



EAGLE MOUNTAIN CITY COUNCIL MEETING

May 16, 2017

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

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

ELECTED OFFICIALS PRESENT: Councilmembers Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. Mayor Chris Pengra and Councilmember Adam Bradley were excused. Councilmember Westmoreland served as Mayor Pro Tem.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Chief Deputy City Recorder; David Mortensen, City Treasurer; Evan Berrett, Management Analyst; Linda Peterson, Communications and Community Relations Director; Steve Mumford, Community Development Director; Tayler Jensen, City Planner; Chris Trusty, City Engineer; Brad Hickman, Parks and Recreation Director; Jeff Weber, Facilities/Operations Director; Zac Hilton, Streets and Storm Drain Manager; Mack Straw, Public Utilities Director; Ross Fowlks, Fire Chief; Eric McDowell, Chief Sheriff's Deputy.

Mayor Pro Tem Westmoreland called the meeting to order at 4:14 p.m.

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

None.

2. **AGENDA REVIEW** – The City Council reviewed items on the Consent Agenda and Policy Session Agenda.

12. **ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Adopting the Eagle Mountain City Fiscal Year 2017-2018 Budget.**

City Treasurer David Mortensen stated the tentative budget was essentially unchanged from the one presented at the last City Council meeting. He did update some of the dollar amounts for expenditures:

- Enterprise Funds \$13.7M
- General Fund \$11.5M
- Capital Projects Fund \$6.367M
- Impact Fee Funds \$2.6M
- Debt Service Fund \$700,000

General Fund expenditures will be slightly higher than revenues. Fund balance will be used to cover the difference.

The City's fund reserve will be 20% of revenue. The State requires 5 - 25% to be retained in reserve.

Large General Fund projects include City facilities improvements, park and OHV trail improvements and a software upgrade. Some specific projects will be:

- \$5.9M for Wride Memorial Park
- \$40,000 for OHV parking and trail improvements
- \$137,000 for Community Development Building parking and power to the salt shed
- \$150,000 for renovation of the double-wide trailer for conversion into a senior center
- \$100,000 for a software upgrade

Items under discussion include:

General Fund

- \$450,000 to assume responsibility for landscape maintenance and code enforcement in The Ranches due to the probable dissolution of The Ranches Master HOA
- \$1.6M for streets maintenance
- \$12,000 membership dues for the Utah League of Cities and Towns (ULCT)

Water Fund

- \$50,000 for security fencing around the City's wells
- \$20,000 for an enclosed job trailer

Sewer Fund

- \$1.2M for a solids separation building with a screw press. \$712,500 would come from impact fees.
- \$316,000 in fund balance reserves for three specialized trucks

Solid Waste Fund

- \$.50 fee reduction for the first trash can for each household
- \$200,000 from the fund balance to be transferred to the Storm Drain Fund

Storm Drain Fund

- \$1.00 per household rate increase
- \$200,000 to be transferred from the Solid Waste Fund

Mayor Pro Tem Westmoreland asked if the City had a date yet for when it would become responsible for The Ranches landscape maintenance and code enforcement. Councilmember Gricius said the agreements signed at the last meeting had an effective date of April 1. Assistant City Administrator/Finance Director Paul Jerome said, because the property being maintained was City property maintained by the HOA, the City assumed the grounds maintenance contracts with an April 1 start date.

Councilmember Curtis objected to the City paying for the work while the HOA continues to collect assessments from the residents. Mr. Jerome said he asked the contractors to submit

invoices to the HOA for the first 60 days. If, as was likely, the HOA didn't pay them, the City committed to pay them.

Mr. Jerome addressed the question of what benefits Eagle Mountain received from the Utah League of Cities and Towns (ULCT). He stated that ULCT kept the City informed about potential legislation that would affect municipalities, and spoke in behalf of municipalities at the Legislature. They served as a pooled resource so municipalities didn't have to approach the legislators individually.

