

MINUTES
EAGLE MOUNTAIN CITY COUNCIL MEETING

June 8, 2010

Work Session 4:00 p.m. - Policy Session at 7:00 p.m.

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

*** This meeting may be held telephonically to allow a member of the City Council to participate ***

4:00 PM WORK SESSION – CITY COUNCIL CHAMBERS

ELECTED OFFICIALS PRESENT: Donna Burnham, Eric Cieslak, Ryan Ireland, Nathan Ochsenhirt and John Painter.

CITY STAFF PRESENT: John Hendrickson, City Administrator; Jerry Kinghorn, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Deputy Recorder; Ifo Pili, Assistant City Administrator; Jason Walker, Management Analyst; Linda Peterson, Public Information Director; Chris Trusty, Public Works Director; Steve Mumford, Planning Director; Steven Tanner, Planning Intern; Kent Partridge, Building Official; Adam Ferre, Energy Division Director; Eric McDowell, Sergeant.

Mayor Heather Jackson called the meeting to order at 4:12 p.m.

1. DISCUSSION – Recap on Eagle Mountain PRCA Rodeo.
2. DISCUSSION – Budget/Capital Improvements Park Allocation.
3. AGENDA REVIEW – The City Council reviewed items on the Consent Agenda and Policy Session Agenda.
4. CITY ADMINISTRATOR INFORMATION ITEMS – This is an opportunity for the City Administrator to provide information to the City Council. These items are for information and do not require action by the City Council.
5. ADJOURN TO A CLOSED EXECUTIVE SESSION – The City Council adjourned into a Closed Executive Session for the purpose of discussing reasonably imminent litigation and the purchase, lease or exchange of real property, pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

MOTION: *Councilmember Cieslak moved to adjourn into a closed executive session for the purpose of discussing reasonably imminent litigation and the purchase, lease or exchange of real property, pursuant to Section 52-4-205(1) of the Utah Code, Annotated. Councilmember Burnham seconded the motion. Those voting yes: Donna Burnham, Eric Cieslak, Ryan Ireland, Nathan Ochsenhirt, and John Painter. The motion passed with a unanimous vote.*

The meeting was adjourned at 6:04 p.m.

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

ELECTED OFFICIALS PRESENT: Donna Burnham, Eric Cieslak, Ryan Ireland, Nathan Ochsenhirt and John Painter.

CITY STAFF PRESENT: John Hendrickson, City Administrator; Jerry Kinghorn, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Deputy Recorder; Ifo Pili, Assistant City Administrator; Jason Walker, Management Analyst; Linda Peterson, Public Information Director; Chris Trusty, Public Works Director; Steve Mumford, Planning Director; Steven Tanner, Planning Intern; Kent Partridge, Building Official; Adam Ferre, Energy Division Director; Eric McDowell, Sergeant.

6. CALL TO ORDER

Mayor Heather Jackson called the meeting to order at 7:14 p.m.

7. PLEDGE OF ALLEGIANCE

Kindra Jones led the Pledge of Allegiance.

8. INFORMATION ITEMS/UPCOMING EVENTS

- The City's Military Care Package Drive is going on through June 14.
- The Pony Express Re-ride begins on Sunday in Sacramento. It will reach Eagle Mountain on June 14 at approximately 11:30 a.m. The City's new Pony Express statue will be unveiled at that time. This year is the 150th anniversary of the Pony Express.
- Recycling program information is available on the City website.
- A welcome home parade will be held tomorrow for a soldier returning home from Afghanistan.

9. PUBLIC COMMENTS – Time has been set aside for the public to express their ideas, concerns and comments. (*Please limit your comments to three minutes each.*)

Amy Duke, 3625 Golden Eagle Road, asked if something can be done about speed control down the hill on Golden Eagle Road and traffic control at the intersection.

Rusty Allen, 3061 Hillside Drive, thanked the Mayor and Council for holding the rodeo and congratulated them on how well it was done. He said positive comments are being made by other rodeo organizations. He also thanked the staff for their hard work.

Mayor Jackson appreciated Rusty's help with the rodeo. She, John Hendrickson and Adam and Angie Ferre are going to Colorado Springs tomorrow to talk to PRCA about the rodeo.

