

**MINUTES OF THE EAGLE MOUNTAIN CITY COUNCIL MEETING**  
**Eagle Mountain City Council Chambers**  
**1680 East Heritage Drive**  
**Eagle Mountain, Utah 84043**  
**March 18, 2003**

**WORK SESSION - NO ACTION OR MINUTES TAKEN – 4:00 TO 6:30 PM**

1. Consent Agenda
2. Review of Proposed Development Code
3. Question & Answer Session Regarding Conflict of Interest Opinion (No discussion)
4. Discussion of Temporary Waster Use Agreement
5. Other Business
6. Adjourn Work Session at 6:13 PM

**Prayer by Invitation of the Mayor**

The prayer was offered by Chris Hillman.

Mayor Kelvin Bailey called the meeting to order at 7:02 PM.

**POLICY SESSION – 7:00 PM**

1. **Roll Call:**

Council Members Present: Mayor Kelvin Bailey, Diane Jacob, Greg Kehl, Mark Madsen, Brigham Morgan, Linn Strouse

**City Staff:**

City Attorney:	Gerald Kinghorn
City Engineer:	Korey Walker
City Administrator:	Chris Hillman
Finance Director:	Kent Parker
Planning Director:	Shawn Warnke
Public Works Director:	Mark Sovine
Telecom Administrator:	Diane Bradshaw
City Recorder:	Janet Valentine
Deputy Recorder:	DeAnna Whitney
Utah County Sheriff:	Sergeant Jo Murphy
Fire Department:	Chief Robert DeKorver (Excused)

**Others Present:**

2. **Pledge of Allegiance:**

Mark Sovine led the Pledge of Allegiance.

3. **Approval of Minutes (March 4, 2003):**

**MOTION:** *Mark Madsen moved to approve the Minutes of March 4, 2003. Brigham Morgan seconded the motion. Ayes: 5 – Brigham Morgan, Greg Kehl, Diane Jacob, Mark Madsen, Linn Strouse; Nays: 0. Motion passed.*

4. **General Discussion/Questions/Announcements:**

Mayor Bailey announced a special benefit fundraiser dinner would be held on Friday, March 21, at 6:30 PM at LDS Stake Center in the Ranches for Steve Seegmiller, who was involved in an ATV accident and was left a quadriplegic.

Sheila Curtis announced that CERT classes have been completed with 14 graduates. She also announced there would be CERT terrorist module training on April 10 at 7:00 PM in the Council Chambers. She indicated this class is open to everyone.

5. **Appointments:**

A. Employee Appeals Board

Mayor Bailey recommended the following City employees be appointed to the Employee Appeals Board: Glen Sexton, Kent Partridge, and Gayleen Pierce, with alternates Bob Wren and Jordan Harris.

**MOTION:** *Brigham Morgan moved to ratify the appointments of Glen Sexton, Kent Partridge, Gayleen Pierce as permanent members of the Employee Appeals Board and Bob Wren and Jordan Harris as alternate members to the Employee Appeals Board. Linn Strouse seconded the motion. Ayes: 5 – Brigham Morgan, Greg Kehl, Diane Jacob, Mark Madsen, Linn Strouse; Nays: 0. Motion passed.*

6. **Public Notices:**

A. Open Burn Season – April 12, 2003 through May 12, 2003  
(Burn Permits will be available April 7, 2003 at Fire Station One in the City Center for \$10.00)

Mayor announced that Open Burn Season will be held from April 12 through May 12, 2003. He stated that burn permits will be available for \$10.00 starting April 7 at Fire Station #1 in the City Center.

City Recorder Janet Valentine announced there would be a Special City Council meeting held on Wednesday, March 26 at 7:00 PM for a Public Hearing regarding the Development Code and the General Plan for the City. She stated the meeting will begin at 4:00 PM, but the Public Hearing would not begin until 7:00 PM. Mrs. Valentine indicated the Development Code and General Plan would not be adopted until April 1, 2003 at the regularly scheduled City Council meeting.

Lieutenant Pickup, Salt Lake County Sheriff's Office, advised the Council that the Sheriff's Office is very committed to Eagle Mountain City. He stated the Sheriff's Office is pleased with the job their officers are doing in our City. He noted that thefts and burglaries went down when a third officer was added to the Eagle Mountain staff. Lieutenant Pickup requested that the Council plan to hire more officers as the population grows.