City Recorder Fionnuala Kofoed stated, while she understood and respected the Councilmembers' position on the issue, ULCT helped identify the unintended consequences of legislation that is presented and passed. It was an organized effort to provide information to legislators within hours, which has resulted in legislators changing their votes. It was a win-win situation because the legislators were educated and the cities were benefitted.

Mr. Pili responded to the question that had been asked as to whether the objection to ULCT was political or financial. From a budgetary standpoint, ULCT was well worth the \$12,000 annual fee. For example, they fought State overreach and protected cities from negative legislation. The City didn't always agree with ULCT's positions; however, their services were valuable. Eagle Mountain would have less power to influence outcomes if it left ULCT. He stated the City could use ULCT more effectively and have more voice by becoming more involved with the organization.

13. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending Chapter 17 of the Eagle Mountain Municipal Code.

City Planner Tayler Jensen presented the proposed Municipal Code changes. They were intended to clarify that anything not expressly permitted by the Code was prohibited. The changes were recommended by land use attorneys, due to some negative experiences of other cities. Although Eagle Mountain hadn't yet had problems with permitted uses, City staff was advised by the attorneys to add the prohibition language to the Code.

Councilmember Curtis asked for clarification. Mr. Jensen stated, for example, the only use specifically prohibited in an Agriculture zone was sexually-oriented businesses. If Eagle Mountain tried to deny any other use, the applicants could sue the City and would most likely win.

Mr. Mumford noted the City Council could add any permitted use at any time. The proposed amendments were designed to prevent unintended consequences. In addition, there was language in the existing conditional use section of the Code that allowed the Planning Commission and City Council to allow any substantially similar use in a particular zone.

City Attorney Jeremy Cook stated this amendment didn't change anything in the Municipal Code, it was only a clarification. It didn't change the way the City interpreted the Code.

14. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending Title 6, Animals and Chapter 17.85, Animal Regulations of the Eagle Mountain Municipal Code.

Mr. Jensen explained the City’s animal regulations were in two sections of the Municipal Code. This amendment would place all of them in one section. No wording was being changed. Hobby breeder requirements would be placed in the same chapter as kennel requirements, as it was potentially confusing to have them in separate chapters. At the request of a Planning Commissioner, it was also proposed that all instances of “him” be replaced with “him/her.”

Councilmember Gricius wanted to review the list of allowed animals because she wanted wolf dogs included; as well as foxes, coyote dogs, porcupines and raccoons. Discussion continued on species that would be suitable to be included on the list.

15. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Amending the Eagle Mountain City Consolidated Fee Schedule.

Ms. Kofoed stated the Cemetery Board discussed the need to add two fees: interment of cremation urns and disinterment. While the cemetery sexton, Brad Hickman, had authority to deal with such requests on a case-by-case basis, the Board felt it was important to have the fees in place. The Recorder’s Office recently received a call asking if two urns could be interred in one plot and has received such questions in the past.

Councilmember Curtis asked how the amounts were determined. Ms. Kofoed said the City researched fees in other local cities. Eagle Mountain’s fees were set to be comparable to the low range of the other cities and to cover the costs of providing the services. Interment of an urn would cost the City approximately the same as interring an infant. Disinterment was a complicated process involving quite a lot of cost.

Councilmember Curtis asked what the City’s responsibility was for a disinterment. Mr. Hickman explained the requesters would have to work with a funeral home and get approval from Utah County. City employees would have to wear protective clothing, since they wouldn’t know what the person died of. City employees would be responsible for digging the grave open and determining that the vault was in good enough condition to be lifted. There was also extensive paperwork involved.

16. MOTION – SilverLake 16 Preliminary Plat.

Mr. Jensen stated this was a 15-acre property with 31 lots: 30 residential and one church lot. A slope stability study has been conducted and the developers have agreed to comply with any conditions placed on the project by the City Engineer. The block length was longer than allowed by the Municipal Code, but the developers planned pedestrian gaps leading to a future trail system, which made the long blocks compliant with City standards.

