

APPROVED
6-20-00

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**MINUTES OF THE TOWN COUNCIL MEETING
TOWN OF EAGLE MOUNTAIN, UTAH
Eagle Mountain Community Center
1668 E. Heritage Dr
Eagle Mountain, UT 84043
May 23, 2000**

Mayor Paul Bond called the meeting to order at 7:20 p.m.

1. Roll Call:

Council Members present: Mayor Paul Bond, Dave Albrecht, Greg Kehl, and Brigham Morgan.

Town Staff:

Town Administrator: John Newman
Town Engineer: Korey Walker
Town Recorder: Janet Valentine
Recording Secretary: Chris Kofoed
Deputy Sheriff: Jo Murphy
Town Treasurer: Stephan Gabrielson

Others present: Shelia Curtis, resident; Darrin Brandt, resident; Rob Smith, resident; Adam Ferre, resident; Kim Brown, resident; Shelly Anderson, resident; Bert Ankrom, resident; Becky Oakley, resident; Jennifer Morgan, Arts Council; Fawn & Charles Jenkins, residents; Jana Cox, Arts Council; Wendy Swain, resident; Miki Hill, resident; Leland Dixon, resident; Trish Austin, resident; Bruce & Angie Winch, residents; Gaylord & Dee Seatt, residents; Juanita Christiansen, Youth Sports; Rick Pierce, resident; Eric Carper, resident; Rod & Lori Wirthlin, residents; Brandee Chatwin, resident; Sam & Tiffany Shippro, residents.

2. Pledge of Allegiance:

Robert Smith led the town in the pledge of allegiance.

3. Approval of Minutes:

April 18, 2000

MOTION *Dave Albrecht moved to approve the Minutes of April 18, 2000 as amended. Greg Kehl seconded the motion. Ayes: 4, Nays: 0. Motion passed.*

4. General Discussion/Questions/Announcements:

There were no announcements.

5. Item 5 was moved to after item 12.

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6. **Public Notices:**

There were no public notices.

Janet Valentine announced the vacancy in the Town Council created by Dan Valentine's resignation May 2, 2000. Mrs. Valentine stated that the vacancy had been published in the paper and on the web. Applicants needed to submit their letter of intention to be received at the Records Office no later than 5 p.m. May 24, 2000.

7. **Public Comment:**

Mr. Brandt commented on his position as the Chair of the Economic Development Committee and the difficulties the Committee faced. Mr. Brandt's comment was directed to the Council, developers, and residents of Eagle Mountain when he stated that it was necessary for everyone to work together. He encouraged the Council to support the Planning Commission in their decision-making. Mr. Brandt suggested that a Builder's Council be organized consisting of developers, contractors, the Town Building Inspector, and possibly the Town Engineer and Town Planner. Mr. Brandt believed that this would help offer solutions and alternatives to the problems the Town was faced with in a more positive environment. It was Mr. Brandt's opinion that the Town should create an Engineering Department and have an in-house engineer. Another suggestion was to create districts within the Town Council. This would unite The Ranches and the Town and would avoid future competition for Council seats between the two locations. Lastly, Mr. Brandt encouraged everyone to support Morco, the new grocery store in Town Center East.

Rob Smith, resident, commented on a speed limit sign that had been knocked down at least two months ago. Mr. Smith said that he had spoken to Korey Walker concerning the replacement of the sign when it was knocked down and wanted to remind Mr. Walker it had not yet been replaced.

Becky Oakley, resident, posed a question to the Town Council inquiring, "who is the customer of the Town Council" and "what is your mission for customer satisfaction"?

8. **Presentation of Award from Governor Leavitt (presented by the Mountain Land Association of Governments) to the Town of Eagle Mountain for the Town's participation in the 21st Century Communities Program:**

Andrew Jackson, Mountain Land Association of Governments, presented a plaque to the Town of Eagle Mountain for the participation in the 21st Century Communities Programs.

Eric Taylor, Eagle Mountain Fire Chief, recognized Lisa Allen with a Citizen's Award for calling 911 for a baby in distress and providing care for additional infants in the home while the baby was transported to the hospital.

Fire Chief Taylor presented a Hero's award to Tori Ferris for her quick response in getting the necessary help for her mother when she collapsed March 30, 2000.

9. **Public Hearing FY Budget for July 1, 2000 to June 30, 2001:**

Mayor Bond opened the Public Hearing for the Budget @ 7:20 p.m.

The meeting was opened to receive public comment.

Rob Nielson, Arts Council, discussed the need for additional funds for the Arts Council, as the proposed \$1000 was insufficient to meet the needs of the Arts Council. A budget of at least \$5,500 was what they believed they needed to allow the Arts Council to be successful.