7. **Public Comment:**

Jason Astwood, Willow Springs condo resident, expressed concern about licensing for day care in condos. He stated his wife is educated and has degrees in the child care field. He wanted to know why City does not allow day care licensing in condos. Shawn Warnke explained that the City's current Development Code does not prohibit day care licensing in condos; however, the new Development Code would only allow for home office business in condos. He stated the City is concerned about the impact of increased noise, traffic and people coming and going. The Mayor requested that staff prepare a report for presentation at the City Council meeting on April 1 showing what other cities are doing in his area and what problems this type of business might cause. Mr. Warnke advised there is a licensed child care provider currently in the Willow Springs condos and that Mr. Astwood could apply for licensing under the current Development Code. The Mayor asked Mr. Astwood to get information on State licensing requirements to Mr. Warnke

Jeff Jones, Utah County Sheriff's Deputies Association, contact number 362-2960, requested permission to hold a fundraiser for Steve Seegmiller. He offered background information on the Seegmiller family and explained Mr. Seegmiller's current condition. He proposed that a "fun run" be held as a memorial to Mr. Seegmiller's father, who was a marathon runner. Officer Jones advised that all monies would go to Seegmiller family. He stated that in conjunction with the "fun run" there is an interest in holding a car show, which would include 30 to 50 cars. He requested approval from the Council to move forward in planning these events. Officer Jones indicated that the Sheriff's Office would provide vehicles for security. Linn Strouse offered to get him contact information for Jenny Richards, the coordinator for Pony Express Days races, so the events could be coordinated. The City Council gave their unanimous support.

8. **Citizen of the Month for March 2003:**

Linn Strouse introduced Jennifer Webb, the March Citizen of the Month, and thanked her for her faithful service as block captain for the City's Neighborhood Watch Program, as community involvement commissioner for the PTA, as secretary for her HOA, as education focus group leader, and as a room mother at Pony Express Elementary School.

Mayor Bailey presented the Citizen of the Month Resolution to Jennifer Webb.

9. **Presentation of Concept Plan of Master Development Plan and Master Plan Development Agreement for McKay Edwards & State of Utah Trust Lands:**

Rick McBrier, Assistant Director of School Trust Lands, opened a presentation regarding plans for Trust Lands property in Eagle Mountain City, specifically the extension of Sweetwater Road. He presented a handout to Council members regarding school trusts and introduced McKay Edwards, a consulting planner working on the SITLA properties in Eagle Mountain.

McKay Edwards explained his background in working with other municipalities. He made a visual presentation regarding SITLA and what they can provide to our community. The visual presentation showed plans for the Mid-Valley and Pony Express parcels, which include parks, school site, monument site, roadways and housing.

Mr. Edwards stated they would be proposing a fairly high-density entitlement for the Pony Express Parcel. He explained SITLA's ideas for long-range transportation planning in the Mid-Valley Parcel and indicated he had worked with Korey Walker and Shawn Warnke on this planning. Mr. Edwards stated that SITLA hoped to advance funding this year for phase one construction of Sweetwater Road to Pony Express Road this year, spanning funding from two fiscal year budgets.

Mr. Edwards discussed specifics of the proposed agreement. He stated that SITLA needs a strong commitment on the City's Master Plan as to where the major roads are going because their plans would be

based on these alignments. He also reiterated the request that the City accept the dedication of major parks and advanced funds for roads as a credit against impact fees.

Mr. Edwards referred to a timeline for the agreement asking for a draft agreement by mid April and a final approved agreement by mid to late May 2003. He asked for feedback from Council members and answered questions regarding densities, reimbursement requests and timing of dedications. The Council was generally very supportive of the plans for the Mid-Valley and Pony Express Parcels.

10. **Consideration and Approval of a Resolution Amending the Eagle Mountain City Consolidated Fee Schedule (for the Purpose of Including Charges for Illegal Water Jumper Fees):**

Mayor Bailey explained that the illegal water jumper fees had been erroneously deleted from the schedule and needed to be reinstated.

**MOTION:** *Brigham Morgan moved to approve Resolution No. R 05-2003, a Resolution of the Governing Body of Eagle Mountain City Amending the Eagle Mountain City Consolidated Fee Schedule as submitted. Greg Kehl seconded the motion. Ayes: 5 – Brigham Morgan, Greg Kehl, Diane Jacob, Mark Madsen, Linn Strouse; Nays: 0. Motion passed.*

11. **Consideration and Approval of a Resolution Amending the Eagle Mountain Telecommunications Fee Schedule:**

Diane Bradshaw, Telecommunications Administrator, explained the recommended changes to the Telecommunications Fee Schedule.

**MOTION:** *Brigham Morgan moved to approve Resolution No. R 06-2003, a Resolution of the Governing Body of Eagle Mountain City Amending the Eagle Mountain City Telecommunications Fee Schedule as submitted and in possession of Janet Valentine. Diane Jacob seconded the motion. Ayes: 5 – Brigham Morgan, Greg Kehl, Diane Jacob, Mark Madsen, Linn Strouse; Nays: 0. Motion passed.*

12. **Consideration and Approval of “Credit Card Agreement” with Wells Fargo Bank:**

Chris Hillman explained the benefit of this agreement. He advised that the Finance Department recommended choosing Zion’s Bank to provide this service because they would be located in the new Smiths, putting them physically closer to Eagle Mountain City.