Privacy fencing must be consistent south of Tickville Wash and be approved by City staff. Developers must comply with a mitigation plan for the wash.

Councilmember Curtis pointed out the project’s master development agreement called for community play spaces with playgrounds. He stated there were very few shown in the plan.

Bronson Tatton, representing the developers, said more open space would be included in the next phases of the project, including a trail running along Woodhaven Blvd. and Golden Eagle Road, continuing to the school site in Evans Ranch. Park space would be located in the powerline corridor. A future plat would include a clubhouse at the intersection of SilverLake Pkwy. and Golden Eagle Road, with an adjacent park. The developers planned to dedicate all of Tickville Wash to the City. The master development agreement gave the City responsibility to build a trail along the wash, with assistance from the developer.

Councilmember Curtis appreciated all the work that had been done and all the cooperation he received from Mr. Tatton. He felt there needed to be additional usable park space for the residents. He asked if the developers would be willing to construct a park in the 11 acre site south of Plat 16. Mr. Tatton said that was dedicated to the City for a City park. He didn't know exactly what the City had planned for it.

Councilmember Curtis said his goal was to put park space nearest the residents living on small lots, who needed it most. He also wanted a large park in a central location.

Mr. Mumford stated the developers could make trade-offs to accommodate park sites. He pointed out possible areas for parks, including a site near the SilverLake Amphitheater.

Mr. Totten said the developers would be willing to work with the City on additional parks. He wanted to consult the Parks and Open Space Master Plan to see what amenities the City needed. Mr. Mumford said the City would be willing to execute a reimbursement agreement if the developers were willing to pay for building park amenities up-front.

Mr. Totten noted that Plat 17 will have a great deal of open space.

Councilmember Westmoreland asked Mr. Trusty if the protection of Tickville Wash was time-sensitive. Mr. Trusty said the amount of water in the wash changed with the seasons. The work would need to be done when the water level was low.

17. PONY EXPRESS PARKWAY EXTENSION PROJECT – from Redwood Road in Saratoga Springs to Porter's Crossing Pkwy. in Eagle Mountain
 - A. Interlocal Agreement between Eagle Mountain City and Mountainland Association of Governments (MAG) for the Pony Express Widening Project
 - B. Interlocal Agreement between Eagle Mountain City and the City of Saratoga Springs for the Funding of the Pony Express Widening Project
 - C. Agreement with CRS Engineers for the Design of the Pony Express Widening Project

Mr. Trusty explained funding was available from the Mountainland Association of Governments (MAG) to widen Pony Express Parkway. Construction contracts will be put out to bid during the rest of 2017. Construction will take place in 2018. Eagle Mountain City will serve as the project manager, rather than UDOT, which will save a substantial amount of money on the project.

The interlocal agreement with Saratoga Springs will make Eagle Mountain the project manager. It also states the cities will split any costs above the funding allocated by MAG.

The interlocal agreement with MAG states the City will invoice MAG for design services, construction management or contracting. MAG will reimburse the City.

CRS has already done design work for a previous, related project. The design agreement will roll the previous design work into this project.

Mr. Trusty said the project wouldn't have curb-and-gutter. That would be added as the land along the road was developed.

Councilmember Curtis asked for sound barriers for areas where there were houses near the road. Mr. Trusty responded that sound walls weren't funded with this project.

Councilmember Westmoreland asked how many additional traffic lights would be installed. Mr. Trusty said traffic signals would be installed at Porter's Crossing Pkwy. and 800 West. If SilverLake Parkway meets the warrant requirements at some time in the future, another can be added there.

Discussion continued on additional traffic signals.

Mr. Trusty noted the project would require a second access, which would go through Evans Ranch.

3. ADJOURN TO A CLOSED EXECUTIVE SESSION.

No Closed Executive Session was held.

