

**MINUTES OF TOWN COUNCIL MEETING  
TOWN OF EAGLE MOUNTAIN, UTAH  
Eagle Mountain Community Center  
1668 E. Heritage Dr.  
Eagle Mountain, UT 84043  
June 1, 1999**

**WORK SESSION – No Action or Minutes Taken – 4:30 to 6:30 p.m. – 2218 E. Valley Dr., Eagle Mtn.**

1. Warrant Register/Jeri Wilson
2. Contract Change Order/Korey Walker
  - A. Niels Fugal Sons Company, Change Order 1 for 4" Low Pressure, Natural Gas Distribution Line for the Ranches, in the amount of \$6,000.00
3. Class II Preliminary Plat Approvals/Ken Leetham
  - A. Preliminary Plat Approval for 3 Crossings & Prairie Gate (R-6 N-4 & 5)
  - B. Preliminary Plat Approval/Site Plans for Town Center West
4. Class II Final Plat Approval/Ken Leetham
  - A. Final Plat Approval for Eagle's Gate (R-1 N-26 & 27)
  - B. Final Plat Approval for Horseshoe Station South (R-1 N-13 & 15)
  - C. Final Plat Approval for the Business Park located on Sweetwater Road South – Ray Morley, applicant
5. Eagle Mountain Budget for Fiscal Year ending June 30, 2000/John Newman
6. Eagle Mountain Property Tax Rate
7. Consolidated Fee Schedule for the Town of Eagle Mountain/Town Council Meeting on 6-15-99
8. Fencing in Eagle Mountain
9. Water Rates Schedule
10. Minimum Standards for Intersection Road Grades
11. Report on Weight Limit on Roads in Eagle Mountain
12. Parks and Recreation Facilities Plan, 1998-2020

**INTERMISSION - Change of Venue**

**POLICY SESSION – 7:00 p.m. – Eagle Mountain Community Center**

**1. Roll Call:**

Mayor Robert E. Bateman called the meeting to order at 7:07 p.m.

Councilmembers present:

Mayor Robert E. Bateman  
Diane D. Bradshaw, Daniel A. Valentine, William E. Chipman  
D. Cyril Watt, arrived at 8:10 p.m.

Town Staff:

Town Administrator: John Newman  
Town Attorney: Jerry Kinghorn  
Town Engineer: Korey Walker  
Town Recorder: Janet Valentine  
Recording Secretary: Vada Hunter

Others present:

Bert & Rebecca Ankrom, residents; Juanita Christiansen, resident; Mark Lofgren, resident; Heidi Will, resident; Kimberly James, Eagle Mountain Chamber of Commerce; Carol Guthrie, resident; Tricia Austin, resident; Randy Oakley, resident; Darrin

Brandt, resident; John Jacob, Cedar Pass Ranch; Harry Bonnell, resident; Chuck & Fawn Jenkins, residents; Wayne Will, resident; Mike Jensen, Epic Engineering; Brigham & Jennifer Morgan, residents; Ed Christiansen, resident, Jim Peterson, Eagle Mountain Properties; Bob Lynds, The Ranches, LC; Scott Kirkland, The Ranches, LC; Rich Morley, resident; An Potempa, Provo Daily Herald

2. **Pledge of Allegiance:**

Juanita Christiansen led the Town in the Pledge of Allegiance.

3. **Approval of Agenda:**

Mayor Bateman asked that item 8, Chamber of Commerce/Kimberly James, and Eagle Mountain Properties be at the same time as The Ranches. He proposed to move item 9b, Proposed Parks & Recreation Element of the Town General Plan, to after Class II Approvals. He asked that item 13, Approval of an Ordinance Adopting the Eagle Mountain Budget for the Fiscal Year 1999-2000, be moved down to after the approvals. He asked that item 11, Any action regarding the Proposed Parks & Recreation Element of the Eagle Mountain General Plan, be after the Public Hearings and be item 10.

