

MINUTES
EAGLE MOUNTAIN CITY COUNCIL MEETING

June 22, 2010

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

Eagle Mountain City Hall Training Room, 1650 East Stagecoach Run, Eagle Mountain, Utah 84005

4:00 PM WORK SESSION – CITY HALL TRAINING ROOM

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; Jenalee Harper, Deputy Recorder; Gordon Burt, City Treasurer; Chris Trusty, Public Works Director; Steve Mumford, Planning Director; Jason Walker, Management Analyst; Eric McDowell, Sergeant; Ifo Pili, Assistant City Administrator; Linda Peterson, Public Information Director; Kent Partridge, Building Official; Rachel Bentley, Management Intern.

Mayor Jackson called the meeting to order at 4:05 p.m.

1. PRESENTATION – Utah County Health Substance Misuse and Abuse Reduction Team.

MOTION: *Councilmember Cieslak moved to adjourn into a recess for a ribbon cutting ceremony and to then reconvene 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 Ochsenhirt seconded the motion. Those voting aye: Donna Burnham, Eric Cieslak, Ryan Ireland, Nathan Ochsenhirt and John Painter. The motion passed with a unanimous vote.*

Item's 3 and 4 were not discussed due to time limitations

2. CEREMONY – Ribbon Cutting Ceremony for Pony Express Parkway Extension – will be held at the corner of Foothill Drive and Pony Express Parkway at 5:00 p.m.
3. AGENDA REVIEW – The City Council will review 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 meeting adjourned after item number 1. ***

7:00 P.M. POLICY SESSION – CITY HALL TRAINING ROOM

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; Jenalee Harper, Deputy Recorder; Gordon Burt, City Treasurer; Chris Trusty, Public Works Director; Steve Mumford, Planning Director; Jason Walker, Management Analyst; Eric McDowell, Sergeant; Ifo Pili, Assistant City Administrator; Linda Peterson, Public Information Director; Kent Partridge, Building Official; Rachel Bentley, Management Intern.

6. CALL TO ORDER

Mayor Jackson called the meeting to order at 7:06 p.m.

7. PLEDGE OF ALLEGIANCE

Councilmember Ochsenhirt led the Pledge of Allegiance.

8. INFORMATION ITEMS/UPCOMING EVENTS

- A ribbon cutting ceremony was held for the Pony Express Parkway extension to Redwood Road.
- The annual citizen satisfaction survey for Eagle Mountain residents is now available on the City website. It is located on the home page under the news section. Residents are encouraged to respond to this survey so the City can better understand how to meet the needs of the community.
- The City is now holding its annual military care package drive through July 12. Donation boxes are located at City Hall and the Ranches HOA office. A list of acceptable items for donation can be found on the City website.
- Monday, June 28 at 6:00 p.m. the Seniors will be holding an ice cream social at the pavillion at Nolan park. The Senior event listings can be found on the City website.

9. PUBLIC COMMENTS

Nikki Wickman, 2766 Fort Hill Road, stated that there was water flowing down Half Mile Road a while back and she wanted to call the City to notify the water department. She said that when she called 411 the only number they had for the City was the Eagle Mountain Police Department and that number just kept ringing. She asked if something could be done to add the City's other main numbers to the 411 system.

10. CITY COUNCIL/MAYOR'S ITEMS

Councilmember Ireland

No Comment.

Councilmember Burnham

Councilmember Burnham said that it was wonderful to see Saratoga Springs, Eagle Mountain and Utah County working together to get Pony Express Parkway done. She would like to see this great working relationship continue.

Councilmember Ochsenhirt

Councilmember Ochsenhirt stated that it has been a long process to complete Pony Express Parkway and that he is glad to see it finished. He thanked everyone who had worked on the project.

Councilmember Painter

Councilmember Painter thanked the poll workers. He said that he was concerned that the work being done north of S.R. 73 and South of the Ranches Parkway intersection is looking more like a rock quarry and less like a development. He asked if the issue could be reviewed.