Mayor Pro Tem Westmoreland adjourned the Work Session at 5:21 p.m.

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

ELECTED OFFICIALS PRESENT: Councilmembers Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. Mayor Chris Pengra and Councilmember Adam Bradley were excused. Councilmember Westmoreland served as Mayor Pro Tem.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Chief Deputy City Recorder; David Mortensen, City Treasurer; Aaron Sanborn, Economic Development Manager; Linda Peterson, Communications and Community Relations Director; Steve Mumford, Community Development Director; Tayler Jensen, City Planner; Chris Trusty, City Engineer; Ross Fowlks, Fire Chief; Eric McDowell, Chief Sheriff's Deputy.

4. CALL TO ORDER

Mayor Pro Tem Westmoreland called the meeting to order at 7:05 p.m.

5. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Westmoreland led the Pledge of Allegiance.

6. INFORMATION ITEMS/UPCOMING EVENTS

- **Youth Council Elections** – Congratulations to Hannah Nearman, who was elected Youth Council Mayor for the 2017-2018 school year, and Davis Butcher, Jordan Noyes, and Hannah Clark, Youth Council members.
- **Pony Express Days** – Pony Express Days will be held from May 26 through June 3. Events include the rodeo, bike ride & pancake dinner, family fun night with movie in the park, carnival/vendor booths/entertainment stage, adventure ride & campout, parade, demolition derby, and fireworks. Vendor applications and parade registrations are being accepted now at www.emcity.org/ped. Carnival pre-sale discount tickets are available through May 22 at Eagle Mountain schools (except Frontier Middle School) and at City Hall through May 31. Tickets for the arena events are on sale now at www.ponyexpressspecialevents.com.
- **Pony Express Days Parade Float Contest** – Eagle Mountain City is seeking entries for the Pony Express Days Parade Float Contest. Only registered entries will be eligible. Prizes will be awarded in the following categories: originality/creativity, workmanship/use of materials, overall appearance and neatness, best overall corporate entry, and best overall municipality entry. Details and registration available at www.emcity.org/parade.

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

None.

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

Councilmember Curtis

Councilmember Curtis encouraged youth from 14 – 18 years old to attend Youth Council meetings on the 2nd and 4th Wednesdays of each month at 5:30 p.m. He described some of their activities, including helping with Pony Express Days, working with the Mascot Miracles Foundation and serving on committees preparing for the opening of the new high school. He commended everyone who participated in the 2nd annual Community Clean-up Day. His group pulled 10-15 bags of debris out of Tickville Wash, as well as a mattress and an exercise bike. He asked people not to throw debris in the Wash.

Councilmember Reaves

Councilmember Reaves welcomed everyone to the meeting and thanked them for being involved in their city. He looked forward to a good meeting.

Councilmember Gricius

Councilmember Gricius congratulated the newly-elected members of the Youth Council. She encouraged people to participate in the annual Community Clean-up Day. She looked forward to Pony Express Days and hoped to see lots of pictures posted online, because she will be at a family reunion.

Mayor Pro Tem Westmoreland

Mayor Pro Tem Westmoreland asked for forgiveness for any missteps he might make in his first experience acting as Mayor Pro Tem.

9. INTRODUCTION – 2017 Pony Express Rodeo Queen Alli Johansen

Ms. Johanson stated she was a freshman at Springville Jr. High School. She was the co-chair of her FFA chapter. She planned to go to Utah State University and become a large-animal veterinarian. She invited the Council to the various Pony Express Days events. Ms. Johanson explained the rodeo queen pageant process: giving a speech, modeling, interviewing with the judges and horsemanship. The queen was expected to represent the rodeo in a professional manner at many events throughout the year. She presented rodeo tickets to all of the Councilmembers.

