

MINUTES
EAGLE MOUNTAIN CITY COUNCIL MEETING

May 6, 2008

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

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

Mayor Heather Anne Jackson called the meeting to order at 4:13 p.m.

CONDUCTING: Mayor Heather Anne Jackson

ELECTED OFFICIALS PRESENT: Councilmembers Donna Burnham, Eric Cieslak, Ryan Ireland, David Lifferth and Nathan Ochsenhirt

CITY STAFF PRESENT: John Hendrickson, City Administrator; Gerald Kinghorn, City Attorney; Gordon Burt, City Treasurer; Ifo Pili, Management Analyst; Jason Walker, Management Analyst; Eli Jones, Management Intern; Flint Mensah, Management Intern; Linda Peterson, Public Information Coordinator; Fionnuala Kofoed, City Recorder; Melanie Lahman, Deputy Recorder; Peter Spencer, Planning Director; Mike Hadley, Senior Planner; Steve Mumford, Senior Planner; Chris Trusty, Public Works Director; Adam Ferre, Energy Division Manager; Kent Partridge, Building Official; Rand Andrus, Fire Chief; Eric McDowell, Sergeant.

DISCUSSION/REVIEW ITEMS

1. PRESENTATION – Colonel Robert Dunton of Camp Williams
2. DISCUSSION – Updates to construction standards – Chris Trusty, Public Works Director
3. DISCUSSION – Council liaisons for boards and committees – Mayor Jackson
4. DISCUSSION – Bid for skate park design – Jason Walker, Management Analyst

AGENDA REVIEW

The City Council reviewed items on the consent agenda and policy session agenda.

CITY ADMINISTRATOR'S INFORMATION ITEMS

6. Update on the sewer treatment facility – Chris Trusty, Public Works Director

ADJOURN TO A CLOSED EXECUTIVE SESSION

Councilmember Burnham **moved** to adjourn to a closed executive session for the purpose of discussing reasonably imminent litigation, pursuant to Section 52-4-205(1) of the Utah Code, Annotated. Councilmember Cieslak **seconded** the motion. Those voting aye: Donna Burnham, Eric Cieslak, Ryan Ireland, David Lifferth and Nathan Ochsenhirt. The motion **passed** with a unanimous vote.

The City Council adjourned to a closed executive session at 5:58 p.m.

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

Mayor Heather Anne Jackson called the meeting to order at 7:18 p.m. Staff Sgt. Mike Jones led the Pledge of Allegiance.

CONDUCTING: Mayor Heather Anne Jackson

ELECTED OFFICIALS PRESENT: Councilmembers Donna Burnham, Eric Cieslak, Ryan Ireland, David Lifferth and Nathan Ochsenhirt

CITY STAFF PRESENT: John Hendrickson, City Administrator; Gerald Kinghorn, City Attorney; Gordon Burt, City Treasurer; Ifo Pili, Management Analyst; Jason Walker, Management Analyst; Linda Peterson, Public Information Coordinator; Fionnuala Kofoed, City Recorder; Melanie Lahman, Deputy Recorder; Peter Spencer, Planning Director; Steve Mumford, Senior Planner; Chris Trusty, Public Works Director; Adam Ferre, Energy Division Manager; Kent Partridge, Building Official; Rand Andrus, Fire Chief; Neal Castleberry, Lieutenant; Eric McDowell, Sergeant.

INFORMATION ITEMS/UPCOMING EVENTS

- The Library will be closed until May 12 due to a computer server crash.
- A benefit concert for the Pemberton family, whose mother and unborn child passed away, will be held at the SilverLake Amphitheater, May 17, 4:00 – 8:00 p.m.
- Pony Express Days begins on May 27 with the baby contest.
- The key ceremony for a home donated to Sgt. Gordon Ewell, a disabled Iraq veteran, and his family will be held on Friday, May 30, 4:00 p.m., with an open house at 2:00 p.m.
- City Special Events Coordinator Lynn Story passed away in her sleep on Sunday. Pony Express Days will be dedicated to her.
- CUP awarded an interim allocation of 3,000 acre-feet of water to the City last Thursday, allowing the City to buy water as needed.
- Lehi City met with UDOT last week to resolve the MountainView corridor route and agreed to the 21st North route.
- The Mayor will be absent from the May 20 City Council meeting, as she will be at the ICSC retail convention to recruit businesses to the commercial area around the grocery store to be built in the Ranches, Coop's Market.

