

**MINUTES**  
**EAGLE MOUNTAIN CITY COUNCIL MEETING**

June 6, 2006

Eagle Mountain City Council Chambers, 1650 East Stagecoach Run, Eagle Mtn, Utah 84043

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

Mayor Brian B. Olsen called the meeting to order at 4:02 p.m.

CONDUCTING: Mayor Brian B. Olsen

ELECTED OFFICIALS PRESENT: Councilmembers David Blackburn, Heather Jackson, Vincent Liddiard (arrived at 4:46 p.m.), David Lifferth and Linn Strouse (arrived at 4:24 p.m.).

CITY STAFF PRESENT: Gerald Kinghorn, City Attorney; Gina Peterson, City Recorder; Angela Cox, Deputy Recorder; Kent Partridge, Building Official; Peter Spencer, Planning Director; Gordon Burt, Treasurer; Kent Partridge, Building Official; Royce Van Tassell, Community Relations Director; Chief Rand Andrus, Fire Chief.

**DISCUSSION**

PRESENTATION – Terasen.

DISCUSSION – Pioneer Addition Park.

DISCUSSION – Fire Department Budget.

**MAYOR'S BUSINESS**

The Mayor brought items to the attention of the City Council.

**AGENDA REVIEW**

The City Council reviewed items on the Consent Agenda and Policy Session Agenda.

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

Mayor Brian B. Olsen called the meeting to order at 7:05 p.m. Jerry Kinghorn led the pledge of allegiance.

CONDUCTING: Mayor Brian B. Olsen

ELECTED OFFICIALS PRESENT: Councilmembers David Blackburn, Heather Jackson, Vincent Liddiard, David Lifferth and Linn Strouse.

CITY STAFF PRESENT: Gerald Kinghorn, City Attorney; Gina Peterson, City Recorder; Angela Cox, Deputy Recorder; Shawn Warnke, Management Analyst; Kent Partridge, Building Official; Peter Spencer, Planning Director; Chris Trusty, City Engineer; Gordon Burt, Treasurer; Kent Partridge, Building Official; Jason Randall, Assistant Sergeant; Chief Rand Andrus, Fire Chief.

## MAYORS ITEMS

Mayor Olsen stated the recent Pony Express Days Celebrations was the biggest celebration in the City to date. He recognized Angie Ferre, for organizing the event and thanked the volunteers and the Sheriff's Department for their efforts.

Mayor Olsen gave an update on the following information:

- There will be a Town Hall meeting 7:00 p.m. June 29, 2006 at the City Offices to discuss the proposed Mountain View Corridor with the Utah Department of Transportation.
- The National Republican Congressional Committee awarded Councilmember David Lifferth the 2005 Businessman of the Year from the Business Advisory Council.
- A utility drop box has been installed at the north entrance of City Hall.
- The Building Department has purchased a truck which was needed to accommodate the hiring of an additional building inspector.
- Community Relations Director Royce Van Tassell was critically injured in a recent mountain biking accident. Mayor Olsen stated he is glad Mr. Van Tassell is doing so well and pleased to have him back to work.
- Mike Sergeant who blue stakes for the City has recently spent time in the hospital for an unknown illness; however, he is back to work and doctors are still evaluating his symptoms.
- There have been multiple accidents involving children in the City recently. He reminded everyone to be cautious and watch for children playing.
- City Administration is working with residents along 16000 West to establish a permanent route. More information pertaining to that road will be coming in the near future.
- The Mayor and Council are taking an aggressive action to repair the roads from winter damage and prevent future damage.

## PUBLIC COMMENTS

Darren Jones read the following statement:

*"I come before this body at this time as a citizen of the community, to give voice to my grave concerns over the state of this city. I do this at this particular time so that my comments will not be misconstrued as a part of a "lynch mob mentality" or as a knee jerk reaction to the grossly erroneous assertions of Mayor Olsen. That perhaps what I have to say may not be misunderstood as joining any concocted band wagon, by the Mayor, this council, the city department heads and members of the audience here tonight. Rest assured everything I present here has been done only after careful thought and soul searching.*