**MOTION**

*William E. Chipman moved to approve the agenda as amended. Diane D. Bradshaw seconded. Ayes: 4, Nays: 0. D. Cyril Watt not present as yet. Motion passed.*

4. **Approval of Minutes:**

May 4, 1999:

**MOTION**

*Diane D. Bradshaw moved to approve the minutes of the Town Council Meeting of May 4, 1999, as amended. Daniel A. Valentine seconded. Ayes: 3, Nays: 0. William E. Chipman abstained. Motion passed.*

May 10, 1999:

**MOTION**

*William E. Chipman moved to approve the minutes of the Special Town Meeting on May 10, 1999. Diane D. Bradshaw seconded. Ayes: 3, Nays: 0. Mayor Bateman abstained. Motion passed.*

May 18, 1999:

**MOTION**

*Diane D. Bradshaw moved to approve the minutes of the Town Council Meeting of May 18, 1999, as amended. William E. Chipman seconded. Ayes: 4, Nays: 0. Motion passed.*

5. **General Discussion/Questions/Announcements:**

Mayor Bateman asked if the Planning Commission had discussed the proposed changes to the General Plan.

William E. Chipman said he had not seen anything of this sort.

Mayor Bateman said they were picked up by Dana Neth to be given to Janet Valentine for distribution to the Planning Commission.

John Newman thought the disc was for a meeting at 4:00 that didn't come about. He gave it to Ken Leetham, Town Planner. John said he would get the disc back and give to Janet Valentine for distribution.

Mayor Bateman asked that members of the Town Council give any suggestions they might have on changes to the Development Code to Ken Leetham, Town Planner.

Mayor Bateman said that the Homeowners Association of Cedar Pass Ranch has proposed to turn over some parks and developed facilities at Cedar Pass Ranch to the Town as Public Facilities. He asked for some input from Council Members. He said Utah County is taxing these parks.

Jerry Kinghorn asked what kind of facilities were in the park and how large the area was. He also wanted to know if there was any parking spaces.

Mayor Bateman asked Jerry Kinghorn to meet with the Homeowners Association of Cedar Pass Ranch to discuss this further.

William E. Chipman asked about the flags that are at the entrance to Eagle Mountain on SR73.

Mayor Bateman said these were in violation of the Town Code.

Kimberly James, Eagle Mountain Chamber of Commerce, said she had put these up herself. She was advised by Mayor Bateman that these must be taken down.

6. **Appointments:**

Mayor Bateman proposed that the Town appoint Dana Neth as Deputy Clerk/Recorder for the Town of Eagle Mountain as a back up for Janet Valentine when she is out of town or unavailable.

**MOTION**

*Diane D. Bradshaw moved to approve the appointment of Dana Neth as the Deputy Clerk/Recorder for the Town of Eagle Mountain. Daniel A. Valentine seconded. Ayes: 4, Nays: 0. Motion passed.*

Mayor Bateman proposed to appoint to the Eagle Mountain Board of Adjustment, effective June 1, 1999, the following individuals:

	<u>Term Expires</u>
Jenny Richards	06-01-2000
Paul Bond	06-01-2001
Greg Kehl	06-01-2002
Fran Watt	06-01-2003
Randy Oakley	06-01-2004

The alternates are as follows:

- Allen Thompson
- Carl Faulkner
- Juanita Christiansen

William E. Chipman asked how the alternates work. Mayor Bateman said the Board of Adjustments meets on an irregular basis and sometimes they do not have enough people to make a quorum. The alternates could be called to make up a quorum.

**MOTION**

*William E. Chipman moved to appoint the individuals listed on the attached sheet as members of the Board of Adjustment with corresponding dates for time of service. Diane D. Bradshaw seconded. Ayes: 4, Nays: 0. Motion passed.*

**7. Public Comment:**

Carol Guthrie, Town resident, commented there is someone in Town that wants wrought iron fencing and so this needs to be considered in the fencing issue.

Mark Lofgren, Town resident, commented on his dislike for the flags at the Town entrance. He also wanted to know about the light at the entrance.

Mayor Bateman said he was concerned about the amount of signs going up all over the Town. He said he had a meeting with Nick Berg and with The Ranches so that they were aware of the guidelines.

Jim Peterson, Eagle Mountain Properties, said the parts are on order for the lighting. Because of the nature of lights it was hard to get the parts.

Daniel A. Valentine asked that the lights do not shine towards the sky.

Heidi Will, Town resident, commented about the large water bills. She felt like it was unfair to pay for water she didn't use.

Mayor Bateman explained how the billing works for the Town.

Mark Lofgren, Town resident, wanted to know when the public parks had to be put in.

Korey Walker said they had to be completed within one year of recordation.

Darrin Brandt, Town resident, wanted to know when there would be some services in Town, such as gas and grocery.

Rich Morley, Morley Construction, said there were some contractors under contract but it would depend on recordation of the plats on the property proposed for commercial construction. He said they did not have a large grocery store commitment because of not enough people as yet. He said the company building the gas station would build an extended mart to accommodate some basic items.

