

MINUTES OF THE EAGLE MOUNTAIN CITY COUNCIL MEETING
Eagle Mountain City Council Chambers
1680 East Heritage Drive
Eagle Mountain, Utah 84043
July 1, 2003

6:00 PM – Eagle Point Subdivision Park

RIBBON CUTTING CEREMONY FOR THE NEW PARK LOCATED IN THE EAGLE POINT SUBDIVISION

Prayer by Invitation of the Mayor

Mayor Kelvin Bailey offered the prayer.

POLICY SESSION – 7:00 PM

Mayor Kelvin Bailey called the meeting to order at 7:02 PM.

1. Roll Call:

Council Members Present: Mayor Kelvin Bailey, Diane Jacob, Greg Kehl, Mark Madsen, Brigham Morgan, Linn Strouse

City Staff:

City Administrator:	Chris Hillman (Excused)
City Attorney:	Gerald Kinghorn
City Engineer:	Korey Walker
City Recorder:	Janet Valentine
Deputy Recorder:	DeAnna Whitney
Finance Director:	Kent Parker (Excused)
Planning Director:	Shawn Warnke
Public Works Director:	Mark Sovine
Utah County Sheriff:	Sergeant Jo Murphy
Fire Chief:	Robert DeKorver

Others Present: Dallas Bullock, Wendy Minks, Michelle DeKorver, Pony Express Days co-chairs; Paula Thacker, resident, Greg Nash, GIS specialist and local resident; Scott Hazard, the Ranches; Paul Evans, representative of the L.D.S. Church.

2. Pledge of Allegiance:

The Pledge of Allegiance was lead by Paula Thacker.

3. **Approval of Minutes (June 17, 2003) :**

MOTION: *Linn Strouse moved to approve the Minutes of June 17, 2003. Greg Kehl seconded the motion. Ayes: 5 – Brigham Morgan, Greg Kehl, Diane Jacob, Mark Madsen, Linn Strouse; Nays: 0. Motion passed.*

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

Mayor Bailey announced there would be a new newspaper starting up in Eagle Mountain. He handed out a copy of an email received from the editor and reminded the Council to ensure the accuracy of all information given to the newspaper.

Brigham Morgan announced that the Community Arts Council is making plans for their annual Wild West Fest. He stated this is a community event and invited all to attend. He stated there is no date set as yet but indicated this event is usually scheduled around the 24th of July celebration.

5. **Appointments:**

None

6. **Public Notices:**

None

7. **Public Comment:**

None

8. **Citizen Recognition for 2003 second quarter – April, May & June**

This item was discussed after Item 9.

Mayor Bailey recognized Greg Nash as the Eagle Mountain City Citizen of the Quarter for the first quarter of 2003 and presented Mr. Nash with a recognition certificate.

Mr. Nash explained the Geographic Information System mapping process in which he has been involved for the City.

9. **Pony Express Days Board Report:**

This item was discussed prior to Item 8.

Wendy Minks, co-chair of Pony Express Days 2003, presented a report on Pony Express Days held June 7 through 14, 2003 and thanked all those who volunteered to help with this event. She reported on funding and expenditures, the success of events, problem areas, and offered recommendations for next year. Mrs. Minks passed out a copy of the Pony Express Days committee report. She requested that the current Pony Express Days Board be allowed to continue functioning and planning for next year's events. She indicated this board would like to submit a five-year plan for future Pony Express Days events.

Mayor Bailey thanked the board and gave approval, with the consensus of the Council, for them to continue.

Linn Strouse thanked Michelle DeKorver for her efforts towards improving Pony Express Park so that it would be ready as a location for next year's Pony Express Days events. She also acknowledged the efforts of all concerned in ensuring the success of the event this year.

Brigham Morgan recommended there be better advertising of events for next year.

Mayor Bailey presented appreciation awards to Co-chairs Dallas Bullock, Michelle DeKorver, and Wendy Minks. He also acknowledged the efforts of Jan and Eldon Fletcher for being chairmen of Pony Express Days 2001 and 2002.

10. Consideration and Approval of Disposal of City-Owned Property (previously designated as open space in Kiowa Valley, Plat A):

Shawn Warnke presented information on the land involved in this item, explained the four separate actions involved in this approval, and answered questions from the Council.

Scott Kirkland, the Ranches, gave further information and also answered questions from Council.

MOTION: *Mark Madsen moved that the City Council proceed with the disposal of the property known as the amended portion of Kiowa Valley, Plat A, that is now being proposed as Kiowa Valley, Plat C. Diane Jacob seconded the motion. Ayes: 4 – Greg Kehl, Diane Jacob, Mark Madsen, Linn Strouse; Nays: 1 – Brigham Morgan. Motion passed.*

MOTION: *Mark Madsen moved that the City Council classify the amended portion of Kiowa Valley, Plat A, that is now being proposed as Kiowa Valley, Plat C, as insignificant, as required by Ordinance No. O 11-2003 for the purpose of disposing of the property owned by the City. Greg Kehl seconded the motion. Ayes: 5 – Greg Kehl, Diane Jacob, Mark Madsen, Linn Strouse, Brigham Morgan; Nays: 0. Motion passed.*

MOTION: *Mark Madsen moved that the City Council approve the payment of the property formerly known as the amended portion of Kiowa Valley, Plat A that is now being proposed as Kiowa Valley, Plat C be the two acres, approximately, which is part of the Bud Evans Trailway between Rockwell Village and Diamond Springs. Greg Kehl seconded the motion. Ayes: 4 – Greg Kehl, Diane Jacob, Mark Madsen, Linn Strouse; Nays: 1 – Brigham Morgan. Motion passed.*

11. Final Plat Approvals including Approval of Development Agreement & CC&R's:

Gerald Kinghorn advised the Council that the Development Agreement had been updated and recommended approval of the new Development Agreement.