*The predicament that these lies of Brian have caused, which have been told and documented as far back as 2003, has placed this city and its interests on an incredibly fragile precipice. Your fraudulent assertions of having a Master's in Public Administration has not only set you back, but has cast a dimming light on Eagle Mountain as a serious player in the state's political halls.*

*Any influence we may have had once now has vanished. Once again, Eagle Mountain is the laughingstock of Utah due to their mayor and, for all intents and purposes, will remain a pariah in the statewide press as long as you stay in office.*

*How can any of us imagine that when the Mayor makes any statement or assert anything from this point forward in the public forum, (not to mention in the offices of the essential agencies, of our state's legislators, and our federal representatives) that there will not always be that nagging underlying question in their minds, "Is he telling me the truth this time?"*

*How can it be imagined when the time shortly comes to revisit our credit rating status, that this will not be a determining factor in which we may retain that rating we currently have let alone improving it? Especially since 3 out of the 4 individuals who were instrumental in that improved rating, have either been fired, "retired" or not pursued enough to remain with the city. Not only does the rating status remain uncertain in light of these lies, so are the potential increases in the amount of property taxes we'll need to pay as a result of losing that optimal rating.*

*For lying throughout the 2005 campaign so that you can gain this trusted public office, betraying the inherit trust, unnecessarily, to be elected. Common decency dictates, no matter how you slice it, the resignation of the post gained from such fraudulence and for the travesty perpetrated upon the citizens of the city and the attempt to defray these false statements once reported. Apparently, this sense of duty you purportedly have to this office does not include this common decency.*

*Alone this would be sufficient for a changing of the good old boys network. Couple this with the fact of the recent hiring of Michael Wren. Let us remind those with the short attention spans that Mr. Wren has a history with the city. If his name sounds familiar, it is because the Town Center's developer John Walden from the town's inception employed Mr. Wren in the setting up of the city's initial infrastructure. Acting in essence as the city's first city planner it was with John Walden that Mr. Wren participated in installing our illustrious utilities of gas, water, and electricity. He was instrumental in the installation of the inadequate even for it's time sewer system, and thank goodness, the now sold telephone system as well. For those who were inhabitants in this time period remember the times when picking up the phone, or turning on the gas switch or flushing the toilet forgive the pun was a crapshoot on whether it would work or not. This situation and it's residual affects were imposed upon us by the initial actions, decisions and may I dare say incompetence of Monte Vista, or Eagle Mountain Properties, whatever the name was that John Walden and Michael Wren were operating under. And now he is in charge of the city's public works?*

*Do you realize honorable council members that Brian effectively did an end round run around the checks and balances that have been set up for our municipality when he named Mr. Wren as Chief of Staff of the city employees? Needing council approval to hire another person for the City Manager position, which was apparently undesirable to the Mayor, he names Mr. Wren, after appointing him as the director of the public works, the Chief of the city's employees giving him the duties normally fulfilled by the City Manager. Thus circumventing the council approval system; acting in the mayoral capacity to hire department heads, he short-circuited our municipal processes to the checking of power within our city government. Am I the only one that this doesn't quite sit right with?*

*May I also remind you this is the same Michael Wren that was left to look after the interests of*

*John Walden when he left the city to wither on the vine several years back. And now this trusted “former employee” and perhaps still trusted confidant of the city’s reportedly most powerful developer is in charge of the day-to-day goings on of the city. Am I the only one here that sees a conflict of interest? Do we not derive the conclusion here and see this circumventing action as pandering to the city’s only business and the most influential individual in that business? (Who reportedly has stated to outside interests he has the power to hire and fire those in the city.) Can we not connect the dots here and see that, when you follow the campaign money, that this appointment of Mr. Wren although qualified for the position may have been an answer to the investment that the development interests made in the Mayor?*

*Do the right thing Mayor; resign your post so that the city may move forward and on to better government. We citizens of the city have a right to competent representation unhindered by fraudulence, and unencumbered to the money thrown around by those who are making thousands, even millions on the backs of it’s residents.*

*May we all place the interest of Eagle Mountain in front of our own myopic and selfish desires to cling on the status that was gained through fraudulent means? May we place first in our laundry list of priorities what’s best for all of Eagle Mountain and not specific interest groups? May we have the courage to place aright that which has been wronged?”*

Mayor Olsen informed Mr. Jones the three minute time allotment had passed and that his statements are not based on facts. He stated Mr. Jones has put his spin on things. He invited Mr. Jones to visit with him at another time so he can give him the relevant facts.