**8. Chamber of Commerce/Kimberly James:**

Kimberly James gave a presentation on the goals of the Chamber of Commerce. Her office is located in the Eagle Mountain Community Center. The address and phone number is:

Eagle Mountain Chamber of Commerce  
1670 E. Heritage Drive  
Eagle Mountain, UT 84043  
766-5851

Jim Peterson announced that Eagle Mountain Properties is moving its offices to the Rocky Mountain GSE building down the road and their office would be upstairs in their building.

9. **Public Hearings:**

**A. Proposed Ordinance Amendment relating to the Minimum Standards for Intersection Road Grades:**

Korey Walker, Town Engineer, explained that the current Development Code requires all intersections maintain a grade of 3% or less - 50 feet away from the intersection. To accommodate some of the proposed developments in the steeper slopes and also to reduce cuts and fills on hills, he is making a recommendation to change the code from 3% to 4% and to increase the distance of the grade from 50 foot to 100 foot. What that will do is reduce the cuts and fills, and it will increase the safety in the intersections. One other recommendation that he would like to add is found in Ordinance No. 99-09 which reads:

**The maximum grade in the 100 feet before an intersection shall be 4%; provided, however that where no traffic signal or traffic control device is required, collector roads shall maintain a grade at intersections not to exceed 6%. Streets intersecting with collector roads shall maintain a maximum of 4% with detailed storm water and street profile design and construction standards approved by the Town Engineer.**

Bob Lynds, The Ranches LC said he did not have any problems with these proposals.

Jerry Kinghorn, Town Attorney, said they would have to do some re-drafting and add a paragraph to this ordinance with the changes.

Carol Guthrie, Town resident, said she liked this proposal because she didn't want to see changes made in the topography.

William E. Chipman said he is okay with this if it is not a safety issue.

Daniel A. Valentine had no comments.

Diane D. Bradshaw had no comments.

Mayor Bateman closed the Public Hearing on this issue.

**B. Proposed Parks & Recreation Element of the Town General Plan:**

A slide presentation was made by Korey Walker, Town Engineer, and Mike Jensen, Epic Engineering.

Cyril Watt arrived at 8:10 p.m.

Korey said that as they put this proposal together, they realized that it would not be financially feasible for the Town to accomplish the proposed parks and recreation facilities as outlined in the first presentation given to the Planning Commission. He said they went through and made changes in the plan. He said all of the plans included the land, the improvements and the water associated with the parks.

Scott Kirkland, The Ranches, asked about the costs. He wanted to know if this included the land and the water.

Korey Walker responded that it covered everything.

Bob Lynds, The Ranches LC, said with these costs the impact fee would be \$5,032 per unit.

John Jacob, Cedar Pass Ranch, said the costs could be cut some with putting in less asphalt for the trails. He also suggested work stations along the trails.

Mayor Bateman suggested there be something where developers could offer alternatives.

John Jacob felt like these standards were too high for a new community. He felt like there were too many parks.

Tricia Austin, Town resident, said she would rather see small parks in the subdivisions for their children to play in.

Mayor Bateman felt like there were too many regional parks per ERU. He asked if maybe they could create more recreational functions in the parks and not have so many.

John Jacob suggested they put in a 4-diamond ball park that would be back-to-back.

Fawn Jenkins, Town resident; asked about sharing fields with schools.

Mayor Bateman said when possible this could be done.

Scott Kirkland talked about the small park concept.

Mayor Bateman suggested a committee be created to talk about this.

Diane D. Bradshaw said when they started talking about this 10 months ago it looked good on paper. But now that it has come down to reality, it is a little overwhelming.

Mayor Bateman said that with the number of neighborhood parks planned, the Town needs larger and fewer regional parks.

Harry Bonnell, Town resident, asked about having picnic tables and barbeque areas.

Randy Oakley, Town resident, commented about the facilities in Lehi.

Carol Guthrie, Town resident, commented about park sizes.

Darrin Brandt, Town resident, said the Town needs to consider the kinds of parks that are needed for the future when all of the young children grown up and become teenagers.

Juanita Christiansen, Town resident, gave a short presentation on youth soccer and little league programs. She talked about how to reduce cost and fees, and she asked about getting the word out in asking people to donate any kind of equipment they might not be using anymore. She asked that parents volunteer as much as possible.

Diane D. Bradshaw and William E. Chipman asked how much she needed from the budget to get the programs going.

