

**MINUTES OF THE
EAGLE MOUNTAIN CITY COUNCIL MEETING**

April 5, 2005

Work Session at 5:00 p.m. - Policy Session at 7:00 p.m.

Eagle Mountain City Council Chambers, 1680 East Heritage Drive, Eagle Mtn, Utah 84043

5:00 P.M. WORK SESSION – CITY COUNCIL CHAMBERS

AGENDA REVIEW

DISCUSSION/REVIEW ITEMS

CHECK REGISTER – March 2005

**Discussion concerning a custodial maintenance agreement for Eagle Mountain City facilities
– Shawn Warnke**

CITY COUNCIL - NEW BUSINESS

ADJOURNMENT

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

Mayor Kelvin Bailey called the meeting to order at 7:13 p.m.

The pledge of allegiance was led by Adam Lenhard.

ELECTED OFFICIALS PRESENT: Mayor Kelvin E. Bailey; Council Members David Blackburn, Vincent Liddiard, and Janiece Sloan.

CITY STAFF PRESENT: Chris Hillman, City Administrator; Gerald Kinghorn, City Attorney; Chris Trusty, City Engineer; Gina Peterson, City Recorder; Angela Cox, Deputy Recorder; Gordon Burt, Finance Director; Shawn Warnke, Planning Director; Adam Lenhard, City Planner; Mark Sovine, Public Works Director; Robert DeKorver, Fire Chief; Sergeant Jo Murphy, Utah County Sheriff's Department.

OTHERS PRESENT: Susan and Michelle Vanderhoef, Miss Eagle Mountain; Cameron Brown, resident; Jeanette Hales, resident; Eileen Thompson, resident; Chris Thompson, resident; Julie Wallace, resident; Cary Brackett, The Ranches Home Owners Association; Brian Haskell, The Sage Group; Charlotte Ducos, North Ranch; Cindy Morris, North Ranch; Mark Ackerman, North Ranch; Bob Foote, resident; Joel Vanlekin, resident; Nate Shipp, SilverLake/Development Associates; Gary McDougal.

PUBLIC COMMENTS

Bob Foot stated that he is a resident in Meadow Ranch subdivision and is here to address the proposed road closure. He stated that for the past 4 and half years the residents have been really involved in the area in between North and Meadow Ranch. He stated that the proposal to close a section of 14400 west is what the residents originally requested. He is in favor of the road closure for the safety of the children in Meadow Ranch.

Mark Ackerman of Meadow Ranch read a letter which is attached to the minutes.

Charlotte Ducos asked why the approvals of Valley View have been tabled. Mayor Bailey responded that the Valley View items were tabled because the developer did not receive approval from Camp Williams on the layout.

Mayor Kelvin Bailey read a public comment submitted by Tiffany Ulmer who could not be present tonight. The comment was as follows:

“Dear Mayor & City Council,

During the past few weeks, the residents have been pleased to see actual trees and landscaping coming to the medians in the city center. It looks great! While the landscaping was being put in, some concerns came up over the safety of evergreens near the crosswalk areas. This concern was brought to you and the city workers attention and you quickly remedied the situation with a nice game of musical trees. I spoke with a few of the crossing guards today, and they say they are really happy that now the crossing area is more visible to passing traffic. I'd like to thank the city workers and those involved who quickly and politely helped find a solution to this problem.

Thank You
Tiffany Ulmer”

MAYOR'S REPORT / CITY COUNCIL ITEMS

UPCOMING EVENTS

Mayor Kelvin Bailey stated that April 16, 2005 at 2:00 p.m. will be the ceremony for Unity Pass. This will consist of many events including a presentation by Mr. Roque's fourth grade class.

PROCLAMATION – Skin Cancer Awareness Month

Mayor Bailey proclaimed May Skin Cancer Awareness Month.

PROCLAMATION – Earthquake Preparedness Month

Mayor Bailey proclaimed April Earthquake Preparedness Month.

INTRODUCTION / PRESENTATION OF PLATFORM – Miss Eagle Mountain 2005 – Michelle Vanderhoef

Miss Eagle Mountain Michelle Vanderhoef introduced herself. She explained her platform which is the importance of physical fitness in children. She then thanked the City Council for their support and the scholarship opportunities that have been presented to her.