Mayor Olsen asked Mr. Jones if he is currently selling his home. Mr. Jones responded he is and it is because of recent events in the City.

Councilmember Strouse told Mr. Jones his time is up.

Councilmember Lifferth stated he is grateful people have the opportunity to share their opinions; however, he feels it is the Mayor’s responsibility to set the record straight and correct inaccuracies stated at the podium.

Mayor Olsen stated it would take a great deal of time to address each item. He said if anyone has concerns brought up by Mr. Jones they are welcome to talk to the Mayor or Councilmembers to get the truth. He recommended people look for reality. He stated Mr. Jones comments were frivolous, misrepresented and wrong and it will be taken from there based on the past character of Mr. Jones.

Councilmember Blackburn addressed Mayor Olsen stating a resident is entitled to state their feelings without being slandered.

Sarah Giorgis stated she and many other citizens of the community are still bothered by the Mayor’s recent lies. She explained she is not saying the Mayor should step down; however, she believes more repercussions need to happen. Ms. Giorgis expressed her opinion that being a Mayor of a new and upcoming City is a privilege and Mayor Olsen was elected to this position under false pretences. She asked Mayor Olsen to discipline himself and remove a privilege; she encouraged the City Council to promote this also. The citizens she has spoken with have not seen any repercussions. Ms. Giorgis read the following quote from Mayor Olsen’s State of the City 2006:

*“I will bring professionalism and respect to government by showing that I value principle above popularity ... I will protect the community character.”*

Loreen Cole addressed the public stating that if Mayor Olsen should step down because he lied than two other members of the City Council should step down because they have also lied. She cited people should pay attention to what is happening in their city instead of just paying attention to what the press is printing. She said Mayor Olsen did lie and embarrass members of the community; however, embarrassment is something that an individual owns. She noted there are other members of the governing body who have lied and hurt families in this city. She believes the City needs to get over it and get on with the business of running the City.

## **SCHEDULED ITEMS**

MOTION – CDBG Contract – Consideration and authorization for the Mayor to sign the CDBG contract for the installation of streetlights within several City Center neighborhoods.

Management Analyst Shawn Warnke stated the Community Development Block Grant program (commonly referred to as CDBG) is financed through the Housing and Urban Development agency. The primary purpose of the program is to provide funds to local governments to benefit low to moderate income residents within their jurisdiction.

He explained this year the City submitted an application to install streetlights within several City Center neighborhoods (Eagle Park Phases 1 & 2 and Eagle Point Plat A, B, & C). The total funds estimated to construct the streetlights including construction contingency was \$217,800. Of this total amount CDBG will contribute \$126,096 and the City has reserved upwards of \$91,704 for completion of the project. Due to the recent inflation of construction costs the City is budgeting \$3,000 per light for purchase and installation. Additionally, \$20,000 of the \$91,704 is earmarked for construction contingencies. These are conservative numbers and it is anticipated that the City will contribute less than the \$91,704 towards this project.

Councilmember Jackson **moved** to authorize the Mayor to sign the CDBG contract for the installation of streetlights within several City Center neighborhoods. Councilmember Strouse **seconded** the motion.

Councilmember Jackson announced there will most likely be funding in the current year to include street lights in The Landing. She requested a follow up on that.

Mayor Olsen called for a vote. Those voting aye: David Blackburn, Heather Jackson, Vincent Liddiard, David Lifferth and Linn Strouse. Motion **passed** with a unanimous vote.

DEVELOPMENT AGREEMENT – Consideration and approval of a Development Agreement with Point Lookout Group, LLC for Point Lookout – Plat A.

Planning Director Peter Spencer explained the Point Lookout development is located in the Ranches Master Development Plan, south of Hidden Canyon and Castle Rock subdivisions. A Development Agreement is the formal acceptance by both the City and Developer of all rights and obligations associated with and related to the development of a previously approved subdivision. The Agreement binds both parties to the conditions contained therein. All planning, engineering, and construction items

are required to be approved in phases through the subdivision process and documented in final form in the agreement and are not up for negotiation in the Development Agreement. The Development Agreement is drafted and reviewed to assure that all prior agreed standards, approvals, costs, conditions, special requirements and notices to the public are defined in writing and in the map of the project.