Councilmember Cieslak

Councilmember Cieslak stated that the opening of this road shows that the residents have the power to get something done. He said that this is a victory along the way to increase transportation. He encouraged everyone to continue contacting their elected officials regarding the transportation issues in the area.

Mayor Jackson

Mayor Jackson explained that when traveling to meetings she tries to carpool with Mayor Love of Saratoga Springs so that they can discuss various topics regarding both cities.

CONSENT AGENDA

11. MINUTES

A. June 8, 2010 – Regular City Council Meeting

12. BOND RELEASE – Into Warranty

A. Jacob's Well Plats B & C

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

SCHEDULED ITEMS

PUBLIC HEARING

13. ORDINANCE - Consideration and Adoption of an Ordinance of Eagle Mountain City, Utah, Adopting the Final Amendments to the Fiscal Year 2009-2010 Budget.

Mr. Burt explained that the Utah State Code requires any final increases in the budget to be adopted after a public hearing and prior to the fiscal year ending. He said that the City's budget is being amended to cover all anticipated expenditures through the fiscal year ending June 30, 2010. He stated that the amended budget should cover all eventualities so that the City will not be cited for budgetary non-compliance.

Mr. Burt explained that the general government fund includes council, administration, finance, utilities, engineering, recorder's office, etc. He said that there will be an increase of \$21,000 in the general government fund. He explained that the rodeo falls under the community

development section and that this budget has been increased by \$348,540.00. He said that the public safety budget is fairly close on target but may go slightly over what was budgeted.

Mr. Hendrickson said that an extra month may have been counted in the budget and that staff will go back through the numbers to check. He felt that the budget for public safety should still be increased slightly just in case.

Mayor Jackson asked if court credits were being received and if the City was reimbursed for those court credits not received during the time that the public safety system was not working.

Mr. Hendrickson stated that those had been received.

Mr. Burt explained that there was a discrepancy with salaries in the Fire Department because of GAP funding.

Mr. Hendrickson said that if a fire fighter gets called out after the 19th hour the City has to pay them and that it is called GAP funding.

Mr. Burt said that the public works budget will need an increase of \$50,000.

Mr. Hendrickson stated that most of this increase was due to the snow plow budget.

Mr. Burt explained that the planning and zoning budget had an increase of \$7,000 and that this was because of the library expansion and the overtime employees put in to supervise the project.

Mr. Hendrickson explained that the total budget increase will be made up from line items that exceeded revenue projections.

Mr. Burt explained that the following line items had exceeded revenue projections: property tax, sales tax, building permits, B&C road funds, subdivision inspection fees, rodeo revenue, fire services, FEMA cert. grant, electric transfer, gas transfer, ambulance services, plan check fees, late fees, youth sports, and PED sponsorships.

Mr. Ireland asked for clarification on what plan check fees are.

Mr. Burt explained that plan check fees come from the building department and are charged by the city when reviewing plans for a building. He said that because more permits were issued this year, there was extra money that was not anticipated.

Mr. Burt stated that the total revenue exceeded projections by \$898,500 which would then offset the \$775,056 increase from other areas that was not anticipated.

Mr. Burt said that the capital projections amendment will cover the expenses associated with the City's marketing campaign. He said that these funds came from the telecom fund which had been collapsed into the capital projects fund as requested by the City Council. He explained that this amendment would also cover additional costs associated with the use of the rodeo equipment and arena seating.

Mayor Jackson noted that it was actually the auditor who requested that the telecom fund be closed out and put into the capital projects fund.

Mr. Burt explained that the City is contracted with certain developers where the City collects impact fees then pays those out to the developers based on their development, capacity, etc.

Councilmember Ireland asked why an additional \$85,000 was coming out of the capital projects.

Mr. Burt explained that this is the money that came from the telecom fund to pay for the developer's portion of the rodeo. He said that this money will be reimbursed to the City by the developer.