7. PUBLIC COMMENTS

Ms. Mary Lynn Christensen, 4113 W. Pinion Circle, thanked the City for cleaning up the construction waste left from reconstruction of a water pipe at The Landing roundabout. She also asked if the arsenic level in the City's drinking water had been brought into compliance with State standards.

Mr. Jerry Staker, 3755 St. Andrew's Drive, raised the issue of parking not being allowed on that street. He stated that parking is needed there and recommended that the median be reduced to make the street wide enough to allow safe parking. He indicated that this could be a liability issue for the City. There is no signage or other information that parking is not allowed, yet people are being ticketed unfairly for parking on the street.

Mayor Jackson responded to Ms. Christensen that arsenic is only a problem with well #2. The well will be taken out of service in January if it is not yet in compliance.

She thanked Mr. Staker for included a recommended solution in his comments. She asked Mr. Trusty what the City planned to do, since narrowing the median is not a practical solution for the City at this time. He said that signs may be installed. Mayor Jackson said the City is considering posting a list of no-parking streets on the website.

8. CITY COUNCIL/MAYOR'S ITEMS

CITY COUNCIL COMMENTS

Councilmember Burnham

Councilmember Burnham expressed condolences to Lynn Story's family and the City staff who worked closely with her. She thanked the staff members who are stepping in to help with Pony Express Days. She expressed gratitude to soldiers and their families. Her dad was in the military, so she knows how difficult military service is on soldiers' families.

Councilmember Cieslak

Councilmember Cieslak also expressed condolences to the Story family. He said that Lynn brought a smile to everyone's faces. He echoed Councilmember Burnham's comments about the military. He recognized Angie Ferre, the Mayor's Executive Assistant, for all of her outstanding work for the City, especially for stepping up and taking charge of Pony Express Days. Referring to his suggestions at the last meeting regarding public comments, he again requested discussion or action on revising the forms to indicate what kinds of comments would be appropriate on various board meetings.

Councilmember Ochsenhirt

Councilmember Ochsenhirt expressed condolences to Lynn's family and gratitude for her services to the City. He praised employees and residents who are willing to serve the city, especially Angie Ferre. He commented again, as he had at a previous meeting, on the speed limits at the entry to SilverLake. He has received many complaints from residents.

Councilmember Ireland

Councilmember Ireland responded to EC, saying Planning Commissioners received an email regarding the role of the Planning Commission vs. that of the City Council. That might be a starting point for discussions of how to manage public comments. He asked that as many people as possible attend Lynn's funeral.

Councilmember Lifferth

Councilmember Lifferth echoed the Council's sentiments to Lynn's family. He congratulated the Mayor, Council and staff for successfully having a grocery store located in the city. He mentioned county and state political conventions and encouraged residents to participate.

Mayor Jackson

Mayor Jackson spoke to those who made public comments, saying that those issues are in the process of being solved, but she didn't communicate the progress well. She explained that the road is a collector road, which normally has a speed limit of 35 mph. Discussion ensued regarding homes located along the road, which require a lower speed limit for safety. She responded to EC, saying that the issue is under discussion.

9. PRESENTATION

Mayor Jackson presented letters of appreciation to local military personnel, Matthew Felt and Mike Jones, who have recently returned from deployment in Iraq. Letters will be mailed to those who were unable to attend the meeting.

10. OATH OF OFFICE

City Recorder Fionnuala Kofoed administered the oath of office to Deputy Recorder Jenalee Harper.

11. BOARD APPOINTMENT

Parks and Recreation Advisory Board

Mayor Jackson recommended the appointment of Ms. Lynnette Rose to the Parks and Recreation Advisory Board for a term of 3 years. Councilmember Lifferth **moved** to approve the appointment of Ms. Lynnette Rose to the Parks and Recreation Advisory Board for a term of 3 years. Councilmember Ireland **seconded** the motion. Those voting aye: Donna Burnham, Eric Cieslak, Ryan Ireland, David Lifferth and Nathan Ochsenhirt. The motion **passed** with a unanimous vote.