Councilman David Blackburn stated that Pony Express Elementary is currently selling chocolate bars and cookie dough to earn money for playground equipment and encouraged everyone to support their efforts.

Susan Vanderhoef explained that there is also an effort to create an after school children's games program at the Eagle Valley Elementary.

SCHEDULED ITEMS

PUBLIC HEARING

ORDINANCE – Consideration to approve amendments to the Eagle Mountain City Development Code, Zoning Ordinance, Subdivision Ordinance, and General Plan Text and Map.

Planning Director Shawn Warnke stated that this ordinance is for various amendments to the General Plan and Development Code. He explained that these standards will clarify what has previously been approved. He continued in explaining the various amendments.

Discussion ensued on setbacks for Tier I. The City Council believed that setbacks on a half acre to three quarter of an acre should be 35' for when the lot frontage is improved with curb and gutter.

David Blackburn requested that the zoning map on the Cities web site be updated regularly or as amended.

City Attorney Jerry Kinghorn explained the forms of improvement guarantees accepted by the City. He continued in clarifying the concerns of accepting a letter of credit as an improvement guarantee.

Mayor Kelvin Bailey opened the public hearing at 7:56 p.m.

Nate Shipp of Development Associates asked for clarification on the change not allowing letter of credits and reiterated the financial burden this may put on developers.

Mayor Bailey closed the public hearing at 7:58 p.m.

MOTION: *Vincent Liddiard moved to approve ordinance 10-2005 amending the Eagle Mountain City Development Code, Zoning Ordinance, Subdivision Ordinance, and General Plan Text and Map subject to the following conditions:*

- 1. That the Tier I setbacks for half acre to three quarter of an acre lots are 35' for when the lot frontage is improved with curb and gutter.*
- 2. That the EMP's Pony Express Park is added to the Regional Parks and Trails Plan.*

3. *That Talon Cove Annexation/Master Development Plan is shown on all maps.*

4. *That improvement bonds be allowed as one of the subdivision securities. David Blackburn seconded the motion. Ayes: 3, David Blackburn, Vincent Liddiard, Janiece Sloan; Nays: 0. Motion passed.*

ORDINANCE – Consideration and approval of the Amended Sage Valley Master Development Agreement.

This item was tabled.

RESOLUTION – Consideration to approve a request to permanently close a section of 14400 West (2200 East) (Previously Continued Item).

Mayor Kelvin Bailey stated that a public hearing was held on this item on March 15, 2005. This request is to permanently close a portion of a street approximately 180 linear feet immediately south of Bobcat Way along 14400 West and adjacent to lot 211 of Meadow Ranch Phase II.

Mayor Bailey continued in explaining that the road closure will allow for realignment of the street for better traffic flows and will reduce traffic impact from the Valley View subdivision onto the existing Meadow Ranch subdivision. The City will retain ownership of the closed section of 14400 West due to the utilities located in this street.

He questioned how many of the residents would be in favor of the proposed alignment and how many was against the current proposal. Finding that only one person objected the proposal Mayor Bailey stated that he would entertain a motion.

Mayor Bailey explained that Camp Williams is not necessarily against the current proposal. He stated that they met with the developer in November and addressed the concerns to accommodate their vehicles. The developers engineer did not follow through with Camp Williams. Mayor Bailey stated that the plat could not be approved until Camp Williams gives approval.

MOTION: *Janiece Sloan moved to approve Resolution R 05-2005 to permanently close a section of 14400 West. Vincent Liddiard seconded the motion. Ayes: 3, David Blackburn, Vincent Liddiard, Janiece Sloan; Nays: 0. Motion passed.*

FINAL PLAT – Consideration to approve the Valley View – Final Plat A.

This item was tabled.

FINAL PLAT – Consideration to approve the Valley View – Final Plat B.

This item was tabled.

MOTION – Reconsideration of the conditions to the amendment to the SilverLake Subdivision setbacks approved March 1, 2005.

Mayor Kelvin Bailey stated that according to the amendments to the Development Code approved previously in this meeting that five foot side yard setbacks would require side yard landscaping, and a 2% slope to the front of the home as recommended by City Engineer Chris Trusty.