Mr. Burt stated that with impact fees there are sometimes transfers. He said that one fund will typically pay the initial cost and another fund will reimburse the first fund once funds are available.

Mr. Hendrickson said that the general fund fronted the cost for the second fire station and then as impact fees are collected it would reimburse the general fund for the original funds spent on the construction of the fire station.

Mr. Burt stated that revenue is provided from impact fees that have already been collected.

Mr. Burt explained that the fleet fund would be increased by \$49,594 for vehicle fuel maintenance, and new vehicle purchase. He said that the revenue source for this amendment is the fleet fund balance.

Mr. Burt said that the enterprise funds for electric are projected to exceed the budget by \$120,000 and that \$15,000 of that will go towards increasing the Pony Express Days sponsorship. He also explained that \$15,000 will come from the gas enterprise fund to go towards the Pony Express Days sponsorship as well. He stated that the revenue on the gas fund is projected to exceed expenditures by approximately \$300,000.

Mr. Burt stated that the total of all transfers was \$4,825,000 and that the total amendments totaled \$1,683,009.

Councilmember Cieslak asked why there was an increase in the funds for telephones.

Mayor Jackson stated that the City upgraded to fiber which increased the cost.

Councilmember Cieslak asked why there was overtime in the Planning & Zoning.

Mr. Pili said that the building department was also included in that overtime and that most of that overtime actually came from the time that Bob Hansen spent working on the library expansion project.

Councilmember Burnham asked if the total rodeo revenue was more than what was shown in the proposed budget amendments.

Mayor Jackson said that there was sponsorship revenue in the budget for the rodeo. She said that line item PED Sponsorships was money that was above and beyond what had been anticipated, including rodeo sponsorships.

Mayor Jackson opened the public hearing at 7:50 p.m.

Nikki Wickman, 2766 Fort Hill Road, asked how much of resident's property tax goes to the fire department.

Mr. Hendrickson explained that approximately 90% of property tax goes to the fire department so that residents can have types of emergency services. He said that it is high because Eagle Mountain has no industrial or commercial tax base.

Mayor Jackson closed the public hearing at 7:53 p.m.

MOTION: *Councilmember Burnham moved to adopt an Ordinance of Eagle Mountain City, Utah, adopting the final amendments to the Fiscal Year 2009-2010 Budget and that any money over 18% of the General Reserve Fund be transferred to the Capital Projects General Fund Reserve #47. Councilmember Cieslak seconded the motion. Those voting aye: Donna Burnham, Eric Cieslak, Ryan Ireland, Nathan Ochsenhirt and John Painter. The motion passed with a unanimous vote.*

PUBLIC HEARING

14. ORDINANCE – Consideration and Adoption of an Ordinance of Eagle Mountain City, Utah, Adopting the Fiscal Year 2010-2011 Budget.

The State Code requires that the City Council hold a public hearing on the proposed budget and that the budget be adopted by June 22. The tentative budget was accepted by the City Council on May 4, 2010. The City Council can move to adopt the final budget, after a public hearing, as proposed or with amendments. The final budget will be the document that governs the expenditures for the FY 2010-2011.

Mr. Hendrickson said this budget does not anticipate any major projects like the rodeo stadium/arena. He explained that staff would come back at a later time to discuss the rodeo budget. He said that the City has accepted the amount that the State has given them and that Eagle Mountain will have the second lowest tax rate.

Mayor Jackson said that because property market values have gone down, which means that market value the City gets from that amount also goes down.

Mr. Hendrickson stated that they are anticipating approximately \$990,000 in tax revenue.

Mayor Jackson explained that the tax rate will be slightly higher because the value of property has gone down but that the amount the City receives stays the same.

Mr. Walker reviewed the breakdown of expenditures for each department with the Council. He said that most of the money goes towards the Police and Fire Services because they are a crucial part of the City.

