

MINUTES
EAGLE MOUNTAIN CITY COUNCIL MEETING

April 2, 2013

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

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

*** This meeting may be held telephonically to allow a member of the City Council to participate ***

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

ELECTED OFFICIALS PRESENT: Donna Burnham, Ryan Ireland, Nathan Ochsenhirt and Richard Steinkopf. John Painter was excused.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Jason Walker, Asst. City Administrator; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Deputy Recorder; Paul Jerome, Finance Director; Rand Andrus, Fire Chief; Steve Mumford, Planning Director; Kent Partridge, Building Official; Linda Peterson, Public Information Director; Adam Ferre, Energy Director; Scott Wride, Sheriff's Deputy.

Mayor Jackson called the meeting to order at 4:07 p.m.

1. PRESENTATION – Incubator Program, Shawn Wilson, UVU Business Resource Manager.
2. AGENDA REVIEW – The City Council will review items on the Consent Agenda and Policy Session Agenda.

11 & 12. Porter's Crossing Town Center

Trevor Hull, the project manager for SK Hart, discussed Porter's Crossing Town Center. SK Hart is the owner of the project. He thanked Mr. Pili for his assistance with lengthy meetings with Amsource, a previous partner in the project. He said that Ridley's is pushing an aggressive construction schedule to open the grocery store by November. He referred to the residents adjacent to the project, who are requesting a wall between Porter's Crossing and Plum Creek Townhomes. He said he was willing to pay half of the cost of a fence if the residents were willing to pay the other half. He felt that landscaping and berming would be a better solution. He told them that he would contact them in about three weeks to discuss it further.

Councilmember Ochsenhirt asked if there were any commitments from other merchants to locate in the project. Mr. Hull said he was waiting until Ridley's breaks ground before pursuing that. There has been some interest, but nothing definite yet.

13. Hindley Annexation

If the Council accepts the Hindley Annexation petition, the annexation review process will begin. If the Council fails to act on the petition, it will automatically be accepted.

14 & 15. Easement Fee And Access Agreement

City Attorney Jeremy Cook explained that the City has never set a fee for reviewing an easement request. The proposed \$750 fee is intended to cover the City's costs for staff and attorney review. The easement proposed at this meeting is for access to the cell tower site near Unity Pass. It includes a five-year term and the option to renew for another five years.

3. CITY ADMINISTRATOR INFORMATION ITEMS – This is an opportunity for the City Administrator to provide information to the City Council. These items are for information and do not require action by the City Council.

- A. Gas and electric utility rates.

The rate changes proposed in the gas and electric rate studies are ready to be implemented. There will be a net decrease in costs to the residents. The decrease in gas rates will be implemented at the next Council meeting. The increased electrical rate will be postponed until next fall, when the heavy summer electricity usage is over. The water and sewer rate study will be presented at the first meeting in May.

- B. New phone plan.

Assistant City Administrator Jason Walker stated that the City's cell phone service has changed from Verizon to T-Mobile, which will provide an \$800 to \$1000 reduction in monthly costs.

4. ADJOURN TO A CLOSED EXECUTIVE SESSION – The City Council will 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 52-4-205(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 52-4-205(1) of the Utah Code, Annotated. Councilmember Ochsenhirt seconded the motion. Those voting aye: Donna Burnham, Ryan Ireland, Nathan Ochsenhirt and Richard Steinkopf. The motion passed with a unanimous vote.*

The meeting was adjourned at 5:06 p.m.

POLICY SESSION – CITY COUNCIL CHAMBERS

5. CALL TO ORDER

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

6. PLEDGE OF ALLEGIANCE

Rand Andrus led the Pledge of Allegiance.

