

**MINUTES OF TOWN COUNCIL MEETING
TOWN OF EAGLE MOUNTAIN, UTAH
130 West Main Ste H
Lehi, UT 84043
March 24, 1998**

1. Roll Call:

The Town Council Meeting of March 24, 1998, was called to order by Mayor Hooge at 7:05 p.m.

Councilmembers present: Mayor Debbie Hooge
Diane Bradshaw
Rob Bateman
Dan Valentine
Cyril Watt

Town Staff:

Town Attorney: Jerry Kinghorn
Town Engineer: Korey Walker
Town Planner: Dave Conine
Deputy Recorder: Sue Fraley

Also present: Nick Berg, Eagle Mountain Properties; Dave G.; Larry Steinbach, Steinbach & Lythgoe; Mike Wren, MCM Engineering; James Dahl, MCM Engineering; Carl Allred, Planning Commission; John and Diane Jacob, Town

2. Pledge of Allegiance:

Dave Conine led the Town in the Pledge of Allegiance.

3. Approval of Agenda:

MOTION *Rob Bateman moved to approve the agenda. Cyril Watt seconded.
Ayes: 5, Nays: 0. Motion passed.*

4. Approval of Minutes 01/13/98:

MOTION *Rob Bateman moved to approve the minutes of January 13, 1998.
Diane Bradshaw seconded. Ayes: 5, Nays: 0. Motion passed.*

5. General Discussion/Questions/Announcements:

Mayor Hooge introduced Joanne Murphy from the County Sheriff's Department. The Mayor stated there had been some thefts in the area.

Joanne Murphy spoke about training that is available for the developers and construction people to help deter crime. She talked about Neighborhood Watch, Victim Assistance, and Crime Prevention.

6. Department Reports:

A. Public Safety/Development Code/Airport Advisory Board/Rob Batemen:

Rob talked about issues with the airport. He talked about the distance for homes being built around the airport. He said they were looking at having agriculture for ½ mile off the end of the runway and then another ½ mile as open space. He said they had discussed low density commercial in the area.

B. Park and Rescreation/Diane Bradshaw & Larry Steinbach:

Larry Steinbach, Steinbach & Lythgoe, explained that they were just beginning to develop a layout for a parks plan for the Town. He said he was waiting for some maps from Korey Walker, Town Engineer.

There was some discussion about financing for the parks. It was discussed that perhaps this could come from Impact Fees. Mayor Hooge said they needed to stub in facilities to neighborhood parks. She said this could be required from developers. Korey Walker, Town Engineer, said they also needed to add parking where applicable. Mayor Hooge asked about lighting on the trail system and in neighborhood parks.

Diane Bradshaw talked about a meeting she attended last week with Nick Berg, Eagle Mountain Properties, at the Alpine School District.

Diane said she had had several phone calls about school busing at Eagle Mountain. She said Alpine School District had not set a schedule yet. She said it would be done this summer.

Diane talked about Pony Express Days in June. A newsletter will be coming out in June with further information. She said they are talking about preserving the land.

Diane said she had left a letter with the Council talking about reimbursement fees for babysitting costs for Councilmembers. Rob Bateman talked about having a small monthly fee to cover these kinds of expenses.

C. Public Works/Utility Board Report/Dan Valentine:

Mayor Hooge had questions about the Valley Asphalt contract. The Mayor said she felt like it should be Jerry Kinghorn, Town Attorney, and herself that work with Valley Asphalt and not Gary Tassainer from Tasco Engineering.

Dan Valentine said he would discuss the matter with Gary Tassainer.

Dan Valentine said that Mountain Fuel had approached Cedar Fort and White Hills about providing them with natural gas.

D. Planning Commission/Cyril Watt:

Cyril said he did not attend the meeting concerning the Alldredge Academy.

Nick Berg, Eagle Mountain Properties, said that there would be six Class II's coming in the following weeks for some development at the airport.

E. Administration/Mayor Hooge:

Mayor Hooge stated that they have issued to date 80 building permits. There were 57 in 1997, 23 in 1998 to date, and there were 25 in the works. The Mayor said she asked Kent Partridge, Building

Inspector, if he could handle the increased permits. He said he was planning to hire another person under his contract.