Mr. Walker explained that there are no cost of living or merit increases proposed in the budget. He said that 1.23 million has been budgeted in the capital projects fund. He said that the parks projects have been laid out and can be approved as is and that the Council can come back at a later time change those projects if needs be.

Mr. Walker explained that 7.08 million had been budgeted for power and that a lot of this would be for a substation if needed. He said that these funds could also be used for a power building if grant funds were available.

Mayor Jackson explained that the funds have been placed in the budget to show that the City anticipates spending those funds if awarded a grant for the power building. She stated that it helps to show earmarked funds when going through the grant process.

Councilmember Ireland asked if the building was not constructed could the money be spent to reduce rates.

Mayor Jackson said that there are still many projects that need to be completed using the power funds.

Councilmember Burnham feels that a splash pad should be built because it was promised to the residents.

Mr. Walker explained that there has been an increase in funding to the Mid Valley Park funds and the addition of playing fields to Smith Ranch Park. He stated that the Parks & Recreation Board had proposed locating everything in Mid Valley Park.

Mayor Jackson stated that if the Council would like to see something different that what is currently proposed with the park funds then it be made as part of a motion.

Mr. Walker stated that the enterprise funds contains sufficient funds to meet the City's needs. He said that there would be no rate increase with the exception of the TSSD increase.

Mr. Walker explained that there were also enough funds to cover the debt service.

Councilmember Ireland asked if \$10,000 was put into the legislative travel and training budget because of money spent in the last budget.

Mr. Hendrickson stated that the current Council has been much more active in attending trainings and meetings.

Councilmember Ireland felt that the \$14,000 total in the legislative meetings budget was excessive.

Councilmember Ochsenhirt stated that there are meetings that are very beneficial for the Council and feels that there are opportunities that are being missed because of budget restraints. He feels that the proposed amount for legislative meetings is adequate.

Councilmember Ireland asked why banking fees were so high.

Mr. Walker explained that a lot of people are now using cards to pay for various services at the City and the majority of the banking fees are from card processing.

Mr. Hendrickson stated that the City is looking into different processors to try and reduce those card processing fees.

Mr. Burt said that the City is also looking into card processing online, which would reduce card processing cost.

Mayor Jackson stated that under the Economic Development Summary it shows \$85,000, and that \$80,000 of that is the marketing budget with Kassing Andrews. She asked if these could be separated out so that it clearly shows that the \$80,000 is for marketing. She also stated that the City has spent \$170,000 of the \$250,000 contract with Kassing Andrews.

Councilmember Ireland stated that there was \$67,000 in the Interfund Transactions, under the Senior Council Summary. He asked how much of those funds were from the grant.

Mayor Jackson stated that \$9,000 of that total amount were actually City funds and the rest was grant money.

Councilmember Ireland asked if the total budget for the police included all of the overtime hours needed for Pony Express Days, the rodeo, etc.

Mayor Jackson stated that the total number does not include the rodeo because the rodeo was not previously included. She explained that Sheriff's try to have volunteers help at the special events to try and mitigate over time hours. She said that there are also people paid using grant funds.

Sergeant McDowell stated that the City has agreed upon approximately \$90,000 which pays for the bulk of over time. He said that adjustments may need to be made in the future to this budget.

Councilmember Ireland asked how the budget would be affected with the addition of one new school in the upcoming year.

Sergeant McDowell stated that RAD Kids is being run mostly by volunteers and that it should not significantly affect the budget. He explained that in the past couple of years Deputy Mulder has strengthened the volunteer base for RAD Kids so that he is not as heavily relied upon as he has been in years past.

Mayor Jackson explained that the City is looking into how much the City, and School's are putting towards funding RAD Kids.

Councilmember Ireland stated that the under the Streets & Roads Summary the materials budget has increased by \$77,896, he asked if cost of materials had increased.

Mr. Walker explained that the paved road maintenance had to be matched with the B&C road funds that came in because it is a restrictive fund.