7. INFORMATION ITEMS/UPCOMING EVENTS

- **Spring Clean-Up Dumpsters** – Starting today through April 23 dumpsters will be available at the Public Works Building, 2545 N. Pony Express, for residents to use for yard and general waste. The dumpsters are located in front of the wastewater treatment facility. The dumpsters will be emptied as soon as possible once they are full. Please do not leave any items outside of the dumpsters. No hazardous materials, tires, or appliances can be put in the dumpsters. We will post on the website when the dumpsters are full and again when they are emptied to aid in your planning.

- **Blood Battle** – Eagle Mountain City is participating again in the Blood Battle blood drive competition among neighboring cities sponsored by Horrocks Engineers on Tuesday, April 9 from 10 a.m. to 3 p.m. in the City Council Chambers. Everyone in the community who is able is invited to donate blood and support the Utah Red Cross. Free t-shirt and refreshments for participants. More information and registration on the City website.
- **Miss EM Pageant** – A new Miss Eagle Mountain will be crowned at the annual pageant, Saturday, April 13. It will be held at Westlake High School, starting at 7 p.m. Tickets are \$5 at the door or you may purchase them on the City website and support a contestant for \$6.
- **Spring Street Fair** – The Eagle Mountain Spring Street Fair will be held April 20 from 12-4 p.m., along Peregrine Road behind the Chevron station. The fair is open to all registered businesses in Eagle Mountain. Register on the City website.
- **Pony Express Days** – Pony Express Days will be held May 20-June 1 this year. Some registrations and ticket sales are already available. Please visit the Pony Express Days section of the City website for information.

8. **PUBLIC COMMENTS** – Time has been set aside for the public to express their ideas, concerns and comments.

Teresa Weston, 1832 Cedar Street, asked if a decision has been made on having a cemetery in Eagle Mountain. She was also concerned about how long it takes for her utility payment checks to clear. She said ten days is too long. City Administrator Ifo Pili responded that the City has been trying to establish a cemetery for several years. He plans to have a proposal soon for inclusion in the next City budget. Finance Director Paul Jerome said that the Finance and Utility Departments have been overwhelmed with customer issues and haven't made daily trips to the bank. He expects to be able to take care of that soon.

9. **CITY COUNCIL/MAYOR'S ITEMS** – Time has been set aside for the City Council and Mayor to make comments.

Councilmember Ochsenhirt

No comment.

Councilmember Ireland

No comment.

Councilmember Burnham

No comment.

Councilmember Steinkopf

Councilmember Steinkopf welcomed everyone to the meeting.

Mayor Jackson

No comment.

CONSENT AGENDA

10. MINUTES

A. March 19, 2013 – Regular City Council Meeting

11. FINAL PLAT

A. Porter's Crossing Town Center – Ridley's Market/Ace Hardware

12. SITE PLAN

A. Porter's Crossing Town Center – Ridley's Market/Ace Hardware

MOTION: *Councilmember Ochsenhirt moved to approve the Consent Agenda. Councilmember Burnham seconded the motion. Those voting aye: Donna Burnham, Ryan Ireland, Nathan Ochsenhirt and Richard Steinkopf. The motion passed with a unanimous vote.*

Trevor Hull from SK Hart said for the record that he will address the neighbors' desire for a fence between the project and Plum Creek.

SCHEDULED ITEMS

13. MOTION – Consideration and Acceptance of the Hindley Parcel Annexation Petition for Further Review.

This item was presented by City Recorder Fionnuala Kofoed. A petition for annexation was received by the Recorder's Office on March 12, 2013 to annex approximately 223 acres. The property is located on the west side of the North Ranch subdivision, and north of the recent Clearview Estates Annexation. The first action for the City Council is the acceptance of the petition for further consideration. This will begin the 30-day review period for verification of the petition and related information for certification of the petition, after which the annexation will be noticed to interested parties for comments and protests. The petition may be approved at a future City Council meeting upon completion of the required steps.