City Recorder Fionnuala Kofoed administered the oath of office to Ms. Rose.

CONSENT AGENDA

Councilmember Lifferth requested that the Proclamation for Military Appreciation Week be removed from the consent agenda and moved to the policy session agenda.

Councilmember Ireland **moved** to approve the following items on the consent agenda:

12. MINUTES – April 15, 2008 – Regular City Council Meeting

13. BID AWARDS

Ranches Parkway Slurry Seal
Valley Drive Pulverize & Pave

14. PROFESSIONAL SERVICE AGREEMENTS

Cost summary and construction management with URS for Sweetwater Trail completion
Design Workshop for master parks and trails plan

15. FINAL BOND RELEASE

SilverLake 6
SilverLake 7

16. SITE PLAN APPROVAL – Dr. Hart's dentist office site plan

Councilmember Ochsenhirt **seconded** the motion. Those voting aye: Donna Burnham, Eric Cieslak, Ryan Ireland, David Lifferth and Nathan Ochsenhirt. The motion **passed** with a unanimous vote.

SCHEDULED ITEMS

17. PROCLAMATION – Military Appreciation Week

Mayor Jackson read the proclamation declaring the week of May 26, 2008, Military Appreciation Week in Eagle Mountain City.

Councilmember Cieslak **moved** to approve the proclamation declaring the week of May 26, 2008, Military Appreciation Week in Eagle Mountain City. Councilmember Lifferth **seconded** the motion. Those voting aye: Donna Burnham, Eric Cieslak, Ryan Ireland, David Lifferth and Nathan Ochsenhirt. The motion **passed** with a unanimous vote.

18. PUBLIC HEARING – Consideration of an amendment to the SITLA Master Development Plan Land Use Map and associated changes to the Master Development Agreement – discussion item

Senior Planner Steve Mumford presented the amendment to the SITLA Master Development Plan Land Use Map and associated changes to the Master Development Agreement. The SITLA Master Development Plan, also known as the State of Utah School and Institutional Trust Lands Administration Master Development Plan, was originally approved in 2003. The plan includes 1,196 acres in the mid-valley parcel and 151 acres in the Pony Express parcel. The applicant has proposed an amendment to the Master Development Plan to modify the alignment of Airport Road, add up to 119 acres of Satellite Commercial zoned land, modify the area zoned Village Core, adjust some minimum lot sizes and add another school site. Since the changes to the agreement are a result of the changes to the Land Use Map, SITLA requested that they be considered simultaneously, rather than separately. The text of the Master Development Agreement amendment has not yet been finalized.

Mayor Jackson invited SITLA's representative, Mr. McKay Edwards, to comment on the amendment. He said at the time of the original agreement in 2003, the land had not been surveyed. Additionally, the City has changed since then. The amendments reflect those changes. He felt that development in the SITLA area may join the separate areas of the city, The Ranches and City Center. He asked the City to commit to encouraging Alpine School District to locate the high school on SITLA land, as the school district seems to be considering other locations.

Mayor Jackson responded that she had not heard of the school district looking at other locations for a high school, but it was doing so for a junior high school location.

Discussion ensued regarding the school district's location of schools, alignment of the SITLA Master Development Plan with planned City land uses and future development of the land. Mr. Edwards stated that SITLA would like to find a large-scale master developer to develop the land. The preference would be to begin with commercial development. He also mentioned SITLA's financial support of parks and trails.

Councilmember Ochsenhirt objected to having a density of six units per acre in multi-family areas. Mr. McKay responded that six units per acre is a low density for multi-family areas. The intent is to create walkable community areas.

Mayor Jackson opened the public hearing at 8:37 p.m. Hearing no comments, she closed the hearing.

This was a discussion item and did not require action by the City Council. Action will be taken at the next meeting.

19. PUBLIC HEARING – Consideration of commercial and multi-family design standards as Title 1, Chapter 11, and amendments to Title 1, Chapter 20, Site Plan Reviews, of the Development Code – discussion item

Amendments to the Development Code were presented by Senior Planner Steve Mumford. Increased commercial and multi-family development in Eagle Mountain has created concern for the preservation of the character and quality of neighborhoods and buildings in the city. An effective method of attracting higher-quality development is to create site design and architectural standards to govern some of the key elements creating aesthetically pleasing, pedestrian-friendly, and functional commercial and multi-family projects. The Planning Department has proposed a document for consideration, to be included as a chapter in the Eagle Mountain City Development Code, entitled Commercial and Multi-family Design Standards. The addition of the proposed commercial and multi-family design standards, if approved, requires language to be added to Title 1, Chapter 20, entitled Site Plan Reviews, in order to tie design standards to the site plan review process.