Councilmember Strouse **moved** to approve the Development Agreement with Point Lookout Group, LLC for Point Lookout – Plat A subject to the following conditions:

1. The Developer shall install the required monument sign in the City owned open space detention pond, within Hidden Canyon, at a location designated by City staff.
2. The Developer shall be required to pay the neighborhood park fee in lieu of improvements, as calculated by the City Engineer, and the fee shall be applied towards the hard surface trail improvements for the Cedar Valley Regional Trail.
3. The City Engineer will verify that Exhibit 1 encompasses all of the land incorporated in the Special Improvement District developable acreage for the parcel and that the assessments are paid prior to the transfer of title.

Councilmember Lifferth **seconded** the motion.

Councilmember Liddiard expressed concern that Lot 6 is very narrow and long for the size of the lot and may be a disservice to the future owners of the lot.

Mayor Olsen called for a vote. Those voting aye: David Blackburn, Heather Jackson, Vincent Liddiard, David Lifferth and Linn Strouse. Motion **passed** with a unanimous vote.

MOTION – Consideration and approval of the Final Plat for Overland Trails – Plat 1C.

Mr. Spencer explained Overland Trails Plat 1C is located in the Town Center at the corner of Russell Road and Ira Hodges Parkway in the Overland Trails subdivision. The newly amended Eagle Mountain Properties Master Development Plan allows for residential use in this location. This project is proposing a three-lot subdivision over 3.9 acres for a .77 density. This density falls under the Base Density Residential Development Standards. The Planning Commission recommended approval of this Final Plat on May 9, 2006.

Councilmember Liddiard **moved** to approve the Final Plat for Overland Trails – Plat 1C. Councilmember Blackburn **seconded** the motion.

Councilmember Strouse asked for clarification of what red lined comments means as presented in staff's recommended conditions. Mr. Spencer stated the redline comments can be included in the conditions of approval; however, they are typically minor and include items such as tabulations updates and wording errors on the plat.

Councilmember Jackson **moved** to amend the motion to include the following conditions:

1. PLAT. That all redline comments are addressed. That the City Engineer verifies that the plat closes. That the tabulation table is added to the plat.
2. BOOK AND PAGE. That county book and page are shown for adjacent parcels on the plat.
3. LANDSCAPE PLAN. That a note is added that explains all the street trees are a homeowner/homebuilder improvement.
4. FIRE CODE. That one fire hydrant is added on Russell Road. That a note is added that indicates that building beyond 400' may require a private hydrant installed.

Councilmembers Liddiard and Blackburn accepted the amended motion.

Mayor Olsen called for a vote. Those voting aye: David Blackburn, Heather Jackson, Vincent Liddiard, David Lifferth and Linn Strouse. Motion **passed** with a unanimous vote.

SITE PLAN – Consideration and approval of the Site Plan for Simpson Springs LDS Church.

Mr. Spencer stated the LDS Church is proposing the development of a new chapel on a 6.07 acre site located in the Simpson Springs Subdivision. The site will also include a storage building and pavilion with a large grass area on the south side. The proposed church is located at the intersection of Simpson Springs Road and Half Mile Road, and is comprised of lots 4 & 5 of the platted Simpson Springs Subdivision. The site is zoned Residential which allows places of worship as a Conditional Use.

Mr. Spencer explained the applicant is proposing three accesses; one onto Simpson Springs Road and the other two onto the larger Half Mile Road. The locations of these entrances do allow for the necessary separation from existing intersections and street islands.

Although not required, the applicant is proposing sidewalks that run adjacent along their street frontage. To allow for pedestrian connectivity, City Staff has recommended that there are ADA crossings constructed at the applicant's expense. Two connecting ADA ramps will be installed where Prospector Road intersects with Half Mile Road. The other corresponding ramps will be located next to the access onto Simpson Springs Road.

Mr. Spencer noted the proposed site plan complies with the City's buffering requirements. The applicant has agreed to increase the berming and provide headlight-screening shrubs on the north and east sides of the property to eliminate any lighting/parking issues with the surrounding neighborhoods. City Staff encourages increasing the height of the berm as much as possible.