MOTION: *Councilmember Steinkopf moved to accept the Hindley Parcel annexation petition for further review. Councilmember Ochsenhirt seconded the motion. Those voting aye: Donna Burnham, Ryan Ireland, Nathan Ochsenhirt and Richard Steinkopf. The motion passed with a unanimous vote.*

14. RESOLUTION – Consideration and Adoption of a Resolution of Eagle Mountain City, Utah, Amending the Eagle Mountain City Consolidated Fee Schedule.

This item was presented by City Attorney Jeremy Cook. The proposed resolution amends the Consolidated Fee Schedule, adding an easement review fee.

MOTION: *Councilmember Ochsenhirt moved to adopt a Resolution of Eagle Mountain City, Utah, amending the Eagle Mountain City Consolidated Fee Schedule. Councilmember Steinkopf seconded the motion. Those voting aye: Donna Burnham, Ryan Ireland, Nathan Ochsenhirt and Richard Steinkopf. The motion passed with a unanimous vote.*

15. RESOLUTION – Consideration and Adoption of a Resolution of Eagle Mountain City, Utah, Approving an Access Easement Agreement.

This item was presented by City Attorney Jeremy Cook. Global Signal Acquisitions IV, LLC has requested an easement over City property to access a communications facility adjacent to the Ruby Valley subdivision. The City property is located on northeast of the Lone Tree subdivision, on the north side of Pony Express Parkway. The term of the easement is for five (5) years and may be extended for additional periods of five (5) years with written consent from the City.

MOTION: *Councilmember Ochsenhirt moved to adopt a Resolution of Eagle Mountain City, Utah, approving an access easement agreement. Councilmember Steinkopf seconded the motion. Those voting aye: Donna Burnham, Ryan Ireland, Nathan Ochsenhirt and Richard Steinkopf. The motion passed with a unanimous vote.*

16. RESOLUTION – Consideration and Adoption of a Resolution of Eagle Mountain City, Utah, Approving the Monthly Use of City Hall by the Eagle Mountain/Saratoga Springs Post of the Veterans of Foreign Wars of the United States.

This item was removed from the agenda.

17. CITY COUNCIL/MAYOR’S BUSINESS – This time is set aside for the City Council’s and Mayor’s comments on City business.

Councilmember Ochsenhirt

Councilmember Ochsenhirt thanked the Planning Commission for their professionalism in handling a very difficult issue at their last meeting. He appreciated the respectful tone of the comments made by the residents who made public comments at that meeting.

Councilmember Ireland

No comment.

Councilmember Burnham

No comment.

Councilmember Steinkopf

No comment.

Mayor Jackson

No comment.

18. CITY COUNCIL BOARD LIAISON REPORTS – This time is set aside for Councilmembers to report on the boards they are assigned to as liaisons to the City Council.

Councilmember Ochsenhirt was unable to attend the last Economic Development Board meeting. The board has begun the process of electing new officers and will vote at the next meeting in about two weeks.

Councilmember Ireland thanked City Recorder Finn Kofoed for helping him connect with yesterday’s Senior Council meeting by phone, as well as all her other assistance.

Councilmember Burnham said the Planning Commission dealt with a very difficult situation in a very professional manner, at its last meeting.

Councilmember Steinkopf said the Parks and Recreation Advisory Board will meet next week.

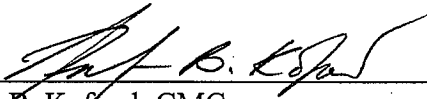
19. COMMUNICATION ITEMS

- A. Upcoming Agenda Items
- B. Financial Report

20. ADJOURNMENT

MOTION: *Councilmember Ochsenhirt moved to adjourn the meeting at 7:17 p.m. Councilmember Steinkopf seconded the motion. Those voting aye: Donna Burnham, Ryan Ireland, Nathan Ochsenhirt and Richard Steinkopf. The motion passed with a unanimous vote.*

APPROVED BY THE CITY COUNCIL ON APRIL 16, 2013.



Fionnuala B. Kofod, CMC
City Recorder