CONSENT AGENDA

10. MINUTES

A. May 2, 2017 – Regular City Council Meeting

11. BOND RELEASE – Out of Warranty

A. Sweetwater Phase 4

MOTION: *Councilmember Gricius moved to approve the Consent Agenda. Councilmember Curtis seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

SCHEDULED ITEMS

PUBLIC HEARING

12. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Adopting the Eagle Mountain City Fiscal Year 2017-2018 Budget.

This was a public hearing only. No action was taken.

City Treasurer David Mortensen recapped the presentation he made in Work Session, which is found on pages 1-3 of these minutes. State statute requires that the City Council hold a public hearing on the budget and that the final budget be adopted by June 22. The tentative budget was accepted by the City Council on May 2, 2017. The final budget will be adopted on June 20 and will be the document that governs the expenditures for FY 2017-2018.

Mayor Pro Tem Westmoreland opened the public hearing at 7:26 p.m. As there were no comments, he closed the hearing.

Councilmember Curtis asked how the allocation for Cory B. Wride Memorial Park increased from \$3.5M to \$5.9M. Mr. Jerome stated there were four funding mechanisms for the park: utility sale proceeds, park impact fees, a donation from Ivory Homes and a field lighting grant. He pointed out that some of the money was approved last year for Phase 1A.

Mr. Pili said Brad Hickman, Parks and Recreation Director, has been studying the project to find ways to reduce the costs, such as delaying installation of lighting for some of the sports courts.

Councilmember Curtis stated the Council had discussed spending \$3.5M on the park. He wanted to know how the \$1.8M Ivory Homes donation fitted into the park funding. He said the Council had been assured that parks impact fees weren't being raised to fund Wride Memorial Park improvements, but it was apparent that they were, since \$2M was added to the park funding.

Mr. Pili explained City staff was following the directions of the Council. The cost increases were due to increases in construction costs during the time it was taking to assemble the bid package. Mr. Hickman was looking for ways to lower the costs so the bids didn't exceed the funding approved by the Council. The Ivory Homes donation would be finalized in the Overland Master Development Agreement, which was in the process of being completed.

Mr. Pili said staff was moving forward before the master development agreement was completed, at the Council's direction.

Discussion continued on the mechanisms for funding the improvements to the park. Mr. Pili stated the impact fees had already been collected. They weren't increased for the park.

Councilmember Curtis objected to making so many improvements on one park when there are other regional parks in need of improvement. He didn't feel his input had been considered through the course of the decision-making on this issue.

Mr. Pili stated the Council agreed to spend \$5.9M on the park, \$3.5M of which was to come from the utility sale proceeds. Mayor Pro Tem Westmoreland concurred. He stated the park was approved and funded, and was a unique venue designed to serve the entire City.

Councilmember Gricius told Mr. Pili she wanted a fence with only one exit/entrance point around the special-needs playground.

Mr. Pili pointed out that the bids would be presented to the Council for discussion before they were advertised.

Councilmember Reaves asked Mr. Pili to review the history of the Ivory Homes donation. Mr. Pili said it came from an agreement between Ivory Homes and SITLA. Ivory Homes suggested applying the money to the park. Once City Administration heard about the \$1.8M, they met with Ivory Homes to detail the use of the donation.

Mr. Jerome showed a table on the projection screen which detailed the amounts and funding sources approved for improvements to Wride Memorial Park.

Trevor Norton, a resident, asked where Wride Memorial Park was located. Councilmember Gricius told him the ballfields off of Pony Express Parkway were part of the park.

PUBLIC HEARING

13. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending Chapter 17 of the Eagle Mountain Municipal Code.