10. CITY COUNCIL/MAYOR'S ITEMS – Time has been set aside for the City Council and Mayor to make comments. (*Comments are limited to three minutes each.*)

Councilmember Cieslak

Councilmember Cieslak said that Pony Express Days was great. He is continually impressed with how hard City staff works to accomplish events. He's heard lots of positive comments about Pony Express Days. He requested an update from the Mayor on SR 73 and encouraged residents to contact elected officials, expressing appreciation for what has been done so far and reminding them that safety requires some more work on transportation.

Councilmember Ireland

Councilmember Ireland thanked everyone who worked on or participated in Pony Express Days.

Councilmember Burnham

Councilmember Burnham was very impressed with hard work of the staff and with the residents who showed up at the new rodeo. Vendors told her they loved to come and do Pony Express Days because they are treated so well.

Councilmember Ochsenhirt

Councilmember Ochsenhirt said Pony Express Days was a wonderful experience. A rodeo is the pinnacle of events for a city celebration in the West and he was totally blown away by the rodeo. He praised the staff's effort and commitment for the rodeo and all events. He asked residents to keep contacting officials about transportation and keep their comments respectful.

Councilmember Painter

Councilmember Painter said he had been worried about adding the rodeo to the Pony Express celebration, but then he was thoroughly impressed about how Eagle Mountain presented itself. The staff was very impressive. After the rodeo on Monday night, he spoke to several of the participants, all of whom gave positive feedback. He thanked the Sheriff's Office. Adam's crew, Sandy & Dave Reit for providing him with a horse for the parade, Rusty Allen for being the rodeo ambassador, and all the staff, especially Angie Ferre.

Mayor Jackson

Mayor Jackson thanked the City staff and the residents. She said the rodeo was spectacular. She announced that MAG approved construction of another eastbound lane for SR 73. The plan will still need to be approved by the Transportation Commission.

11. RECOGNITION – Community Hero Volunteers/Kindra Jones and Wendy Lojik.

Mayor Jackson recognized Kindra and Wendy, as well as Chad from Holiday Oil/Chevron for designing and assembling the home improvements for Samantha Clark's family, a community service project during Pony Express Days.

12. PRESENTATION – Local Heroes Scholarships—Presented by Kim Schultz, Librarian at Eagle Valley Elementary.

Ms. Schultz created the Local Heroes program four years ago to encourage students to excel. Hunter Buxton, a junior at Westlake High School, won this year's \$1,000 scholarship.

CONSENT AGENDA

13. MINUTES

A. May 18, 2010 – Regular City Council Meeting

14. BOND RELEASE – Out of Warranty

A. Stonebridge – Final Bond Release

MOTION: *Councilmember Ireland moved to approve the consent agenda. Councilmember Ochsenhirt seconded the motion. Those voting yes: Donna Burnham, Eric Cieslak, Ryan Ireland, Nathan Ochsenhirt and John Painter. The motion passed with a unanimous vote.*

SCHEDULED ITEMS

PUBLIC HEARING

15. ORDINANCE – Consideration and Approval of an Ordinance of the City Council of Eagle Mountain City, Utah, Amending Title 17 of the Eagle Mountain City Development Code.

This item was presented by Planning Director Steve Mumford. This is a proposed new Section 17.76 of the Development Code, specifically addressing small wind and solar energy systems. This code will promote these uses while providing proper restrictions to protect neighborhoods, residents, and city employees. The restrictions include provisions for safety and neighborhood aesthetics.

The ordinance calls for conditional use permits, but the Council requested that it be a building permit process, instead. The Council raised additional concerns about safety, noise control and aesthetics. Several revisions to the ordinance were proposed.

Mayor Jackson opened the public hearing at 8:00 p.m. Hearing no comments, she closed the hearing.