Mayor Jackson stated that Chris Trusty had a list of streets that will be improved during the upcoming fiscal year.

Councilmember Ireland asked why the library has \$100,000 in capital outlay.

Mayor Jackson stated that this money is grant funds awarded to the library for software that tracks and inventories books.

Councilmember Ireland asked why funds were being transferred from the water and sewer funds to the power fund.

Mayor Jackson stated that it takes power to run the water and sewer and so those funds put money into the power fund.

Mr. Hendrickson said that the auditors require that it be itemized out this way to show an accounting for what is being spent.

Councilmember Painter asked why reimbursement miscellaneous under the electric summary jumped from \$23,281 to \$321,000.

Mayor Jackson explained that the City had put money into the coal plant to receive power from but it had been shut down so the City was being reimbursed their money.

Councilmember Ireland asked where the telecom fund had been moved to in the budget.

Mayor Jackson stated that it is a fund balance set aside so it is not shown in the budget because it is not being used in this budget year. She stated that the financial report provided each month could be amended to show the fund balances for capital projects and reserve funds.

Mr. Pili stated that the fund balances are shown in the audit.

Mayor Jackson opened the public hearing at 8:50 p.m.

Wendy Bagley, 1467 Hawk Way, thanked the Council for their hard work in reviewing the budget and governing. She also thanked them for giving funds to help the Arts Council and the Eagle Mountain Community Theater.

Nikki Wickman, 2766 Fort Hill Road, asked if there were funds in the budget for atv trails. She feels that the children need this so that they can drive their atv's legally. She also stated that she liked the services the Sheriff's Department was providing. She asked if there was a point at which the City would need its own police department.

Mr. Hendrickson said that the City has a partnership with the Sheriff's Department and that as long as they have the ability to provide us services the City will continue to have a working relationship with them.

Nikki Wickman also asked if the existing Rocky Mountain Power customers in Eagle Mountain would be bought out by the City and hooked up to City power.

Mayor Jackson said that Rocky Mountain Power wants to sell the City those services and that it is not currently in the City's budget to purchase it. She said that the atv trail program is still under the works and that it has been moved to the end of the list because of more pressing projects. She stated that the City hopes to get that going this year.

MOTION: *Councilmember Cieslak moved to approve the Fiscal Year 2010-2011 Budget with clerical changes made by staff and that a splash pad be included in the budget. Councilmember Burnham seconded the motion.*

Councilmember Ochsenhirt stated that he would like to see a splash pad but feels that green space/fields are needed more. He said that he would like to see the Smith Ranch Park done because there needs to be more space for sports. He also feels there needs to be reasonable completion to the parks especially because of past history.

Mayor Jackson said that telecom and reserve funds could be used to build a splash pad in addition to the items currently in the budget.

Mr. Hendrickson said that if the City takes money from the capital projects fund it needs to be for projects that benefit the entire City not just certain subdivisions.

Councilmember Burnham feels that a splash pad compares to the skate park which has no grass area. She said that by only focusing on putting in grass fields the City would only be focusing on the group of people who play sports. She explained that there are others in the community that don't enjoy sports and enjoy other activities.

Councilmember Cieslak said that the splash pad will be an additional amenity that was budgeted for and promised to residents. He feels that the Council should do what they promised.

Mayor Jackson asked for clarification of Councilmember Cieslak's motion. She asked if Councilmember Cieslak meant that a splash pad be included using funds from another project and if so which budget.

Councilmember Cieslak stated that he would like to see the splash pad built using funds from either the Smith Ranch Park or the Mid Valley Regional Park.

Mr. Walker stated that the \$250,000 allocated for a splash pad was meant to be used to build a splash pad and a restroom facility, not to build two splash pads.

Mayor Jackson explained that last year the interns had proposed the possibility of using the funds to build two splash pads.

Mr. Walker stated that in speaking with Herramin they strongly suggested only building one splash pad. He also explained that the price of a splash pad varies depending on the type and size.