Councilmember Lifferth asked what style of building the church will be. Mr. Spencer responded it will be the legacy style.

Councilmember Blackburn asked if a stop sign is going to be installed on the intersection of Half Mile Road and Simpson Springs Road to handle an increase in traffic due to the LDS Church. Mr. Spencer responded that has not been discussed.

Councilmember Blackburn suggested a parking restriction along Simpson Springs Road because of adjacent residential areas and landscape islands on that road. He asked where the storm drain connects to. He expressed concern of over burdening storm drains on Half Mile Road. Mr. Spencer responded it connects to an existing storm drain that runs down Simpson Springs Road. The City Engineer has addressed this issue.

Councilmember Strouse asked if the Fire Chief addresses issues with on street parking when he reviews a plat. Chief Rand Andrus responded he reviews the plat from property line to property line for fire safety aspects and does not include traffic flow.

Councilmember Strouse asked who reviews traffic flows. Mr. Spencer stated all staff members work together to get the best plan; however, the City Engineer is specifically responsible for traffic

evaluations. He suggested adding Councilmember Blackburn's recommendation of a stop sign at the intersection of Half Mile Road and Simpson Springs Road to the conditions of approval.

Councilmember Blackburn **moved** to approve the Site Plan for Simpson Springs LDS Church subject to the following conditions:

1. FIRE APPROVAL. That the project meets the requirements of the Fire Chief's approval.
2. CONSTRUCTION PLANS. That all redline comments are addressed.
3. LIGHTING. That streetlights are adequately shielded away from surrounding residences.
4. TRAFFIC. That the City Engineer considers adding a stop sign at the intersection of Half Mile Road and Simpson Springs Road.

Councilmember Liddiard **seconded** the motion. Those voting aye: David Blackburn, Heather Jackson, Vincent Liddiard, David Lifferth and Linn Strouse. Motion **passed** with a unanimous vote.

MOTION – Consideration and approval of an amendment to the Kern River Transportation Service Agreement.

City Attorney Jerry Kinghorn explained this is an amendment to the transportation service agreement with Kern River Pipeline. Wasatch Energy has previously handled all of the City's gas purchasing and transmission services. This contract separates the Kern River portion of the transmission and Kern River will bill the City direct at a cost reduction of approximately \$0.05 per decatherm. He recommended the City Council approve the amendment.

Councilmember Liddiard **moved** to approve the amendment to the Kern River Transportation Service Agreement. Councilmember Lifferth **seconded** the motion.

Councilmember Lifferth asked how much money this will save the City in a calendar year. Mr. Kinghorn responded that will depend on how much gas the City purchases and could be calculated in the next couple weeks. Councilmember Lifferth asked to have that calculation.

Councilmember Blackburn suggested the City retain the difference in rates as a buffer to reduce possible fee increases in the future. City Treasurer Gordon Burt responded the savings will go into the fund balance and Council can decide what to do with it.

Mr. Kinghorn explained if the savings will allow for a rate reduction, that will be brought to the City Council.

Mayor Olsen called for a vote. Those voting aye: David Blackburn, Heather Jackson, Vincent Liddiard, David Lifferth and Linn Strouse. Motion **passed** with a unanimous vote.

MOTION – Determination of whether to dispose or not to dispose of City-owned property located behind Channing Jones' property in Eagle Park subdivision.

Mr. Spencer explained in August 2005 Mr. Channing Jones, a resident of the Eagle Park subdivision, submitted an application for disposal of public property to the Planning Department. The request has gone through the process for disposal including a recommendation of disposal from the Planning Commission with the designation of "significant".



On September 6, 2005 the City Council tabled the item to allow Staff to prepare general guidelines that could be used to guide future applications for additional disposals of public property. A Staff presentation to the City Council took place on December 2005 and concluded that the overall guideline for the City would be to retain possession of the open space and create a long-term maintenance plan. However, Staff did recommend that in specific situations, the City can and should dispose of city-owned land.