There was some discussion about hiring Bob Wren full time to handle the utilities.

7. Eagle Mountain Properties Update:

Nick Berg, Eagle Mountain Properties, first discussed the situation with Alpine School District and building a school at Eagle Mountain. The school district said they could not build a school until there were bodies out at Eagle Mountain. Nick said that Eagle Mountain Properties had decided to build a school. He said they had talked to the Alpine School District about using their architect so that there would be compatibility.

Nick discussed their budget.

Nick talked about the first phase of the airport, the Town Center and the developing of homes. He said they are working with the airport on a lease.

Jerry Kinghorn, Town Attorney, asked where the site was for the school. Nick said it was at the Patterson site.

Nick indicated that two legitimate contractors had approached Eagle Mountain Properties about building two mobile home parks.

Nick said he had with Touchstone and Patterson about building designs and they were working that out. He said the two developers had indicated they would be doing a foundation a week. Nick voiced his concern about that big of a load being put on the Building Inspector. He said they were beyond their projections for the RBANS performance.

8. Public Comment:

John Jacob announced that he was the new Chair and his wife Diane was the Vice Chair for Precinct 14 of the Republican Party.

There was a discussion on a gas tank.

Dan Valentine asked Nick Berg about street lighting. Nick said they had low wattage.

9. Consent Hearing:

A. Adoption of Eagle Mountain Development Code:

Mayor Hooge asked if she could take this home and read it.

Rob Bateman talked about Chapter 17. He asked that there be a notice for the next meeting to discuss this chapter.

Rob Bateman talked about some changes to be reviewed to clarify the language. He said there are still three specific issues that the Council needs to deal with and would like to discuss those at some point in time.

Jerry talked about three areas:

- Clarification in the Development Agreement procedure.
- Editing changes/no substantive changes.
- Straightened out sequences.

The Council reviewed the corrections.

There was a discussion on the road base, hydrants, and temporary access road for construction.

Korey Walker, Town Engineer, said they need to meet the standards and be able to protect the Town.

Rob Bateman talked about the expiration of Class II permits.

There was discussion about bond amounts being reduced to 110%. Mayor Hooge said that the Walden agreement was 105%. Jerry Kinghorn, Town Attorney, said he would double check on the correct percentage.

There was some discussion on creating an improvement district.

There was some discussion about landscape and park improvement plans. Mayor Hooge showed some pictures she had taken of a small park in St. George.

There was a short discussion about landscape buffer plan. Nick Berg asked about the berm being along Eagle Mountain Boulevard.

There was a discussion about the height of fences.

It was decided to add the park improvement plan.

Dave Conine, Town Planner, discussed some of the language concerning cul-de-sacs.

There was a discussion about SR-73 to arterial streets in Town.

Mayor Hooge asked if they needed a Traffic Engineer involved in the planning. Korey Walker, Town Engineer, said that a Civil Engineer could be involved.

Rob Bateman led a discussion about density. He said that under the current provisions, using a density of 8 units per acre in Village Core, a base of 3 in TCR and a base of 1 in CR with bonuses of 200% in TCR and 100% in CR respectively, the base without doing any of these improvements that we are looking for, they are going to achieve a density of 2.3 units per acre. He said there is really not much of an incentive there to go after any of these.

There was a discussion about Village Core bonuses and credits.

There was a lengthy discussion about density and open space.

Dave Conine, Town Planner, said the Town needs a mixed use. The Town needs to avoid a sprawl with high density. Save density by having open space.

MOTION

Rob Bateman moved to table the decision on the Development Code until after items B, D, and D. Diane Bradshaw seconded. Ayes: 5, Nays: 0. Motion passed.

B. Final Plat Revision to Cedar Meadows Subdivision:

Korey Walker, Town Engineer, said that he and MCM had split up the review. He said he received the revision on Friday.

James Dahl, MCM Engineering, said they had gone through and corrected 80 items from the last review.

