations:

1. The following changes and additions must be made to the plan:
 - a. A grading plan must be submitted.
 - b. Adjacent subdivision names must be shown.
 - c. Adjacent utility lines and facilities must be indicated.
 - d. The difference between proposed and existing water and sewer lines must be indicated.
 - e. General planing design/landscaping plan must be submitted.
 - f. Hydrological calculations for curb capacity and drainage basins must be provided.
2. Special Improvement District (SID) information must be submitted including the amount to be paid upon recordation.
3. Water rights must be documented prior to final approval.
4. Subdivision traffic volumes must be submitted and must correspond to the submitted traffic plan (this information has been submitted to the DRC).
5. CC&R's must be submitted prior to final approval.

MOTION

Diane Bradshaw moved to approve the Class II Preliminary Plat Approval for Simpson Springs (R-1 N-1 & R-1 N-2) subject to the

recommendations of the Town Staff and the Town Engineer. Bill Chipman seconded. Ayes: 4, Nays: 0. Motion passed.

Friday's Station (R-1 N-17):

DRC Recommendations:

1. The following changes and additions must be made to the plan:
 - a. The vest pocket at the entrance to this subdivision (around lots 8-11) should be labeled as a one-way street in the counterclockwise direction.
 - b. A grading plan must be submitted.
 - c. Relative to storm drain, information must be submitted including the golf course pond #20 and the Tickville Wash.
 - d. Adjacent utility lines and facilities must be indicated.
 - e. The difference between proposed and existing water and sewer lines must be indicated.
 - f. General planting design/landscaping plan must be submitted (this plan has been submitted and is attached to this report).
 - g. Hydrological calculations for curb capacity and drainage basins must be provided.
2. Special Improvement District (SID) information must be submitted including the amount to be paid upon recordation.
3. Water rights must be documented prior to final approval.
4. Subdivision traffic volumes must be submitted and must correspond to the submitted traffic plan (this information has been submitted to the DRC).
5. CC&R's must be submitted prior to final approval.

MOTION

Diane Bradshaw moved to approve the Class II Preliminary Plat Approval for Friday's Station (R-1 N-17) subject to the recommendations of the Town Staff and Town Engineer. Cyril Watt seconded. Ayes: 4, Nays: 0. Motion passed.

Kennekuk (R-1 N-13 & N-15s):

DCR Recommendations:

1. The following changes and additions must be made to the plan:
 - a. A grading plan must be submitted.
 - b. Relative to storm drain, information must be submitted including the Tickville Wash.
 - c. Adjacent utility lines and facilities must be indicated.
 - d. The difference between proposed and existing water and sewer lines must be indicated.
 - e. General planting design/landscaping plan must be submitted (this has been done and is attached to this staff report).
 - f. Hydrological calculations for curb capacity and drainage basins must be provided.
2. Special Improvement District (SID) information must be submitted including the amount to be paid upon recordation.
3. Water rights must be documented prior to final approval.
4. Subdivision traffic volumes must be submitted and must correspond to the submitted traffic plan (this item has been submitted to the DRC).
5. CC&R's must be submitted prior to final approval.
6. Design of connection to Cedar Pass Drive.

MOTION

Cyril Watt moved to approve the Class II Preliminary Plat Approval for Kennekuk (R-1 N-13 & N-15s) subject to the recommendations of the Town Staff and Town Engineer. Diane Bradshaw seconded. Ayes: 4, Nays: 0. Motion passed.

15. Public Hearing:

A. Rezone of real property located on northeast corner of the Autumn Ridge Subdivision from Agricultural (AG) to Town Core Residential (TCR):

James Dahl gave a brief presentation. This project used to be called Antelope Meadows. Have already received final approval for phase 1. The lot sizes are between 7,000 and 9,000 sq. feet.

There was a discussion about the parks.

B. Closed Public Hearing.

16. Action regarding rezone of Agricultural to Town Core Residential (TCR) for the northeast corner of the Autumn Ridge Subdivision:

DRC Recommendations:

1. A Class II permit shall be obtained, as required in the Town Ordinances, prior to the development of this property.
2. Engineering estimates of off-site and on-site improvements be provided.
3. A finance plan for the required improvements shall be provided.
4. Water right documentation shall be provided prior to final approval.
5. Public Works Board approval shall be obtained.

MOTION

Bill Chipman moved to approve the Rezoning: Proposed Addition to the Autumn Ridge Subdivision and Eagle Mountain Properties Master Development Plan. Rezone from Agricultural (AG) to Town Core Residential (TCR) subject to the recommendations of the Town Staff and the Town Engineer. Diane Bradshaw seconded. Ayes: 4, Nays: 0. Motion passed.