- A. Chapter 17.20.030 – Permitted Uses, Agriculture Zone
- B. Chapter 17.25.040 – Permitted Uses, Residential Zone
- C. Chapter 17.35.030 – Permitted Uses, Commercial Zone

- D. Chapter 17.37.030 – Permitted Uses, Business Park Zone
- E. Chapter 17.38.030 – Permitted Uses, Commercial Storage Zone
- F. Chapter 17.40.030 – Permitted Uses, Industrial Zone
- G. Chapter 17.45.030 – Permitted Uses, Airpark Zone

This item was presented by City Planner Tayler Jensen. The proposed amendments to the Eagle Mountain Municipal Code clarified that any use not specifically permitted in a chapter of the Code was prohibited. The Planning Dept. was advised by land use attorneys to make these changes. As written, the Municipal Code permitted anything that wasn't specifically prohibited. The amendments would not change the way City staff interpreted the Code.

Mayor Pro Tem Westmoreland opened the public hearing at 7:57 p.m.

Abe Mattinson asked whether it was the City's job to tell people what they can do, rather than what they can't do. He felt residents should have the widest possible range of choices as to what they can do with their property

Mayor Pro Tem Westmoreland closed the public hearing at 7:58 p.m.

Mayor Pro Tem Westmoreland asked Mr. Cook's opinion of the change. Mr. Cook said the additional clarification provided by the proposed changes could prevent a successful legal challenge to the Municipal Code.

Councilmember Gricius asked how an unauthorized use could be assumed to be allowed. As an example, Mr. Jensen stated an issue came up in Sandy City in which city government attempted to put a stop to short-term residential rentals in a single-family neighborhood, because they were not allowed in the city code. A lawsuit ensued, and since the rentals were not specifically prohibited, the court ruled that they had to be allowed.

Mr. Mumford pointed out zoning laws were created to ensure that compatible uses were allowed to be adjacent, and incompatible uses were separated.

Councilmember Curtis asked if a "blacklist" could be created instead of a "whitelist." Mr. Cook responded that staff would never be able to think of every undesirable use to add to a blacklist. A use might be requested that staff had never considered.

Councilmember Gricius said it would be impossible to put a Taco Bell in her back yard, even though it wasn't specifically prohibited. Mr. Cook pointed out there was a restaurant in Salt Lake City that operated out of a residential home. He felt there was no reason not to add clarification to the Municipal Code. Courts have ruled that cities cannot enforce prohibitions not specifically stated in their codes.

Mr. Mumford said the changes would also prevent any City Council from basing land use decisions on personal preferences rather than treating all applicants equally.

Councilmember Reaves stated there was already language in the Municipal Code that allowed the Council to review applications on a case-by-case basis.

Mayor Pro Tem Westmoreland said it was the Council's duty to protect the residents. The proposed changes were intended to improve that protection. He wouldn't challenge legal counsel; court precedents were clear.

Mr. Cook said if the Council was comfortable with the intent of the Code, there was no reason not to make changes for clarification. He also noted the approval of the gravel pit was contentious, but had to be allowed because of the wording of the Municipal Code.

Councilmember Gricius pointed out some prohibited uses that were listed in a chapter of the Code dealing with permitted uses. She suggested placing the proposed amendments in the Prohibited Uses chapter of the Code.

Mr. Cook agreed that would accomplish the intention of the proposed amendments.

Councilmember Gricius felt the proposed change from him to him/her was unnecessary.

Discussion on this item continued.

MOTION: *Councilmember Gricius moved to adopt an ordinance of Eagle Mountain City, Utah, amending Chapter 17 of the Eagle Mountain Municipal Code and directing staff to move the wording "any use not permitted in this chapter shall be prohibited" to the Prohibited Uses section of the Code, adjust or remove other items as necessary, add a reference to the Permitted Uses section, and not change instances of "him" to "him/her." Councilmember Curtis seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

PUBLIC HEARING

14. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending Title 6, Animals and Chapter 17.85, Animal Regulations of the Eagle Mountain Municipal Code.

This item was presented by City Planner Taylor Jensen. The proposed amendment to the Eagle Mountain Municipal Code combined Chapter 17.85 and Title 6. Having the City's animal regulations in two different sections of the Code was confusing to residents. No changes to the language were proposed, except to change instances of "him" to "him/her" and to combine the hobby breeder and kennel regulations, as they were essentially the same.