Juanita said she would need \$8,000 to get everything up and going. She said it would take at least three years to break even.

John Newman said he had not figured this in the budget.

John Newman said that what the Town needed to do at this point is Master Plan everything not regarding what has been given to the Town. Once the Town Master Plans what is needed, then the next exercise is to put together the Capital Facilities Plan. This is what will make that Master Plan element happen. Then the next exercise is to put together a funding mechanism.

William E. Chipman commented about the financial difference if land and water rights are donated for the parks.

Tricia Austin, Town resident, asked where she could obtain information about the specific requirements for the items that are to be in the parks in the neighborhood.

Korey Walker responded about the amount of parks for multi-age children and what type of equipment that should be built. He talked about the amount of parks per children in the development.

John Jacob commented about putting in soccer parks.

Scott Kirkland, The Ranches, talked about bonus densities.

Mayor Bateman closed the Public Hearing on this issue.

Jerry Kinghorn asked that he have the opportunity to talk with Korey Walker about playground equipment standards.

**10. Water Rate Schedules:**

Korey Walker discussed this briefly. He said the recommendation made by the Public Works Board is suggesting the existing culinary water rate, which is \$20.00 for the first 10,000 gallons, \$1.00 from 10,000 to 30,000, and \$3.00 for 30,000 gallons and up, be changed to \$20.00 for the base rate of 10,000 gallons, \$1.00 from 10,000 to 60,000 gallons, \$1.50 from 60,000 to 100,000, \$2.00 from 100,000 to 150,000 gallons, and \$3.00 for 150,000 gallons on up.

Korey stated that the Public Works Board, with this recommendation, was concerned about two items. First, that the water rights be evaluated to determine that the Town is getting sufficient water rights from the developers or a more conservative rate. He said they need to evaluate how to use those water rights. The Town's present requirements are based on the agreement and signing with the bondholders. If the rate is reduced then the revenue is reduced. This might call for standby fees.

John Jacob talked the benefits of the RBANS is Town verses in Cedar Pass Ranch. He talked about the amount of water used in Town verses out in Cedar Pass Ranch.

There was a discussion about hooking up to the water or drilling your own well.

Harry Bonnell, Town resident, said he was quite shocked when he got his first water bill. He waters a ¼ acre of landscaping. He talked about his sprinkling system.

John Jacob said that in the recommendation of the Public Works Board, it was his understanding that if people used more water than they were supposed for two years, that after the second year they would be penalized somehow that they would be required to provide more water for the city.

Bert Ankrom, Town resident, commented that there are tests out there to use on your lawn that will show good watering ways.

Harry Bonnell said a lot of the watering depends on the amount of wind.

Brigham Morgan, Town resident, wanted to know what the proposed change was.

Mayor Bateman gave the changes.

Brigham Morgan said he was concerned about people not conserving water if the rate was lowered. He said there are ways to work with the system.

Fawn Jenkins, Town resident, said she used to live in Reno and they learned ways to have green lawns with very little water. It all has to do with education.

Juanita Christiansen, Town resident, asked about the gray water system.

Mayor Bateman said that system was not set up yet.

John Jacob said the people in Town have enough water to water their lawns because they don't have as much lawn as people in Cedar Pass Ranch.

Mayor Bateman asked the Council Members to comment.

William E. Chipman said he would like to see the water rates as \$20.00 for the first 10,000 gallons, \$1.00 per 1,000 gallons for 10,000 to 50,000 gallons, \$2.00 per 1,000 gallons for 50,000 to 100,000 gallons, and \$3.00 per 1,000 gallons for 100,000 and over.

Mayor Bateman asked Korey Walker if his projections would show that this would generate sufficient revenue for the RBANS; if not, is he ~~are~~ recommending standby fees?

Korey Walker explained what standby fees are: as soon as a lot receives final approval or recordation, they obtain some commitment from the Town that the Town has capacity to save the lot capacity. The standby fees put a monthly fee on that lot for binding or holding that to save the lot capacity the system as they are approved.

Mayor Bateman summarized the discussion that to make up this difference in the revenue if we went with this option one alternative would be to put the standby fee into effect which could affect people who have already built a home and are using ~~the~~ well but do have the Town system available so they would have to pay a monthly fee.

John Newman said it affected another group, that for whatever reason has purchased more than one lot.

John Jacob asked how many people would rather dig their own well instead of hooking up to the Town's system.

Scott Kirkland talked about the water system they installed in Cedar Pass North. He said that most of the homes have not connected on to the system.