**MOTION:** *Brigham Morgan moved to approve the recommendation of staff to approve a Credit Card Agreement with Zion’s Bank. Greg Kehl seconded the motion. Ayes: 5 – Brigham Morgan, Greg Kehl, Diane Jacob, Mark Madsen, Linn Strouse; Nays: 0. Motion passed.*

13. **Consideration and Approval of “Master Natural Gas Supply Agreement” between Intermountain Municipal Gas Agency and Eagle Mountain City:**

Mark Sovine explained this agreement to the Council. He did not recommend signing this agreement because it would put IMGAs in charge of purchasing gas for the City.

**MOTION:** *Greg Kehl moved to disapprove a Master Natural Gas Supply Agreement between Intermountain Municipal Gas Agency and Eagle Mountain City. Diane Jacob seconded the motion. Ayes: 5 – Brigham Morgan, Greg Kehl, Diane Jacob, Mark Madsen, Linn Strouse; Nays: 0. Motion passed.*

Linn Strouse was excused from the meeting at 8:45 PM.

14. **Consideration and Approval of "Temporary Water Use Agreement" with Eagle Mountain Links, LLC:**

Gerald Kinghorn explained that this agreement is for interim use of water for the golf course and would apply only to water that is surplus to the City's needs, putting a cap on the price. The Mayor advised that this is not a long-term agreement.

**MOTION:** *Mark Madsen moved to approve a Temporary Water Use Agreement with Eagle Mountain Links, LLC. Greg Kehl seconded the motion. Ayes: 4 – Brigham Morgan, Greg Kehl, Diane Jacob, Mark Madsen; Nays: 0. Motion passed.*

15. **Consideration and Approval of a Resolution Authorizing Construction of Municipal Well and Temporary Occupancy for Well Construction and Related Purposes:**

This item was tabled.

16. **Consideration and Approval of USGS Northern Utah Ground Water Study Agreement:**

Korey Walker explained this agreement and recommended approval because north area will be added into a four-year study.

**MOTION:** *Greg Kehl moved to approve and authorize the Mayor to sign an Interlocal Cooperative Agreement for North Utah County Groundwater Study, as submitted, to include payment of \$1,813 for the first year. Mark Madsen seconded the motion. Ayes: 4 – Brigham Morgan, Greg Kehl, Diane Jacob, Mark Madsen; Nays: 0. Motion passed.*

17. **Consideration and Approval of Amendment to Original Prototype "GIS Development Agreement (2001)":**

**MOTION:** *Brigham Morgan moved to approve an Amendment to Original Prototype GIS Development Agreement (2001). Greg Kehl seconded the motion. Ayes: 4 – Brigham Morgan, Greg Kehl, Diane Jacob, Mark Madsen; Nays: 0. Motion passed.*

18. **Motion to Approve Consent Agenda Items as follows:**

- A. Check Register
- B. Partial Payment
  - I. Pony Express Parkway Extension (PP No. 6), H.E. Davis
  - II. Porter's Crossing (PP No. 6), H.E. Davis

**MOTION:** *Brigham Morgan moved to approve the Consent Agenda. Mark Madsen seconded the motion. Ayes: 4 – Brigham Morgan, Greg Kehl, Diane Jacob, Mark Madsen; Nays: 0. Motion passed.*

19. **Other Business:**

- A. Consideration and Approval of a Contract between XI Information Technology and Eagle Mountain City for Network Services

Chris Hillman explained this contract to the Council and reviewed the changes that were recommended at the last City Council meeting.

Diane Bradshaw explained the services that would be provided to Telecom through this contract.

Dave Loper and Dave Diaz, representatives of XI Information Technology, answered questions from the Council.

**MOTION:** *Brigham Morgan moved to approve a contract between XI Information Technology and Eagle Mountain City for Network Services. seconded the motion. Ayes: 4 – Brigham Morgan, Greg Kehl, Diane Jacob, Mark Madsen; Nays: 0. Motion passed.*

20. **Motion to Recess in to a Closed Executive Session for the Purpose of Discussing Personnel Issues, Potential Litigation and/or Public Safety/Security:**

No Closed Executive Session was called.

21. **Motion to close the Closed Executive Session and Reconvene in to Open Session:**

Not applicable.

22. **Any Actions from the Closed Executive Session:**

None.

23. **Adjournment:**

Mark Madsen moved to adjourn the meeting at 9:04 PM.

APPROVAL: \_\_\_\_\_

*Greg D. Kehl*  
Greg D. Kehl, Mayor Pro tem

DATE: \_\_\_\_\_

*4-1-03*

This certifies that the minutes of  
18-MAR 2003 are a true, full and  
correct copy as approved by the  
City Council on 1-APR 2003

Signed: \_\_\_\_\_

*Janet B. Valentine, cwr*  
City Recorder