Doug Gwilliam, resident, was interested in seeing an earlier budget for a comparison. Mr. Gwilliam

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asked that the term "Capital Outlay" be explained. Mr. Gwilliam also inquired concerning the Engineer's fees and why they were so high. Mayor Bond stated that he would be happy to get the information to Mr. Gwilliam. It was Mr. Gwilliam's opinion that there was a discrepancy in the Town staff's salaries regarding allocated and actual funds. Mayor Bond stated that the additional funds were for pay raises and hiring new employees. Mr. Gwilliam echoed Darrin Brandt's earlier remarks regarding an in-house engineering and legal department.

Juanita Christiansen commented on the Youth and Adult Sports Program and the status of each sport. A committee had been organized with approximately 15 residents from Eagle Mountain, Fairfield, and Cedar Fort.

Miki Hill, resident, discussed the salaries of the Town Staff and a bond that had been released without the Town's consent. John Newman discussed the allocation of the Engineer's fund in the proposed budget.

Tiffany Shapiro, resident, commented on the necessity of an ambulance service and the importance of the Youth Programs and the Arts council.

Josh Elledge, resident, inquired regarding staffing for the police service. Mayor Bond explained that the Town received a grant for the Town's police services and stated that the Town would have a part time deputy added to the force within the near future.

Darrin Brandt stated that he supported John Newman, Town Administrator and believed him to be a competent individual. Mr. Brandt commented on the need to have the Town Planner more available to builders and contractors. He suggested that the Town hire an additional Building Inspector to keep up with the rapid growth within the community.

Shelly Anderson thanked the Council for their efforts. Mrs. Anderson commented on the volunteer efforts from the residents and how the Town had accomplished so much and could continue to do so with the help from the many volunteers.

Commissioner Grover, Utah County, commented on the budget.

Jennifer Wright-Thulin encouraged residents to come to the Planning Commission meetings. Mrs. Thulin commented on the importance of funding the EMS and the Fire Department. Mrs. Thulin stated that it was the role of the public officials to keep the citizens of Eagle Mountain happy.

Karen Larsen, resident, asked when residents would get the answers to Doug Gwilliam's questions. John Newman stated that he could provide that information after the Public Hearing.

Jana Cox, Arts Council, requested additional funds for the Arts Council.

David Loper, resident, commented on the Arts Council production "Into the Woods Jr."

Rod Worthlin, resident, encouraged the Council to support the Fire Department and Law Enforcement services.

Marci Taylor, resident, discussed the importance of attending Town Council and Planning Commission meetings.

Dave Lee, resident stressed the necessity of finding funds to support the Fire Department and EMS.

Brandi Chatwin, resident, expressed her concern regarding the need for additional law enforcement.

Mayor Bond closed the Public Hearing @ 8:20 p.m.

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John Newman addressed some of the issues that the residents had raised. Mr. Newman stated that it would be possible to hire an in-house Engineer for a little less than what the Town was currently paying. However, the Town was planning to continue to contract with an Engineering company for another year. This would avoid having to lay individuals off if this didn't go as planned for the Town. If the economy remained stable, then the Town would look into hiring an in-house engineer. Mr. Newman added that the \$450,000 was used to pay for many engineering services as well as inspection services within the Town. Mr. Newman commented that the county was seriously considering a grant the Town had submitted for an additional deputy. Mr. Newman commented that the Town had a full-time Planner and part-time planner that met the needs of the Town.

Mayor Bond announced that the Budget would be reviewed and adopted June 6, 2000.

10. Eagle Mountain Consolidated Fee Schedule Discussion:

John Newman stated that the Consolidated Fee Schedule was on the agenda for review and would be adopted June 6, 2000.

11. Final Acceptance – Eagle Point Plats A, B & C:

This item was tabled.

12. Part-time Paid Librarian Position:

Discussion ensued regarding a paid Librarian. Becky Oakley, Wendy Swain, Shelly Anderson, Darrin Brandt, Josh Elledge and Trish Austin expressed their support for a part-time paid Librarian.

Discussion ensued between Council and residents concerning payment of the Librarian.

MOTION *Dave Albrecht moved to approve the position of a paid Librarian in the Town of Eagle Mountain, Utah. Greg Kehl seconded the motion. Ayes: 4, Nays: 0. Motion passed.*

MOTION *Brigham Morgan moved to establish an entry-level wage for the Librarian position @ \$8 per hour.*

Motion died for a lack of a second

MOTION *Dave Albrecht moved to establish an entry-level wage @ \$10 per hour for the Librarian position. Greg Kehl seconded the motion. Ayes: 2, Nays: 2. Motion failed.*

Eric Jones, EMP, offered to pay the \$2 difference for the fiscal year 2000-2001. The Town Council extended a vote of gratitude to EMP for their offer.