Mayor Bateman ended the Public Hearing for the Water Rate Schedule.

Jerry Kinghorn asked the Mayor if he could talk to Korey Walker before the Council acted on the intersection road grade.

11. **Any Action on Water Rate Schedule:**

John Newman, Town Administrator, said they were having a consultant looking at the rates and the incomes received from the various utilities and have them do a quick turnaround on their recommendations.



Mayor Bateman said the recommendation from some of the staff is that the Town not enact on a rate change until the recommendations from the consultants are in. The Mayor also felt like those people who were led to believe that when they donated their water rights to the Town they would be getting the water they needed to handle a quarter of an acre of landscaping for a reasonable rate, that the Town should make good on that and adopt some kind of reduction in the rate structure. He said the Town should not encourage water use because of the dry climate area of the Town.

Bill Chipman said he would be in favor of the \$20.00 for the first 10,000 gallons, \$1.00 per 1,000 gallons from 10,000 to 60,000 gallons, \$2.00 per 1,000 gallons from 60,000 to 100,000 gallons, and \$3.00 per 1,000 gallons for 100,000 gallons and up.

Dan Valentine said he was comfortable with that rate.

Diane Bradshaw asked about the RBANS.

John Jacob commented to Diane Bradshaw that he hoped people would sign up for the water instead of drilling a well.

John Newman said the RBANS are not being repaid, just the interest; and the Town is paying the interest.

Mayor Bateman said that while there is a guarantee on the RBANS, the Town is still liable.

Diane Bradshaw said people are not putting in wells just because of the water rates. Some people just want to have their own well.

John Jacob said Cedar Pass Ranch is being penalized because they have to use more water. He liked the rates that Bill Chipman suggested.

Mayor Bateman agreed with the rates suggested. He asked that Jerry Kinghorn draft up the Resolution; have Korey Walker look at the RBANS and see where this puts the Town, and then look at the study.

John Newman recommended that the Council prepare a rate schedule for the next meeting.

Mayor Bateman suggested that Korey Walker do a pro-forma, prepare the resolution, and then with those pro-forma numbers, fix the resolution.

Korey Walkey asked that the Town take another look at the water right requirements to make sure everything is in order.

12. **Consideration to conduct a Public Hearing for the purpose of amending the Town's Fencing Standards in Residential Zones:**

Mayor Bateman said the proposal was drafted from the recommendations of the Planning Commission.

Daniel A. Valentine said he liked the language that was proposed. He said he would like the height to be lowered to five (5) foot maximum and to not allow slats on the chain link fence.

Diane D. Bradshaw asked about a verification on the size. It was verified that chain link fencing comes in four (4) foot or six (6) foot.

Daniel A. Valentine then asked if the side fencing could be six (6) foot and the back by the alley four (4) foot.

William E. Chipman said he would go along with six (6) foot on the side and four (4) on the front where it comes to the side of the house, and he did not want slats.

Diane D. Bradshaw said she would recommend four (4) foot all the way around and no slats.

Jim Peterson, Eagle Mountain Properties, talked about chain link fencing. He talked about the community being an open community. He talked about the need for fencing depending on the needs of the family. He does not want to lose the integrity of the Town.

Mayor Bateman talked about how a community looks when everyone has six (6) foot fencing around their houses. He likes the idea of four (4) foot fences.

William E. Chipman asked about people who already had fences up. He felt like they should be able to keep those fences up and then go from there.

Juanita Christiansen talked about why they are putting up a six (6) foot cedar fence behind their house. She said the Town Center is behind their house and they need to block that out because of headlights and other activity.

Brigham and Jennifer Morgan commented about fencing.

John Newman told a story about fencing. He said fencing is a personal issue.

Mayor Bateman suggested the following: In residential zones, fencing is allowed subject to the following provisions:

- a. Four (4) foot maximum height
- b. Inside and rear yards only
- c. In front yards only as such fence is not closer to the street in any portion of the house or garage structure
- d. Allowable materials will be chain link, cedar, vinyl, cedar, wrought iron, etc.

Jerry Kinghorn stated that the existing Development Code states that fences shall be constructed with materials in styles and colors that are compatible with the buildings to which they are accessory.

Mayor Bateman then said that in Residential Zones, fencing, including chain link, is allowed, subject to the following (mentioned above).

Scott Kirkland said that this is a personal issue. He said some people want privacy and some people don't. He said he doesn't believe in fencing in the front yard.

Mayor Bateman said he does not like to see a six (6) foot chain link fence.