On May 2, 2006, the City Council determined the land to be “insignificant” and requested the following:

- a) if/when the property is deeded to the applicant, the additional land is combined with the original property to create only one parcel, and
- b) staff determines a list of potential costs for a possible disposal to take place.

Mr. Spencer stated the item is now before the City Council to decide whether or not to dispose of the land. If the City council decides to dispose of this land they will need to determine a price the applicant must pay to purchase the land which must be based on findings of facts of why this property is unique.

Mr. Spencer explained costs associated with applications are borne by the requesting party. He cited the following are the costs associated with the processing of this application:

- Deed preparation/recordation-approximately \$30.00
- Equitable purchase price for the property (determined by the City Council)
- Land Survey- approximately \$800.00
- Staff time spent processing application- approximately \$100.00

Mr. Spencer stated after discussing the costs with City Staff and the City Attorney, the following scenario is recommended:

That the Mayor be authorized by the City Council to execute a quit claim deed conveying the parcel identified on the map exhibit to the applicant and delivering the deed to escrow when the following requirements are met:

1. The applicant has commissioned and paid for a survey of parcel outlined on the map exhibit.
2. The survey commissioned by the applicant and the legal description of the parcel surveyed have been approved by the City Engineer as in compliance with the parcel defined in the map exhibit for disposal.
3. The applicant has arranged for an escrow at a title company acceptable to the City for the purpose of closing the transaction with the City and assuring that the parcel conveyed by the City to the applicant will be consolidated with the parcel now owned by the applicant to result in a single parcel for tax identification purposes. The applicant must pay all costs of the escrow. The City will not provide title insurance for the parcel consistent with the approval requirements imposed by the City Council.
4. The applicant must demonstrate to the satisfaction of the City Engineer that the consolidated lot will not be improved or landscaped to require more than the statistical average range of water use for similar lots in the subdivision.

Mr. Kinghorn stated a comparable property was reduced to square footage value which equaled \$0.09 per square foot. He recommended the cost be set at \$0.09 per square foot and when the survey is completed the total square footage be used in determining the final price.

Councilmember Jackson **moved** to dispose of City-owned property located behind Channing Jones' property in Eagle Park subdivision subject to the following criteria:

1. PAYMENTS. That the costs described are paid by the applicant.
2. PROCESS. That the process outlined be followed to ensure proper disposal.
3. PARCEL. That the additional parcel disposed of is absorbed into the existing parcel to only have one total tax ID number. Add fees, in regards to Title Insurance or deed preparation, be borne by the applicant, and that this be approved by the City Attorney prior to recordation.
4. COST. That the price of the property be approximately \$0.09 per square foot.

Councilmember Liddiard **seconded** the motion.

Councilmember Jackson thanked Mr. Jones for his patience in this process. She believes this is a good solution for both parties.

Councilmember Liddiard expressed appreciation for Mr. Kinghorn's efforts in determining a fair price for the property.

Councilmember Lifferth stated the City will benefit from disposing of this property and he agrees with the cost. He would like to see the least amount of fees possible charged to the applicant.

Mayor Olsen called for a vote. Those voting aye: David Blackburn, Heather Jackson, Vincent Liddiard, David Lifferth and Linn Strouse. Motion **passed** with a unanimous vote.

#### CONSENT AGENDA

Councilmember Lifferth **moved** to remove the minutes of May 16, 2006 from the Consent Agenda for further discussion. Councilmember Jackson **seconded** the motion. Those voting aye: Heather Jackson, David Lifferth and Linn Strouse. Those voting nay: David Blackburn and Vincent Liddiard. Motion **passed** with a majority vote 3:2.

Councilmember Lifferth **moved** to approve the consent agenda as follows:

- A. Final Bond Release
  - 1) Highlands on the Green – Phase 2
- B. Revised Bond Letter
  - 1) Lone Tree – Plat
  - 2) Jacob's Well Plat A
  - 3) O'Fallon's Bluff Plat A

Councilmember Blackburn **seconded** the motion. Those voting aye: David Blackburn, Heather Jackson, Vincent Liddiard, David Lifferth and Linn Strouse. Motion **passed** with a unanimous vote.

#### MINUTES – May 16, 2006

*\*\*This portion of the meeting was transcribed verbatim\*\**

Mayor Olsen: “That brings us to item, the one we just created which is the May 16, 2006 minutes. I’ll ask for a motion on the item.”