Elements to be considered include building orientation and articulation, architectural details, landscaping, parking and open space, etc. The standards will require large parking areas and other unsightly items to be generally hidden from street view.

The Planning Department sent the proposed standards to many developers, builders and landowners, most of whom responded positively.

Mayor Jackson opened the public hearing at 8:58 p.m.

Ms. Nikki Wickman, 2766 Ft. Hill Road, expressed appreciation for the improved standards. She mentioned existing multi-family developments separated by large fields, which is very unattractive. She suggested that high-density projects be limited in certain acreages, so smaller areas are not excessively dense, but fall within density guidelines because of adjacent undeveloped areas.

Ms. Elise Erler, SITLA, supported the amendment to the Development Code, including the photographs showing examples of acceptable development. She said it would help SITLA to hold developers of their land to high standards, as well.

Mr. Don Filler, 1845 Church Street, approved of the quality proposed for the multi-family housing, as opposed to the many unattractive multi-family projects in the state.

Mr. McKay Edwards, SITLA, echoed Ms. Erler's comment that SITLA supports the proposed standards. He did not feel that higher standards would discourage development, but would protect owners' and developers' investments. He pointed out that large retailers have incorporated similar design standards in their stores in other parts of the country.

Mayor Jackson closed the public hearing at 9:04 p.m.

This was a discussion item and did not require action by the City Council. Action will be taken the next meeting.

20. RESOLUTION - Consideration and adoption of a resolution accepting the FY 2009 tentative budget, setting the budget public hearing for June 17, 2008, and directing such notice to be published

City Administrator John Hendrickson presented the FY 2009 tentative budget in a total amount of approximately \$51 million. Approximate fund amounts are as follows:

- \$9.1 million General Fund
- \$4.25 million Debt Service Fund
- \$16 million Enterprise Funds
- \$20 million Capital projects

Major capital projects include:

- \$8.5 million sewer plant
- \$6 million water issues
- \$4.5 million electric substation
- \$1 million roads
- \$1.8 million park improvements

The approximately 10% General Fund increase is primarily due to law enforcement and fire protection. There are no utility rate increases. Some proposed projects exceed the expected funds available and will only be approved if revenues are adequate.

Councilmember Burnham **moved** to adopt Eagle Mountain City Resolution R-14-2008, accepting the FY 2009 tentative budget as amended during work session, setting the budget public hearing for June 17, 2008, and directing such notice to be published. Councilmember Lifferth **seconded** the motion. Those voting aye: Donna Burnham, Eric Cieslak, Ryan Ireland, David Lifferth and Nathan Ochsenhirt. The motion **passed** with a unanimous vote.

21. ORDINANCE – Consideration and adoption of an ordinance amending the General Plan for the Joe’s Dugout commercial project

An ordinance amending the General Plan was presented by Planning Director Peter Spencer. The City Council held a public hearing for an amendment to the General Plan for the Joe’s Dugout commercial project at the April 15, 2008, City Council meeting. The property is located along Pony Express Parkway north of the new Hidden Hollow Elementary School. The ordinance being presented to the City Council formalizes the amendment to the General Plan for Joe’s Dugout.

Councilmember Lifferth **moved** to adopt Eagle Mountain City Ordinance O-09-2008, amending the Eagle Mountain City General Plan for the Joe’s Dugout commercial project. Councilmember Ireland **seconded** the motion. Those voting aye: Donna Burnham, Eric Cieslak, Ryan Ireland, David Lifferth and Nathan Ochsenhirt. The motion **passed** with a unanimous vote.