MOTION: *Vincent Liddiard moved to resend the City Councils motion on the Silver Lake side yard setback made on March 1, 2005 and to approve 5' side yard setbacks with the following conditions.*

- 1. That landscaping, sod, is installed in the side yard and extended to the rear of the homes.*
- 2. That a 2% grade along the side property line to the front of the home is met.*

Janiece Sloan seconded the motion. Ayes: 3, David Blackburn, Vincent Liddiard, Janiece Sloan; Nays: 0. Motion passed.

David Blackburn stated that developers need to be aware of the lot size in comparison with the house size that they would like to place on that lot. He would like developers to increase lot sizes rather than reduce setbacks once the plat has received approval.

AGREEMENT – Consideration and approval of a Model Home Sign Lease Agreement with Jonathan Celaya.

MOTION: *Vincent Liddiard moved to approve a Model Home Sign Lease Agreement with Jonathon Celaya. Janiece Sloan seconded the motion. Ayes: 3, David Blackburn, Vincent Liddiard, Janiece Sloan; Nays: 0. Motion passed.*

MOTION – Consideration and acceptance of a Custodial Maintenance Bid for Eagle Mountain City Facilities.

City Administrator Chris Hillman stated that the City will be expanding their facilities and to be cost effective he recommended that the City Council accept a custodial maintenance bid. Mr. Hillman stated that he recommends that the City Council accept a bid and staff will move forward with contract negotiations.

MOTION: *Vincent Liddiard moved to accept a Custodial Maintenance Bid for Eagle Mountain Facilities from Anderson Cleaning Specialists. Janiece Sloan seconded the motion. Ayes: 3, David Blackburn, Vincent Liddiard, Janiece Sloan; Nays: 0. Motion passed.*

MOTION – Consideration and authorization for Mayor and Staff to approve pump proposal and ratify said proposal at next Council meeting for the Pony Express Well Pump.

This item was tabled.

AGREEMENT – Consideration and approval of an agreement with J. Marc Bailey for Pony Express Days Entertainment.

Mayor Kelvin Bailey stated that J. Marc Bailey would be the opening act for the Blackhawk concert.

MOTION: *David Blackburn moved to approve an agreement with J. Marc Bailey for Pony Express Days Entertainment. Janiece Sloan seconded the motion. Ayes: 3, David Blackburn, Vincent Liddiard, Janiece Sloan; Nays: 0. Motion passed.*

AGREEMENT – Consideration and approval of an agreement with Midway West Amusements for Pony Express Days rides.

MOTION: *Janiece Sloan moved to approve an agreement with Midway West Amusements for Pony Express Days rides. David Blackburn seconded the motion. Ayes: 3, David Blackburn, Vincent Liddiard, Janiece Sloan; Nays: 0. Motion passed.*

CONSENT AGENDA

- A. MARCH 2005 CHECK REGISTER
- B. PARTIAL PAYMENT
 - i. Street Landscape Improvements – RBI (PP No. 1)
 - ii. Utility Administration Building – Ellsworth Paulson (PP No.)
- C. FINAL PAYMENT
 - i. Pony Express Well – Lang Drilling
 - ii. Eagle Mountain City Wide Trail System, 2004 – Arrow Engineering
- D. FINAL BOND RELEASE
 - i. Parkway Crossroads
- E. PARTIAL BOND RELEASE
 - i. Eagle Top

MOTION: *Vincent Liddiard moved to approve the consent agenda. David Blackburn seconded the motion. Ayes: 3, David Blackburn, Vincent Liddiard, Janiece Sloan; Nays: 0. Motion passed.*

MOTION -- CLOSED EXECUTIVE SESSION

MOTION: *Vincent Liddiard moved to adjourn to a closed executive session at 8:32 p.m. to discuss potential contract litigation. David Blackburn seconded the motion. Ayes: 3: David Blackburn, Vincent Liddiard, Janiece Sloan; Nays: 0. Motion passed.*

The closed executive session was adjourned at 8:41 p.m. No action was taken in the closed executive session.

ADJOURNMENT

MOTION: *Janiece Sloan moved to adjourn the meeting at 8:42 p.m.*

Minutes approved on May 17, 2005.

ML