Councilmember Gricius requested a review of the list of prohibited animals, as she felt some of the restrictions were arbitrary. She also requested that "him" not be changed to "him/her."

Mayor Pro Tem Westmoreland opened the public hearing at 8:48 p.m. As there were no comments, he closed the hearing.

MOTION: *Councilmember Gricius moved to adopt an ordinance of Eagle Mountain City, Utah, moving Chapter 17.85, Animal Regulations, to Title 6, Animals, of the Eagle Mountain Municipal Code (with expectation of reviewing the list of prohibited animals), moving the hobby breeder regulations to the chapter containing the kennel license regulations, and not replacing instances of "him" with "him/her." Councilmember Curtis seconded the motion. Those voting aye: Colby Curtis,*

Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.

15. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Amending the Eagle Mountain City Consolidated Fee Schedule.

This item was presented by City Recorder Fionnuala Kofoed. The proposed amendment to the Consolidated Fee Schedule adopted fees for interment of cremated remains and for disinterment, as these were left out of the original list of cemetery fees in the Municipal Code.

Councilmember Reaves asked if the cemetery fees were consistent with those of other local cities. Ms. Kofoed stated the fees were comparable to or lower than those of other fees in the county. Cities whose cemeteries were beginning to fill up generally had higher fees, especially for non-residents.

MOTION: ***Councilmember Reaves moved to adopt a resolution amending the Eagle Mountain City Consolidated Fee Schedule. Councilmember Curtis seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.***

16. MOTION – SilverLake 16 Preliminary Plat.

This item was presented by City Planner Tayler Jensen. The proposed SilverLake 16 preliminary plat, located adjacent to Woodhaven Boulevard, was the first phase of SilverLake to be built on the south side of Tickville Wash. The 15.37 acre parcel included a church lot and 30 single family residential lots running parallel to the wash.

The developers completed a required slope stability study and agreed to comply with any conditions imposed by City Engineer Chris Trusty. Mr. Trusty reviewed their proposal and met them on-site.

Mr. Jensen stated connectivity was an issue. The proposed city blocks were more than the maximum 800-foot length allowed. The developers did provide pedestrian crossings, which allowed them to have blocks up to 1100 feet long. They hadn't provided details of privacy fencing to the Planning Department, but all fencing will be consistent.

Councilmember Reaves asked Bronson Tatton, representing the developers, if the developers planned to dedicate the land associated with the wash to the City. Mr. Tatton said he believed the Tickville Wash would be dedicated to the City at recordation, or possibly as a metes and bounds dedication. Mr. Mumford pointed out the eastern portion of the wash was part of the plat, but the west side was not. Mr. Tatton stated that land could be added to the plat if that was the City's preference.

Mr. Tatton stated Tickville Wash was a regional storm detention area, which was why it was a joint project between the developers and the City.

Councilmember Curtis asked about the master development plan's requirement for neighborhood and pocket parks. There were no parks in this plat.

Mr. Mumford said the intent of the master development plan wasn't to have neighborhood parks in every plat. The open space map showed general locations of the parks.

Councilmember Curtis wanted each neighborhood to have some kind of usable recreational space.

Mr. Tatton asked whether City staff preferred to have the required eight acres of open space as a large park or as smaller neighborhood parks. Councilmember Curtis asked if Mr. Tatton would be willing to work with staff to plan something for an eleven acre piece of land the developers already donated in exchange for a reduction in the eight acres of open space. Mr. Tatton said they would be willing to consider it.

Councilmember Reaves noted the park would be centralized if future plats were built as planned.

Mr. Pili stated he wanted any solution to be mutually beneficial. The City's Neighborhood Match Grant Program might be able to offer some funds for park improvements.

Discussion continued on this item.