Councilmember Blackburn: “It’s a discussion item at this point?”

Mayor Olsen: “Yeah, it’s like a, well actually it’s an item I need somebody to put it as a motion so it can open up for whatever needs to be discussed.”

Councilmember Lifferth: “Mr. Mayor I’d like to open the minutes to discussion.”

Mayor Olsen: “Did you want to approve those minutes or do you not approve of those?”

Councilmember Lifferth: “I’d like to, in reality I’d like to approve the minutes after we’ve had a chance to verify the, what’s said what was intended to be said.”

Mayor Olsen: “Okay, do I have a second?”

Councilmember Jackson: “Sure.”

Mayor Olsen: “Okay, I have a motion, and now it is your opportunity to now discuss what it is, why you pulled it off and all that.”

Councilmember Lifferth: “Okay, very good. First of all I’d like to thank Gina Peterson and the Recorder’s Department, Recorder’s group for preparing the verbatim minutes in such a timely fashion. Angela, thank you; very well done. My only question came in reading through Councilman Liddiard’s statements, and I just want to make sure that he’s stating here what he, I verified it on the recording, I verify what he’s saying here’s what he intended to say here.”

Mayor Olsen: “Which item are you referring to?”

Councilmember Lifferth: “Were on page 21 of 23, and this is line 38 – 41.”

Mayor Olsen: “Just give everybody a second to get there. Page 21 of 23, line which?”

Councilmember Lifferth: “Starting with line 38.”

Mayor Olsen: “Okay.”

Councilmember Lifferth: “Okay, in this one Mr. Liddiard states *‘I was as surprised as everyone else when Brian’s article was printed in the paper. Until that article I fully believed he had a master’s degree.’* My reading into that indicates that Councilman Liddiard was made aware of Brian not having a master’s degree at the time the article was printed in the paper. Mr. Liddiard is that what you intended to state in those two sentences?”

Councilmember Liddiard: “I don’t think it needs any clarification, so I’ll leave it at that.”

Councilmember Lifferth: “Very good then I would like to make a motion that we approve the minutes.”

Councilmember Strouse: “I actually have a comment.”

Councilmember Lifferth: “Okay.”

Mayor Olsen: “Councilmember Linn Strouse.”

Councilmember Strouse: “When it says this was Brian’s article when in fact it was somebody else’s perspective or interpretation of what they believe to be truth when in fact it may not have been. It can hardly be called Brian’s article. If it was Brian’s article he would’ve written it. So, that was just the way I’m looking at it. It’s misleading.”

Mayor Olsen: “Any other discussion from Council.”

Councilmember Blackburn: “Yes, Mr. Mayor.”

Mayor Olsen: “Councilman Blackburn.”

Councilmember Blackburn: “I was under the impression that if we had questions about minutes, in the past we just sent an email that it be approved before this. So, are we going to go through this in the future, or go by email questions?”

Mayor Olsen: “I appreciate that. I think just for clarification, Gina and Jerry, whenever a Councilmember wants to question a consent agenda item they have that opportunity to pull it off the consent agenda which the Council did decide to do tonight.”

Mr. Kinghorn: “I think the only justification of doing that is this is kind of a special set of minutes. This is a verbatim transcript type thing and I would just suggest that you remain with your practice of commenting on the minutes by email and approving them on the consent agenda unless there some exceptional reason for treating them otherwise like as presented with this. So I would say this is kind of an exceptional case and I wouldn’t recommend that you do this in the future with your normal minutes.”

Mayor Olsen: “Councilman Lifferth.”

Councilmember Lifferth: “Yeah, I do just have a clarifying question on that. Typically in the past we’ve gone through minutes we’ve made changes that we thought were actually someone said but it was not written, reflected in the documentation we had. So I would send in a sentence that this is how my recollection of what I said or what the recording said I said, but the document was not reflective of that. This situation is just verifying with a fellow Councilmember if what they said was really what they meant to say. That was unusual situation, it has never happened before so I’m asking for some clarification on that.”

Mayor Olsen: "We have a motion on the table to approve these."

Councilmember Liddiard: "Can I make one additional comment though?"