17. Class II Final Plat Approval for Autumn Ridge, Phase II:

1. Completion of the requested changes and additions to the construction drawings (these changes have been submitted to the DRC).
2. Special Improvement District (SID) information must be submitted including the amount to be paid upon recordation.
3. Water right documentation must be submitted.
4. CC&R's must be submitted.
5. A digital copy of the final plat and proposed utilities must be submitted.
6. Additional improvements to the park located in the southeast portion of this subdivision must be a part of the obligation for this phase (this was a condition of phase 1).

MOTION

Bill Chipman moved to approve the Final Plat Approval for Autumn Ridge, Phase II, subject to conditions 2, 3, 4, 5, & 6; and also subject to the Development Agreement by the Town Attorney and require Autumn Ridge Phase 1 platted and the Development Agreement be approved by the Town Council prior to Final Approval, Phase II. Diane Bradshaw seconded. Ayes: 4, Nays: 0. Motion passed.

18. Consideration to Approve an Ordinance for Contractor Licensing and Bonding:

MOTION

Bill Chipman moved to table this item until the next Town Council Meeting. Diane Bradshaw seconded. Ayes: 4, Nays: 0. Motion passed.

19. Discussion on holding a Special Town Council Meeting on Tuesday, March 30, 1999, for the purpose of consideration to approve Eagle Mountain Properties Amended Master Development Plan:

Short discussion.

20. Department Reports:

- A. Airport Advisory Board Meeting on April 13th.
- B. Diane Bradshaw announced there would be a landscaping meeting on April 8th. She also announced there would be an Easter egg hunt on April 3rd at 10:00 am.
- C. Cyril Watt reported there were nine block captains in the Neighborhood Watch Program.
- D. Bill Chipman stated they needed a new Planning Commission member and that some of the members of the Commission needed to attend a training session.
- E. Mayor Bateman said that the trip to Vancouver would be tomorrow. This was for checking out the generators.

21. Motion to adjourn into a Closed Executive Session for the purpose of discussing personnel issues and potential litigation:

MOTION

Cyril Watt moved to go into a Closed Executive Session for the purpose of discussing personnel issues and potential litigation. Diane Bradshaw seconded. Ayes: 4, Nays: 0. Motion passed.

The closed session started at 9:50 pm. Those in attendance were Mayor Bateman, Cyril Watt, Diane Bradshaw, Bill Chipman, John Newman, and Vada Hunter.

MOTION

Cyril Watt moved to go back into Open Session. Diane Bradshaw seconded. Ayes: 4, Nays: 0. Motion passed.

Cyril Watt moved to adjourn the Town Council Meeting of March 16, 1999, at 10:12 pm.

APPROVED: *Robert E. Bateman* DATE: *April 19, 1999*
Mayor Robert E. Bateman

Maureen Anderton liked this better than most of the designs. She liked the park in the middle. She liked the landscaping.

Diane Jacob voiced her dislike of pods. She said there were not enough trails and the lot sizes are too small.

Bill Chipman said the consensus was that the Planning Commission would like to see a better design.

Ken Leetham recommended they table this until the next meeting.

MOTION

Jennifer Wright-Thulin moved to table Eagle Point I & J until the next meeting and instruct the Town Staff and Town Engineer to make a more palatable design with ideas of incorporating more of the ideas of the Planning Commission that were voiced tonight. Carl Allred seconded. Ayes: 6, Nays: 0. Motion passed.

Town Center West, Business Park, South:

Staff Recommendations/West:

1. Prior to (concurrent with) final approval of this project, a set of architectural design guidelines should be approved that establishes the basis design theme for the buildings and landscaping that will be created in TC West.
2. An open space plan for TC West must be approved prior to (concurrent with) final approval. This plan should address open space within TC West and in the areas between Eagle Mountain Boulevard and the Town Centers.

Town Engineer Recommendations/West:

1. More detail is required for the landscaping and open space.
2. Additional storm water information needs to be provided to show adequate detention basin area for entire 100-year storm.
3. An agreement and plan should be submitted from the developer in conjunction with the master developer for the Eagle Mountain Boulevard buffer area.
4. Temporary access road should be maintained to Eagle Park.

Ken Leetham spoke briefly about the two conditions from the Staff report.

Korey Walker spoke briefly about his recommendations.

Bill Chipman asked Rich Morley if they had worked out the landscaping with Eagle Mountain Properties on the buffer area of this property. Rich said they were working on it.

Bill Chipman asked about the entrance areas that would deal with traffic.

Carl Allred asked about some questions about some of the access roads.

Chuck Jenkins asked what the time frame was for having a gas station. Rich Morley said there is a party interested and just waiting to get started.

Diane Jacob had no comments.

Maureen Anderton had no comments.