22. ORDINANCE – Consideration and adoption of an ordinance of Eagle Mountain City rezoning 36.5 acres for Joe’s Dugout to R2N1 Village Core use

Planning Director Peter Spencer presented an ordinance rezoning 36.5 acres for Joe’s Dugout to R2N1 Village Core use. The City Council held a public hearing for rezoning Joe’s Dugout at the April 15, 2008, City Council meeting. The property is located along Pony Express Parkway north of the new

Hidden Hollow Elementary School. The ordinance being presented to the City Council formalizes the rezoning for Joe's Dugout.

Councilmember Cieslak **moved** to adopt Eagle Mountain City Ordinance O-10-2008, rezoning 36.5 acres for the Joe's Dugout commercial project to R2N1 Village Core use. Councilmember Ochsenhirt **seconded** the motion. Those voting aye: Donna Burnham, Eric Cieslak, Ryan Ireland, David Lifferth and Nathan Ochsenhirt. The motion **passed** with a unanimous vote.

23. AGREEMENT – Consideration and approval of an Interlocal Fire Agreement with Utah County

An Interlocal Fire Agreement with Utah County was presented by Fire Chief Rand Andrus, president of the Utah County Fire Chiefs' Association. The agreement being presented to the City Council allows the Eagle Mountain Fire Department to receive and provide assistance to surrounding communities as needed. The Utah County contract was created by the County Fire Chiefs and will be presented to the County Commissioners. Previously, there were three or four different agreements with cities to provide fire service to unincorporated areas in the County.

Councilmember Lifferth **moved** to approve an Interlocal Fire Agreement with Utah County. Councilmember Ireland **seconded** the motion. Those voting aye: Donna Burnham, Eric Cieslak, Ryan Ireland, David Lifferth and Nathan Ochsenhirt. The motion **passed** with a unanimous vote.

24. MOTION – Authorizing the Mayor to execute a letter of support for a study of a Utah County Dispatch District

City Administrator John Hendrickson presented a letter of support for a study of a Utah County Dispatch District. Currently, the Sheriff's Office, Provo, Orem and Pleasant Grove provide public safety dispatch services. The County Commission and the Sheriff's Office are interested in moving toward a consolidated dispatch system for Utah County. Consolidating dispatch services under a County-wide district will provide for more consistent coverage and allow for alternative funding.

Councilmember Lifferth **moved** to authorize the Mayor to execute a letter of support for a study of a Utah County Dispatch District. Councilmember Burnham **seconded** the motion. Those voting aye: Donna Burnham, Eric Cieslak, Ryan Ireland, David Lifferth and Nathan Ochsenhirt. The motion **passed** with a unanimous vote.

CITY ADMINISTRATOR'S ITEMS

An update on the progress of the new sewer treatment plant was presented by Public Works Director Chris Trusty. Four contractors have been prequalified. A pre-bid meeting will be held with these contractors on site tomorrow. The bid opening will be held on May 27th. Mr. Trusty expects to bring a bid award recommendation to the Council on June 3rd. The groundbreaking ceremony requested by the Council will be held the following week.

Mr. Hendrickson discussed the Fire Station #2 expansion. The plan review is nearly complete and a bid notice should be published within two to three weeks.

CITY COUNCIL/MAYOR'S BUSINESS

Councilmember Lifferth

Councilmember Lifferth was very tired, having been in London yesterday. He said the Google map site on the internet indicates that the road at the entry to SilverLake is technically a collector route. Discussion ensued as to safety issues with the road.

Councilmember Burnham

Councilmember Burnham would like the Council to take a field trip to the site of the new bike park. There was discussion on a possible time the Council could go. It may be necessary for Council members to meet individually with the developer and City staff.

Councilmember Cieslak

Councilmember Cieslak had no comments.

Councilmember Ochsenhirt

Councilmember Ochsenhirt encouraged the Council to consider creating an ongoing park improvement budget.

Councilmember Ireland

Councilmember Ireland had no comments.

Mayor Jackson

Mayor Jackson spoke about the speed limit on the SilverLake collector road. She felt that a residential speed limit is not appropriate for a collector road, because drivers will become frustrated and exceed the 25 mph speed limit both on the collector road and residential roads. She also displayed the Fire Department's new uniform patch.

ADJOURNMENT

Councilmember Lifferth **moved** to adjourn the meeting at 9:39 p.m.

APPROVED BY CITY COUNCIL MAY 20, 2008



Fionnuala B. Kofoed, City Recorder