Bert Ankrom, Town resident, asked why they were even changing anything at all.

Jennifer Morgan, Town resident, said this needs to go along with the spirit of the Development Code.

John Newman said the Council needs to get back to the issue which is chain link fencing and whether it is going to be allowed or not.

John Newman said a Public Hearing is advertised for the next Town Council Meeting on this issue. The Council wants an ordinance prepared for this meeting. The height is to be four (4) foot, no slats allowed, and barbs down, and subject to CC&R's.

13. Report on Weight Limit Issues on Roads in Eagle Mountain:

Jerry Kinghorn said the Utah Legislature had preempted setting weight limits and basically withdrawn setting the weight limits from local governments except in very narrow, specialized circumstances. The Town can impose weight limits if an engineering inspection concludes that due to deterioration caused by climatic conditions and the highway is damaged or destroyed then certain vehicles are restricted or prohibited and then it can only be done for 90 days.

Mayor Bateman asked when The Ranches Parkway was going to be paved.

Korey Walker said they would be seeing asphalt in about two weeks.

Mayor Bateman asked when the road would be available for truck traffic.

Korey Walker said it would be three or four weeks.

Mayor Bateman voiced his concern about the gravel trucks speeding through residential areas in Cedar Pass Ranch and there are children out there riding their bikes. He said this needs to stop now before someone is killed. He asked for any recommendations to take care of this.

Jerry Kinghorn said the cement trucks are coming in with their rear axle wheels down and then lifting them when they enter the subdivision. This is against the law. The Highway Patrol is going to set up some scales to weigh some of the trucks and then they would be issuing tickets. Jerry said there were provisions in The Ranches Development Agreement stating that the trucks are not to go through the subdivisions, but they are not following this agreement.

Daniel A. Valentine asked Scott Kirkland, The Ranches, if there was anything he could do.

Scott said once a lot is sold, the builder is using their own contractor and those are the trucks coming through the subdivision. He suggested closing a portion of the road so that the trucks would have to go back and come in on Fairfield Road. This could be done with concrete barriers.

Mayor Bateman asked how long it would take to draft a resolution for this to be done.

Jerry Kinghorn said it would require a special meeting and it would take 24 hours. He also needed a specific point where the road would close.

Scott Kirkland said it would be Fort Hill Road and Cedar Drive.

It was decided this would be on the next Town Council Meeting agenda.

14. Consent Agenda Items:

**MOTION**

*William E. Chipman moved to approve the Consent Agenda Items with the provision that John Newman be instructed to review with Daniel A. Valentine the items on page seven (7), referring to Tasco bills for electrical risers, and page eight (8), the US West bills. Diane D. Bradshaw seconded. Ayes: 5, Nays: 0. Motion passed.*

15. Consideration to Approve an Ordinance Amending the Minimum Standards for Intersection Road Grades:

ORDINANCE NO. 99-09

AN ORDINANCE AMENDING CERTAIN STANDARDS FOR COLLECTOR ROADS AND ESTABLISHING PROVISIONS FOR MAXIMUM ROAD GRADES FOR INTERSECTIONS OF PUBLIC STREETS

1. Amendment To Road Grade Provisions of the Development Code. This ordinance amends the provisions of the Development Code of the Town of Eagle Mountain relating to maximum road grades. Appendix E, 4 ©, Town Development Code is hereby amended to read as follows:
  - e. The maximum grade in the 100 feet before an intersection shall be 4%; provided, however that where no traffic signal or traffic control device is required, collector roads shall maintain a grade at intersections not to exceed 6%. Streets intersecting with collector roads shall maintain a maximum of 4% with detailed storm water and street profile design and construction standards approved by the Town Engineer.

MOTION

*Diane D. Bradshaw moved to approve Ordinance 99-09, Consideration to Approve an Ordinance Amending the Minimum Standards for Intersection Road Grades. D. Cyril Watt seconded. Ayes: 5, Nays: 0. Motion passed.*

16. Class II Preliminary Plat Approvals:

A. Preliminary Plat Approval for 3 Crossings & Prairie Gate (R-6 N-4 & 5):

DRC Recommendations:

1. Make the requested changes as noted in the Town Engineer's staff report.
2. The developers and lot owners/builders should sign an agreement acknowledging a potential utility capacity problem.
3. The Public Works Board recommends that all new subdivisions install conduit to each lot for future fiber optic installation.