MOTION *Dave Albrecht moved to accept the offer rendered to the Town of Eagle Mountain by Eagle Mountain Properties, that they would pay the extra \$2 needed to bring the Librarian's hourly wage to \$10 per hour. Greg Kehl seconded the motion. Ayes: 4, Nays: 0. Motion passed.*

MOTION *Dave Albrecht moved to approve the payment of \$10 per hour for a Librarian for the remainder of the fiscal year 2000-2001. Ayes: 4 Nays: 0. Motion passed.*

6. Appointment:

MOTION *Greg Kehl moved to approve the appointment of a paid Librarian. Dave Albrecht seconded the motion. Ayes: 4, Nays: 0. Motion passed.*

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13. Approval of a Development Agreement including CC&R's between Patterson Construction and the Town of Eagle Mountain for Eagle Point, Plat E:

Greg Kehl recommended adding new language to the document with regards to the special conditions.

MOTION *Brigham Morgan moved to approve the Development Agreement between the Town of Eagle Mountain, Utah and Patterson Construction for Eagle Point Plat E, replacing Special Exhibit 4, "The Disclosure and Warning Statement" with "The Revised Warning and Disclosure Statement" as approved by the Town Attorney. Dave Albrecht seconded the motion. Ayes: 4, Nays: 0. Motion passed.*

14. Approval of a Development Agreement including CC&R's between Patterson Construction and the Town of Eagle Mountain for Eagle Point, Plat G:

MOTION *Dave Albrecht moved to approve the Development Agreement between the Town of Eagle Mountain, Utah and Patterson Construction Inc., for Eagle Point Plat G, replacing Special Exhibit 4, "The Disclosure and Warning Statement" with The Revised Warning and Disclosure Statement" as approved by the Town Attorney. Brigham Morgan seconded the motion. Ayes: 4, Nays: 0. Motion passed.*

15. Approval of a Development Agreement including CC&R's between Patterson Construction and the Town of Eagle Mountain for Eagle Point, Plat H:

MOTION *Brigham Morgan moved to approve the Development Agreement between the Town of Eagle Mountain, Utah and Patterson Construction Inc., for Eagle Point Plat H, replacing Special Exhibit 4, "The Disclosure and Warning Statement" with "The Revised Warning and Disclosure Statement" as approved by the Town Attorney. Dave Albrecht seconded the motion. Ayes: 4, Nays: 0. Motion passed.*

16. Approval of a Development Agreement/including CC&R's between Patterson Construction and the Town of Eagle Mountain for Eagle Point Condominiums, Phase I:

MOTION *Brigham Morgan moved to approve the Development Agreement between the Town of Eagle Mountain, Utah and Patterson Construction Inc., for Eagle Point Condominiums Phase 1, replacing Special Exhibit 4, "The Disclosure and Warning Statement" with "The Revised Warning and Disclosure Statement" as approved by the Town Attorney. Dave Albrecht seconded the motion. Ayes: 4, Nays: 0. Motion passed.*

17. Telecommunication Rates:

MOTION *Greg Kehl moved to adopt the submitted Telephone Features and Services and their associated rates, adding No. 19 "Unlisted Line @ \$2.50". Brigham Morgan seconded the motion. Ayes: 4, Nays: 0. Motion passed.*

18. Janitorial Services FY 00-01:

MOTION *Dave Albrecht moved to approve the One Horse System bid for the Town of Eagle Mountain cleaning service, with the latitude for John Newman as City Administrator to have the flexibility to decided which services are to be provided. Greg Kehl seconded the motion. Ayes: 4, Nays: 0. Motion passed.*

19. Motion to approve Consent Agenda items as follows:

MOTION *Brigham Morgan moved to approve the Consent Agenda items as outlined. Greg Kehl seconded the motion. Ayes: 4, Nays: 0. Motion passed.*

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20. **Other Business:**

There was no other business.

21. **Motion to adjourn into a Closed Executive Session for the purpose of discussing personnel issues, potential litigation and/or public safety/security:**

MOTION *Brigham Morgan moved to adjourn into a Closed Executive Session @ 9:53 for the purpose of discussing personnel issues, potential litigation and/or public safety/security. Dave Albrecht seconded the motion. Ayes: 4. Nays: 0. Motion passed.*

Present: Mayor Bond, Brigham Morgan, Dave Albrecht, Greg Kehl, John Newman, Janet Valentine, Deputy Jo Murphy, and Chris Kofoed. Deputy Murphy left @ 10:02 p.m.
Fire Chief Eric Taylor and Deputy Chiefs Robert DeKorver and Kevin McCarthy were present @ 10:30 p.m.

22. **Motion to close the closed executive session and return to open session:**

MOTION *Dave Albrecht moved to adjourn the closed executive session and return to open session @ 10:06 p.m. Brigham Morgan seconded the motion. Ayes: 4, Nays: 0. Motion passed.*

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

There was no action.

24. **Adjournment:**

MOTION *Brigham Morgan moved to adjourn the meeting @ 10:06 p.m. Dave Albrecht seconded the motion.*

APPROVAL: _____ DATE: _____
Mayor Paul Bond