Carl Allred said they really weren't after the final approval of all of these items. They just wanted an approval to change the plats and the phases and move one road.

Carl Allred asked about moving a road in Cedar Meadows to avoid cutting the road into the hill. The split on phase one involves Cedar Meadows and Harvest Haven.

MOTION

Dan Valentine moved to approve the phasing amendment with the stipulation that they are still subject to all the other requirements under the last Final Approval. Diane Bradshaw seconded. Ayes 5, Nays: 0. Motion passed.

C. Final Plats for Eagle Pointe B & C/James Dahl:

Mayor Hooge recused from Item C. Cyril Watt was appointed Mayor Pro-Tem.

James Dahl, MCM Engineering, said this item had been tabled two weeks ago so that additional information could be acquired. He gave an explanation of the plat.

Jerry Kinghorn, Town Attorney, asked for a clarification of the water right transfer. He had questions on the title of one of the transfers. Jerry stated that he had spoken with Mr. Walden today and he had verbally said it had cleared Cedar Valley Water Company's fees and existing water agreement. Jerry said he had talked with John Jacob and he said it had not. James explained there were 115 plats in Phase B and 137 plats in Phase C. The lots were 7000-8000 square feet in size.

Jerry Kinghorn asked about road dedication for road access to plat B.

James explained that Mr. Patterson owns the property.

Jerry asked about the sewer easement.

There was a discussion about a holding strip.

Mayor Hooge asked about the utility line oversize to get the holding strip.

James Dahl said the roads stubbed out to the south. He said they have 8" water lines stubbed to Patterson property line. He said there was a 16" water line out in Eagle Mountain Boulevard and a 12" water line on Sweet Water.

Mike Wren explained about the stubbing to the property line.

Nick Berg talked about the property line.

Mayor Hooge said the Town bonded for off-site improvements for Patterson in 1997 RBANS.

Mike Wren stated that Walden wanted a barrier around the sod farm.

James Dahl said there were some questions on the property line between Ault and Patterson.

Mayor Hooge asked if utilities had been stubbed to the park and James said they would be.

Korey Walker asked what the sewer line depth was and James responded it was 8 feet.

MOTION

Rob Bateman moved to approve the Final Plat Revision for Plats B and C for the Eagle Pointe Subdivision subject to the following conditions:

- 1. Clarification of water rights.*
- 2. Lanscape plan still needs to be approved.*

Cyril Watt seconded.

Dan Valentine amended the motion to include in the conditions that the Planning Commission requirements be included from the March 4th meeting. Rob Bateman accepted the amendment. Ayes: 4, Nays: 0. Mayor Debbie Hooge abstained. Motion passed.

D. Bond Release for Cedar Pass Ranch:

Mayor Hooge stated they had received a letter from Wilding for the bond release. Mayor Hooge was still recused.

MOTION

Diane Bradshaw moved to approve the Bond Release for Cedar Pass Ranch as recommended by Wilding's Engineer in a letter dated March 23, 1998. Dan Valentine seconded. Ayes: 4, Nays: 0. Mayor Debbie Hooge abstained. Motion passed.

Mayor Hooge returned as Mayor and the discussion turned back to Item A – Development Code.

There was some more discussion about Village Core densities and bonuses. They talked about clustering and open space.

Dave Conine talked about a book called "Home From No Where" by James Gunsler.

Mayor Hooge said she would like a joint meeting with the Planning Commission to review the concept before adopting the Development Code.

Jerry Kinghorn talked about editing definitions.

There was a discussion between Nick Berg and Korey Walker about storm drainage systems and being okayed at Pre Class II permit rather than at final. Korey said it would be best to have taken care of at concept and have a majority of the engineering done at preliminary.

Dave Conine said he still wanted to restore the language about alleys. He said the interim code required alleys when densities got to four or more units per acre. He said he had written some language to tie lot size in traditional subdivisions, get garages off the street, and still be pedestrian oriented.

There was a discussion about alleys and garage doors.