MOTION: *Councilmember Curtis moved to approve the SilverLake 16 preliminary plat, directing City staff to work with the developer on a park solution. Councilmember Reaves seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

17. PONY EXPRESS PARKWAY EXTENSION PROJECT – from Redwood Road in Saratoga Springs to Porter's Crossing Pkwy. in Eagle Mountain
 - A. Interlocal Agreement between Eagle Mountain City and Mountainland Association of Governments (MAG) for the Pony Express Widening Project
 - B. Interlocal Agreement between Eagle Mountain City and the City of Saratoga Springs for the Funding of the Pony Express Widening Project
 - C. Agreement with CRS Engineers for the Design of the Pony Express Widening Project

This item was presented by City Engineer Chris Trusty. The proposed agreements were for the funding, design and widening of Pony Express Parkway to 5 lanes from Redwood Road in Saratoga Springs to Porter's Crossing Pkwy. in Eagle Mountain. The project included the installation of traffic signals at 800 West in Saratoga Springs and Porter's Crossing Pkwy. in Eagle Mountain, and the replacement of the pedestrian trail where the widening encroached upon the existing trail.

As part of the bi-annual state TIP funding, Eagle Mountain City and Saratoga Springs were awarded \$3,589,000 to widen Pony Express Parkway from Porter's Crossing Pkwy. to 800 West in Saratoga Springs. This funding has become available, and both cities have been in the process of working together in conjunction with UDOT and MAG to design this project. Both cities jointly applied for additional funding to widen Pony Express to five lanes to Redwood Road, but initially fell outside the range of funded projects. However, additional funding recently became available. Rather than build this project in two phases separated by three years, MAG was able to accelerate the funding of the second phase. Delaying the initial project by one year allowed both projects to be completed in 2018. The allocation for the entire project was \$9.8M. Any costs above the allocated funding will be divided evenly between the two cities.

Eagle Mountain will serve as the project manager, responsible for contracts, invoices and payments. The City will be responsible for paying invoices and will be reimbursed by MAG within thirty days.

Councilmember Gricius wondered why Mr. Trusty said there was money for rights-of-way when the written budget said there was no budget for that. Mr. Trusty explained when Eagle Mountain became the project manager, costs went down because not all of the UDOT standards had to be met.

Councilmember Reaves asked if removal of medians on Pony Express Parkway all the way to City Center was included in this agreement. Mr. Trusty said it was not. The project only affected a section of Pony Express Parkway that was without medians.

Mr. Trusty stated a traffic light will be installed during the summer at the intersection of Pony Express Parkway and Porter's Crossing Pkwy.. That will count as the City's required \$210K contribution. The traffic light will be impact-fee eligible.

Councilmember Curtis asked if there were any funding sources available for building sound barriers. Mr. Trusty said he wasn't aware of any.

Councilmember Reaves discussed the fence along Pony Express Parkway at SilverLake, which was blown down by the recent storm. He wanted to know if it could be replaced by a wall. Mr. Trusty and Mr. Cook felt a wall might qualify for impact fee funds. It might be possible to replace the fence along Wride Memorial Highway, as well.

MOTION: *Councilmember Curtis moved to approve an interlocal agreement between Eagle Mountain City and Mountainland Association of Governments (MAG), an interlocal agreement with the City of Saratoga Springs, and a design agreement with CRS for the Pony Express Widening Project. Councilmember Gricius seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

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

Councilmember Curtis

No comment.

Councilmember Bradley

No comment.

Councilmember Reaves

No comment.

Councilmember Gricius

No comment.

Mayor Pro Tem Westmoreland

No comment.

19. 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.

None.

20. COMMUNICATION ITEMS

- A. Upcoming Agenda Items
- B. Financial Report

21. ADJOURNMENT

MOTION: *Councilmember Gricius moved to adjourn the meeting at 9:42 p.m. Councilmember Curtis seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

Approved by the City Council on June 20, 2017.

Melanie A. Lahman
Melanie A. Lahman
Deputy City Recorder