- MOTION:** *Councilmember Ireland moved to adopt an ordinance of the City Council of Eagle Mountain City, Utah, amending Title 17 of the Eagle Mountain City Development Code, providing for an effective date of July 1, 2010, and authorizing any changes that make the process a building permit rather than a conditional use, with the following specific amendments:*

Small Energy Facilities(Windmills):

1. *Section 17.76.050.B.13, delete “to the greatest extent possible”*
2. *Delete Section 17.76.050.B.14*
3. *Section 17.76.050.G: delete “and approval by the Planning Commission”*

Roof-mounted Wind Energy Systems:

4. *Section 17.76.060.A: delete “conditional use”*
5. *Section 17.76.060.A: delete “conditional use permit”*
6. *Section 17.76.060.B.4: delete “to the greatest extent possible”*
7. *Section 17.76.060.G: delete “and approval by the Planning Commission”*

Solar Energy Devices (Panels or Collectors):

8. *Delete Section 17.76.050.B.8*

Councilmember Burnham seconded the motion. Those voting yes: Donna Burnham, Eric Cieslak, Ryan Ireland, Nathan Ochsenhirt and John Painter. The motion passed with a unanimous vote.

PUBLIC HEARING

16. ORDINANCE – Consideration and Approval of an Ordinance of the City Council of Eagle Mountain City, Utah, Amending Title 17.25 of the Eagle Mountain City Development Code.

This item was presented by Planning Director Steve Mumford. This staff-proposed Development Code amendment limits the size, type, and number of accessory structures in the Residential zone, to protect the residential character of neighborhoods and prevent negative effects. Square footage of accessory buildings would be limited to a percentage of the square footage of the primary

structure, based on tier and lot size. Height would be limited based on tier, with a maximum height of 35 feet. Agricultural-related buildings are limited to lots of one acre or larger, or those with an equine overlay. Minor exceptions to the regulations may be approved by the Planning Director. Other exceptions may be approved by the Planning Commission.

Mayor Jackson opened the public hearing at 8:39 p.m. Hearing no comments, she closed the hearing.

MOTION: *Councilmember Burnham moved to adopt an ordinance of the City Council of Eagle Mountain City, Utah, amending Title 17.25 of the Eagle Mountain City Development Code as presented in the staff report. Councilmember Ochsenhirt seconded the motion. Those voting yes: Donna Burnham, Eric Cieslak, Ryan Ireland, Nathan Ochsenhirt and John Painter. The motion passed with a unanimous vote.*

17. DISCUSSION – Regarding a Resolution of the City Council of Eagle Mountain City, Utah, Approving the Horse Butte Wind Project Power Sales Contract between Utah Associated Municipal Power Systems and Eagle Mountain City – No Action Will be Taken.

This item was presented by City Attorney Jerry Kinghorn. The Horse Butte project is a wind generator system located in southern Idaho. In order for UAMPS to maximize the opportunity to keep the power rates to the City as low as possible, the Project is planned using a private party to construct the facilities and retain tax benefits and a non-profit entity "Horse Butte Wind Farm I, LLC" which is owned and controlled by UAMPS to operate the Project and take additional tax benefits which can be sold. The non-profit entity will contract with UAMPS to sell all the generated power to UAMPS and the City will contract with UAMPS for the power supply to the City. Mr. Kinghorn presented these documents as preliminary information so the Council would be informed when the final documents are presented for a 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 Painter

Councilmember Painter said that the street name for Appaloosa Way comes up on internet ordering sites as Appaloosa Court. Ms. Kofoed said she will check on it.

Councilmember Cieslak

Councilmember Cieslak asked Mr. Trusty to have someone look into bike park maintenance. He thanked the Sheriff's Office for doing extra patrols around Nolan Park during Pony Express Days. He was happy that the SR 73 widening project was approved through MAG, and asked residents to continue to contact officials about the City's transportation needs.

Councilmember Ireland

No comment.

Councilmember Burnham

Councilmember Burnham thanked the Mayor for the Pony Express Days rodeo.

Councilmember Ochsenhirt

Councilmember Ochsenhirt thanked the Mayor for singing karaoke at Pony Express Days.

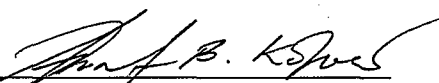
Mayor Jackson

Mayor Jackson said Sgt. McDowell looked great on a horse at Pony Express Days.

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.
20. COMMUNICATION ITEMS
 - a. Upcoming Agenda Items
21. ADJOURNMENT

Councilmember Cieslak moved to adjourn the meeting at 9:00 p.m.

APPROVED BY THE CITY COUNCIL ON JUNE 22, 2010.



Fionnuala B. Kofoed, CMC
City Recorder