Mayor Olsen: "Councilman Liddiard."

Councilmember Liddiard: "It's interesting that Mr. Lifferth lacked the initiative to make any comment at this time. My comments were simply meant to be extemporaneous, off the cuff remarks, and I think to take two extra weeks to read into anything here is inappropriate because we can come back and argue amongst ourselves all kinds of things. So that's why I declined to make any further elucidations to what was there outside of the context of that meeting."

Councilmember Jackson: "Call the question."

Mayor Olsen: "Thank you. All those in favor of the minutes passing?"

All Councilmembers: "Yes."

Mayor Olsen: "Any opposed? Alright, the motion passes, thank you."

*\*\*End of verbatim transcription\*\**

## **CITY COUNCIL ITEMS**

### COUNCIL COMMENTS

Councilmember Blackburn stated the City had a great Pony Express Days; however, he was disappointed the restrooms were not finished at Nolan Park for the event.

He expressed concern that the budget was not completed in a timely manner for City Council review. He asked for an update on the wastewater treatment plant and the discrepancies in reported capacity.

Mr. Kinghorn explained Stantec is preparing a facility plan which will be presented to the City Council for a public hearing and final decision. The State asked Stantec to do the following, review the feasibility studies to confirm the amounts, select the top three options, and bring them to City Council for final vote. Stantec questioned what the Water Quality Board meant when they said the City should abandon the current wastewater treatment plant. The Water Quality staff instructed the City they may use the current wastewater treatment plant to be used when the new plant begins to run out of capacity. The public hearing will most likely be held on July 18, 2006. The City will receive a report from Darrel Dickson on the City's options. Mr. Kinghorn stated the City is behind their proposed timeline. The State recommended the City try modifications in the clarifiers, which did not meet expectations; however, the State feels there is additional capacity. The City has not received numbers concerning additional capacity, but should receive further information in the next couple months.

Councilmember Strouse stated she is grateful for volunteers. She feels the volunteerism in Eagle Mountain is what sets the City apart and makes it special. The Youth Council sponsored a silent auction and dunk tank during the Pony Express Days to raise money for a skate park. She thanked Loreen Cole for organizing the candidate's participation in the dunk tank. Councilmember Strouse felt it was a wonderful Pony Express Days and she enjoyed the Joe Diffie concert. She complimented Angie Ferre and stated she hopes the City can have a part time events coordinator to assist with next years events.

Councilmember Strouse stated Doug Cannon is planning a special reading of the Declaration of Independence on July 4, 2006 in the City Center. She asked that to be included in the newsletter.

Councilmember Jackson noted there has been no change to the access of the Eagle Point Condos, and asked for an update on the status of that.

She stated during the Planning Commission meeting there was a discussion of adding entrance monuments in all areas of the City. She challenged all members of the City Council to participate in the Youth Council's dunk tank during Pony Express Days. She enjoyed the opportunity to participate and was disappointed that more Councilmembers did not participate.

Councilmember Lifferth stated he would like to personally defend himself from allegations made by a person attending the last City Council meeting. He has spoken with the individual who claims Councilmember Lifferth is a felon or has committed a felony. He has confronted the individual who at first denied the allegations and then stated they were passing on a rumor they had heard. He gave the individual the opportunity to admit he was inaccurate; however, they chose not to admit there inaccuracy or defend their allegations. He stated he is not a felon and has not committed a felony. This individual has submitted a records request with the City Recorder's Office requesting records pertaining to when Councilmember Lifferth was serving as mayor. He asked that if anyone hears a rumor to verify its content with the subject of the rumor.

Councilmember Liddiard stated he was impressed to see Ms. Ferre working so hard during Pony Express Days and with the great job she did. He threw approximately 50 pounds of candy during the parade, and he had a good time during the celebration. He expressed appreciation to the Sheriff's Department who was very professional during the celebration and created a safe fun environment for all participants.

Mayor Olsen noted there will be a Special City Council Meeting on Saturday June 11, 2006 from 10:00 a.m. to 12:00 p.m. to discuss the Fire Department and Public Safety budgets. He noted this is a public meeting.

### ADJOURNMENT

Councilmember Liddiard **moved** to adjourn the meeting at 8:28 p.m.