Councilmember Cieslak stated that he would like to see the Smith Ranch Park funds used for the splash pad because the completion of that park was not promised to the residents.

Councilmember Ochsenhirt feels that the Smith Ranch Park needs to be completed because it will have two fields which will decrease the burden that is on Nolan Park during sports seasons. He asked how many baseball players there were this year compared to last year.

Mr. Walker said there is approximately 800 who have signed up this year and approximately 600 last year.

Mayor Jackson said that if there was already a restroom facilities the splash pad may only cost somewhere around \$150,000.

Councilmember Ireland stated that the Council did not put this at the top of the priority list and feels that project completions should follow that list that was created.

Councilmember Burnham explained that she had been under the impression that funds were set aside for the splash pad and that it was already being constructed prior to this list being made which is why it wasn't part of the discussion that the Council previously had.

Councilmember Painter asked if the numbers could be changed at a later time and would like to discuss this topic later if possible.

Mayor Jackson stated that the Council can revisit this issue at a later date and change the budget.

Those voting aye: Donna Burnham, Eric Cieslak. Those voting nay: Ryan Ireland, Nathan Ochsenhirt and John Painter. The motion failed with a 2 to 3 vote.

MOTION: *Councilmember Burnham moved to adopt an ordinance of Eagle Mountain City, Utah, Adopting the Fiscal Year 2010-2011 Budget, with the parks budget expenditures not be allocated to specific projects in the capital projects portion with the exception of the grant. Councilmember Ochsenhirt seconded the motion.*

Councilmember Burnham was concerned that if the splash pad is not somehow included in the motion that the Council will not revisit the issue at a later date.

Councilmember Ireland stated that staff would not allocate any fund until the Council revisits this issue.

Councilmember Burnham said that the grant money must be spent on grass and irrigation.

Mayor Jackson explained that the grant funds must be spent towards fields otherwise not all of the grant money will be awarded.

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

15. RESOLUTION – Consideration and Adoption of a Resolution of the City Council of Eagle Mountain City, Utah Approving a Residential Net Metering Policy and Agreement.

Mr. Kinghorn explained that the proposed resolution adopts a policy to regulate the interconnection and metering of renewable energy generating facilities. Eagle Mountain City will

offer net metering to their customers that generate electricity on the customer's side of the meter, using renewable energy sources not to exceed 100 kilowatts or exceed the customer's peak electric needs or capacity of the distribution circuits. The credit for the net excess kilowatt hours (kWh) generated by the customer shall be 4 cents per kWh.

Mayor Jackson explained that the cost is compiled from different things such as generation, transmission and debt service, etc.

Mr. Kinghorn said that he had a few text changes to the agreement. He explained that the City should use this year as a trial year for this program and re-visit the agreement after one year. He said that the proposed numbers are based off of numbers that other cities use. He explained that what residents generate will be offset by demand. He also explained that if there is a credit remaining from power generated it will remain with the property if a homeowner moves.

Councilmember Ochsenhirt asked if the metering will be done on a monthly or weekly basis.

Mr. Kinghorn stated that what residents generate they will keep and that it does not go through the meter. He said that meters will be read on a monthly basis.

Mr. Kinghorn said that in Paragraph 13 the date referenced will be changed to June 22, 2010.

Mayor Jackson stated that under General Interconnection Provisions, Section 2d will be removed.

Councilmember Painter stated that he liked that the City is providing an even swap for residents wanting to generate their own power.

Councilmember Cieslak asked if 4 cents per kWh would incentivize people to pursue solar panels/windmills.

Mr. Kinghorn stated that it does not but the offset does. He said that people could live on what they generate and the City would not charge anything for power.