Rob Bateman stated there were three options on this issue:

1. Require alleys with lots smaller than a certain size in order to keep the garages from being front loaded.
2. Tell Planning Commission to look at alleys and come up with some guidelines as far as what would be allowed back along the alleys.
3. No alleys.

There was more discussion about mandating the building. Mayor Hooge said it can be done and you can force the developers to stay in the guidelines.

Dave Conine talked about side load and set back or alley.

Rob Bateman asked how many of the Councilmembers would like to discuss this further with the Planning Commission. Rob asked that something be put in the design guidelines something that says alleys are encouraged in order to avoid front loading garages.

MOTION *Rob Bateman moved to table the Adoption of Eagle Mountain Development Code until March 30, 1998, at 5:00 p.m., at which time all changes will have been made regarding issues discussed tonight. Cyril Watt seconded. Ayes: 5, Nays: 0. Motion passed.*

Diane Bradshaw left.

E. Appointment to Planning Commission/Mayor Hooge:

MOTION *Rob Bateman moved to table Item E until the next regularly scheduled Town Council Meeting. Cyril seconded. Ayes: 4, Nays: 0. Motion passed.*

F. TASCOWW Clyde Agreements for Improvements in Town Center:

MOTION *Rob Bateman moved to table Item F until the next regularly scheduled Town Council Meeting. Cyril Watt seconded. Ayes: 4, Nays: 0. Motion passed.*

G. Master Improvement Reimbursement Agreement/Jerry Kinghorn:

H. Ground Lease Agreement for Airport and Irrigation/Jerry Kinghorn:

Jerry Kinghorn handed out copies of the agreement from The Ranches. He said there were other copies in their packets. He gave a brief explanation of these agreements.

Mayor Hooge had concerns over no control over bids and overpaying.

No action.

I. Capital Facilities Plan:

No action.

J. Warrant Register:

There was a discussion about Tasco Engineering and the 1998 RBANS. Mayor Hooge had questions about the fees being charged.

MOTION *Rob Bateman moved to approve the Warrant Register. Dan Valentine seconded. Ayes: 4, Nays: 0. Motion passed.*

Mayor Hooge asked that the budget be re-opened on April 14th. She asked for another budget report from Janet Valentine for April 14th.

MOTION *Rob Bateman moved to schedule a hearing to re-open the budget on April 14th. Cyril Watt seconded. Ayes: 4, Nays: 0. Motion passed.*

K. Discussion of Budget:

Mayor Hooge passed out handouts.

Nick Berg had questions about some invoicing from Tasco Engineering for Cedar Pass and Eagle Mountain. He said he didn't recall a formal recommendation to go ahead with this work. Nick felt like they were jumping the gun.

Mayor Hooge asked Korey Walker, Town Engineer, to speak with Gary Tassainer at Tasco.

10. Closed Session for the purpose of discussing Personnel:

MOTION *Rob Bateman moved to close to an Executive Session. Cyril Watt seconded. Ayes: 4, Nays: 0. Motion passed.*

Those in attendance: Mayor Hooge, Rob Bateman, Cyril Watt, Dan Valentine, Jerry Kinghorn, Sue Fraley. Time of adjournment was 11:23 p.m.

11. Action for Closed Session/Appointment of Town Treasurer and Appointment of Utility Engineer:

MOTION *Rob Bateman moved to appoint Ron Foggin as the Assistant Town Treasurer with Wayne Bradshaw continuing as interim Town Treasurer on a part time basis initially with specific responsibility for helping with the budget. Cyril Watt seconded. Ayes: 4, Nays: 0. Motion passed.*

MOTION *Mayor Hooge moved to negotiate a contract with Horrocks Engineering for primary services of specific personnel be recommended by the Town Engineer and subject to supervision by the Town of Eagle Mountain's Town Engineer. Cyril Watt seconded. Ayes: 4, Nays: 0. Motion passed.*

MOTION *Cyril Watt moved to adjourn. Rob Bateman seconded. Ayes: 4, Nays: 0. Motion passed.*

Meeting adjourned at 1:25 a.m.

Approval: *Robert E. Bateman* Date: *7 Jan '99*
Mayor Robert E. Bateman