Town Engineer Recommendations:

Submitted Material:

1. Changes and updates to the preliminary plans:
  - a. Intersection grades exceed the present code requirements. The Planning Commission requested the Town Staff create an acceptable recommendation to be adopted into the Town's Development Code and will be presented to the Town Council at this same meeting on the first Tuesday in June regarding this issue.
  - b. Addition of an all weather turn-around at the east end of Clark Road and extending the proposed utility lines into the turn-around. A temporary blow off valve needs to be placed at the east end of Clark Road.
  - c. Fulfillment of Planning Commission requests on May 25, 1999. (taken care of)

2. Water right documentation is in the process for approval of application by the State of Utah.
3. Developer and lot owners/builders should sign an agreement acknowledging potential utility capacity problem.
4. The Public Works Board recommends all new subdivision install conduit to each home for future fiber optic installation.

**MOTION**

*Daniel A. Valentine moved to approve the Class II Preliminary Plat Approval for 3 Crossings and Prairie Gate (R-6 N-4 & 5) subject to the recommendations of the Town Staff and the Town Engineer. William E. Chipman seconded. Ayes: 5, Nays: 0. Motion passed.*

**B. Preliminary Plat Approval/Site Plans for Town Center West:**

There was some discussion about how Eagle Mountain Properties was going to handle the landscaping on the area between Eagle Mountain Boulevard and Town Center West.

Jerry Kinghorn said there was no provision in the Development Agreement for this problem.

**DRC Recommendations:**

1. Prior to (concurrent with) final approval of this project, a set of architectural design guidelines should be approved that establishes the basic design theme for the building and landscaping that will be created in TC West.
2. An open space plan for TC West must be approved prior to (concurrent with) final approval. This plan should address open space within TC West and in the areas between Eagle Mountain Boulevard and the Town Centers.

**Town Engineer Recommendations:**

1. An agreement and plan should be submitted from the developer in conjunction with the master developer for the Eagle Mountain Boulevard buffer area.
2. Temporary access road should be maintained to Eagle Park.
3. Include all easements that may apply with county book and page number references.
4. Include table of total acreage in subdivision, total acreage of lots, average lot size, acreage of streets, and acreage of open space.
5. Include location and description of all monuments and street monuments set during survey.
6. Label open space that will be deeded to the Town.
7. Delete Board of Health signature block and add block for Town Attorney.
8. Final plat does not show names of streets, street widths, sidewalks, and trail system.
9. Final plat does not show north arrow, graphic and written scale.

**MOTION**

*Diane D. Bradshaw moved to approve the Preliminary Plat Approval/Site Plans for Town Center West with the understanding that the Town convey to Eagle Mountain Properties that this is going ahead based on their representation that landscaping would be provided in those two areas within 120 days as represented in the letter from Mr. Jones dated May 25, 1999, and subject to receipt of the architectural guidelines; and subject to the recommendations of the Town Staff and the Town Engineer. William E. Chipman seconded.*

Rich Morley asked for some clarification. He said the meantime it had been recommended that they work with Eagle Mountain Properties to get the design guidelines and the CC&R's that would govern all of the Town Centers and be binding on all commercial properties. In the interim, it was his understanding that for them to proceed, until those have been recorded or until they have been accepted by the Town, they would still have to come back and get a Class I.

Mayor Bateman said his understanding was that it would have to be in place by the time the development agreement was finalized and the plats recorded.

Korey Walker was under the impression that the Town would plat the subdivision and then Morleys would come back with Class I.

Mayor Bateman said that the understanding is that the architectural guidelines would be submitted before any site plan approvals.

*Ayes: 5, Nays: 0. Motion passed.*

17. Class II Final Plat Approvals:

A. Final Plat Approval for Eagle's Gate (R-1 N-<sup>26, 27?</sup>13 & 15):

**DRC Recommendations:**

1. Approval of development agreement and CC&R's.
2. The developers and lot owners/builders should sign an agreement acknowledging a potential utility capacity problem.
3. The Public Works Board recommends that all new subdivisions install conduit to each lot for future fiber optic installation.
4. An engineer's bond estimate must be submitted.

**Town Engineer Recommendations:**

1. Changes and updates to the construction drawings:
  - a. Developer and lot owner/builders should sign an agreement acknowledging potential utility capacity problem.
  - b. The Public Works Board recommends all new subdivision install conduit to each home for future fiber optic installation.
  - c. Approval of Development Agreement and CC&R's.
  - d. UDOT Access Permit Approval.
  - e. Intersection grades exceed the present code requirements. The Planning Commission requested the Town Staff create an acceptable recommendation to be adopted in the Town's Development Code and will be presented to the Town Council at this same meeting on the first Tuesday in June regarding this issue.