MOTION: *Councilmember Cieslak moved to adopt a resolution of the City Council of Eagle Mountain City, Utah approving a Residential Net Metering Policy and Agreement as amended. Councilmember Ireland seconded the motion. Those voting aye: Donna Burnham, Eric Cieslak, Ryan Ireland, Nathan Ochsenhirt and John Painter. The motion passed with a unanimous vote.*

16. RESOLUTION – Consideration and Adoption of a Resolution of the City Council of Eagle Mountain City, Utah Amending the Consolidated Fee Schedule.

Mayor Jackson explained that the proposed resolution amends the consolidated fee schedule for the following: Pony Express Park Arena rental fee; tiered water rates for Commercial and Industrial uses; increase in fees for the North Service Area sewer treatment; increase in overdue fees and adds a damage fee and media collection fee for the Library.

Councilmember Ireland asked what the \$5.00 daily arena fee is put towards.

Mayor Jackson stated that the fee goes towards the upkeep of the facility. She explained that the

ground has to be harrowed after a horse has been in the arena.

Mr. Hendrickson stated that this fee is similar to the one that Spanish Fork charges at their arena.

Councilmember Ireland stated that he was okay with charging a fee for the stall rentals but that he was not comfortable in charging a fee just for people to come and ride on the arena for one day.

Mayor Jackson said that there are costs involved to maintain the arena. She stated that there is maintenance involved after someone uses the arena and that the 5 dollar fee would go towards that maintenance. She said that the arena will most likely need to be harrowed once a week.

Councilmember Burnham asked if people would have to call before hand to use the arena if they had an annual pass.

Mayor Jackson explained that people with an annual pass can use the arena at any time unless someone has rented the arena. She said that those with an annual pass will need to carry it with them while riding in the arena.

Councilmember Cieslak asked if there would be a charge for water that is available on site.

Mr. Kinghorn stated that there will be an application that has rules on what is allowed. He explained that there are some items that will still need to be worked out.

MOTION: *Councilmember Ochsenhirt moved to adopt a resolution of the City Council of Eagle Mountain City, Utah amending the consolidated fee schedule as presented. Councilmember Burnham seconded the motion. Those voting aye: Donna Burnham, Eric Cieslak, Nathan Ochsenhirt and John Painter. Those voting nay: Ryan Ireland. The motion passed with a 4 to 1 vote.*

17. MOTION - Consideration and Acceptance of the Spring Run Annexation Petition for Further Review.

Mayor Jackson explained that a revised petition for annexation was received by the Recorder's Office on June 16, 2010 to annex approximately 241 acres. She explained that the County did not accept the first annexation petition because they felt that the annexation would create a peninsula. She stated that if this annexation petition is approved, this will begin a 30-day review period for verification of the petition and related information for certification.

Mrs. Kofoed stated that the County had sent her notification that the revised Spring Run Annexation Petition has been considered submitted.

MOTION: *Councilmember Ireland moved to accept the Spring Run Annexation Petition for further review. Councilmember Cieslak seconded the motion. Those voting aye: Donna Burnham, Eric Cieslak, Ryan Ireland, Nathan Ochsenhirt and John Painter. The motion passed with a unanimous vote.*

18. CITY COUNCIL/MAYOR'S BUSINESS

Councilmember Painter

No Comment.

Councilmember Cieslak

Councilmember Cieslak thanked the everyone for their comments. He reminded everyone to contact their elected officials regarding transportation.

Councilmember Ireland

No comment.

Councilmember Burnham

No comment.

Councilmember Ochsenhirt

No comment.

19. CITY COUNCIL BOARD LIAISON REPORTS

No reports were given.

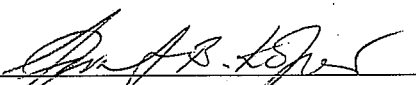
20. COMMUNICATION ITEMS

- a. Upcoming Agenda Items
- b. Financial Report

21. ADJOURNMENT

Councilmember Ochsenhirt moved to adjourn the meeting at 9:48 p.m.

APPROVED BY THE CITY COUNCIL ON JULY 6, 2010.


Fionnuala B. Kofoed, CMC
City Recorder