**MOTION**

*William E. Chipman moved to approve the Class II Final Plat Approval for Eagle's Gate (R-1 N-26 & 27) subject to the recommendations of the Town Staff and the Town Engineer. D. Cyril Watt seconded. Ayes: 5, Nays: 0. Motion passed.*

B. Final Plat Approval for Horseshoe Station South (R-1 N-13 & 15):

**MOTION**

*Diane D. Bradshaw moved to approve the Class II Final Plat Approval for Horseshoe Station South (R-1 N-13 & 15) subject to all the previous conditions that were placed on the original final and the landscaping plans. D. Cyril Watt seconded. Ayes: 5, Nays: 0. Motion passed.*

**C. Final Plat Approval for the Business Park located on Sweetwater Road South, Ray Morley applicant:**

Mayor Bateman asked Jerry Kinghorn if it was possible to do a process now in which the Town Council could give final approval now and review the design guidelines on the first site plan that comes in and review the design guidelines to the extent that they change for any other site plans.

Jerry Kinghorn said that guidelines, theoretically, would apply to all of the buildings within the area that is approved, so if you approve the architecture for a building and you use that building as a guideline for the rest, depending on how they submit it, you could probably document something like that. He does worry about things like that, however. He said the cleanest way to handle it would be to provide a Class I by the council so that you get a look at the architecture.

William E. Chipman commented that he thought the Planning Commission was to see all of the designs.

Rich Morley asked the Town Council to make it contingent upon final approval that they get the design guidelines to the Town Council prior to coming in for a building permit and that way it will put the pressure on Eagle Mountain Properties to get these things done.

William E. Chipman didn't like that idea. He wants to see all of the building plans.

**DRC Recommendations:**

1. **Prior to (concurrent with) final approval of this project, a set of architectural design guidelines should be approved that establishes the basic design theme for the buildings and landscaping that will be created in the Business Park.**
2. **The corrections made to the plat and construction drawings outlined in the attached Engineering Department report.**

**Town Engineer Recommendations:**

**A preliminary review of the Business Park (Morley Development) Final Plat has been completed. A Class I Review will be done after approval of the final plat.**

**MOTION**

*William E. Chipman moved to approve the Class II Final Plat Approval for the Business Park located on Sweetwater Road South subject to Jerry Kinghorn drafting a suitable development agreement that each individual site plan would come back to the Planning Commission for review of the landscaping and the design guidelines. D. Cyril Watt seconded. Ayes: 5, Nays: 0. Motion passed.*

**18. Any action regarding the Proposed Parks & Recreation Element of the Eagle Mountain General Plan:**

Mayor Bateman asked that Corey Walker have a chance to work on this more to show fewer parks but having larger parks with more facilities on each park. For example, ten to fifteen parks instead of thirty parks on 300 acres.

Mayor Bateman stated the Town would need more ball fields.

Mayor Bateman mentioned needing provisions for community activities.

Korey Walker asked when the Council would like to see a revision. He was told just as soon as possible.

19. **Approval of an Ordinance Adopting the Eagle Mountain Budget for the Fiscal Year 1999-2000:**

John Newman talked about some of the changes in the budget.

The budget is based on 600 building permits per year.

Mayor Bateman asked that this item be postponed so that it can be studied further.

John Newman said it would have to be taken care of at the next Town Council Meeting.

It was agreed to table the following items:

**Approval of an Ordinance Adopting the Eagle Mountain Budget for the Fiscal Year 1999-2000**

**Approval of a Resolution Setting Property Tax Rate for Fiscal Year 1999-2000**

20. **Motion to adjourn into a Closed Executive Session for the purpose of discussing personnel issues and/or possible litigation:**

**MOTION**

*Diane D. Bradshaw moved to adjourn into a Closed Executive Session for the purpose of discussing personnel issues and/or possible litigation. D. Cyril Watt seconded. Ayes: 5, Nays: 0. Motion passed.*

**MOTION**

*William E. Chipman moved adjourn the Closed Executive Session and go back into open session. D. Cyril Watt seconded. Ayes: 5, Nays: 0. Motion passed.*

Diane Bradshaw moved to adjourn at 11:35 p.m.

Approved: \_\_\_\_\_

Mayor Robert E. Bateman

Date: \_\_\_\_\_

6/23/99