Scott Kirkland expressed concern that Porter's Parkway does not back up to Kiowa Valley and, therefore, the fencing requirement should not be included in the motion.

A. Kiowa Valley, Plat C, the Ranches, LC

MOTION: *Mark Madsen moved to approve the Final Plat application for Kiowa Valley, Plat C, including approval of the Development Agreement, subject to the following conditions as listed in the staff report, to wit, property acquisition, utility plan, right-of-way and DRC approval; that item 4 in the staff recommendations referencing the Ranches compliance with the Ranches Design Review Committee requirements eliminate the three requirements and implement the one requirement to have a privacy fence along the north end of Lot 160 and an increased EAR of .30 along the north elevation of the residence to be built on Lot 160; add a fifth clarifying condition that the new wording, as proposed by the City Attorney regarding vesting in the Development Agreement, be changed to the standard City wording that appears in all the other development agreements; and as a sixth condition for addition, the Mayor has the approval to execute the deed to transfer the*

property in question to the Ranches. Linn Strouse seconded the motion. Ayes: 4 – Greg Kehl, Diane Jacob, Mark Madsen, Linn Strouse; Nays: 1 – Brigham Morgan. Motion passed.

B. Eagle's Gate, Plat D, the Ranches, LC

Shawn Warnke presented information regarding this final plat approval and answered questions from Council.

Korey Walker discussed a tie-line issue and explained the negotiations agreed to between the City and Centex Homes.

Scott Kirkland, the Ranches, indicated that five lots would need to have 18-foot garage setbacks.

Linn Strouse asked questions about proposed streetlights. She referred to information received from a resident who was concerned that streetlights be installed that would not cause light pollution. The Mayor advised that all lights in Eagle Mountain are approved non-light pollution streetlights.

MOTION: *Brigham Morgan moved to approve Eagle's Gate, Plat D Final Plat subject to the staff recommendations as outlined in the staff report, adding to that requirement that the CC&R's associated with the Development Agreement specifically identify Lots 441 to 446 as adjusting the minimum front yard setback to garages to 18 feet to allow for the expansion of the PUE to 21 feet from the back; initiating a Waiver of Damages from the City for Centex Homes for any damages caused by the residents of the homes in the PUE; and eliminating the requirement for the park space to be dedicated. Diane Jacob seconded the motion. Ayes: 5 – Brigham Morgan, Greg Kehl, Diane Jacob, Mark Madsen, Linn Strouse; Nays: 0. Motion passed.*

12. Approval of Development Agreement & CC&R's:

A. Kiowa Valley, Plat B, the Ranches, LC

MOTION: *Brigham Morgan moved to approve the standard Development Agreement between the City and Kiowa Valley, Plat B. Greg Kehl seconded the motion. Ayes: 5 – Brigham Morgan, Greg Kehl, Diane Jacob, Mark Madsen, Linn Strouse; Nays: 0. Motion passed.*

13. Site Plan Approval:

A. Smith North Ranch Church, L.D.S. Church

Shawn Warnke explained this proposed site plan and recommended approval.

Paul Evans, representing the L.D.S. Church, answered questions from the Council.

MOTION: *Greg Kehl moved to approve the Site Plan for the North Smith Ranch Road L.D.S. Church as submitted. Diane Jacob seconded the motion. Ayes: 5 – Brigham Morgan, Greg Kehl, Diane Jacob, Mark Madsen, Linn Strouse; Nays: 0. Motion passed.*

14. Consideration and Approval to Amend the Employee Handbook and Policies and Procedures Manual regarding Vacation Scheduling and Attendance Policy:

Mark Madsen recommended the second and third lines in the Vacation Scheduling Policy be reversed and that the sentence regarding quarterly and annual reviews be eliminated from the Attendance Policy. These changes were agreed to by the Council prior to the motion.

MOTION: *Greg Kehl moved to approve to Amend the Employee Handbook and Policies and Procedures Manual regarding Vacation Scheduling and Attendance Policy. Brigham Morgan seconded the motion. Ayes: 5 – Brigham Morgan, Greg Kehl, Diane Jacob, Mark Madsen, Linn Strouse; Nays: 0. Motion passed.*

15. Motion to approve Consent Agenda items as follows:

- A. Check Register
- B. Final Bond Releases
 - I. Kiowa Valley, Plat A, Sundance Homes

MOTION: *Brigham Morgan moved to approve the Consent Agenda as submitted. Greg Kehl seconded the motion. Ayes: 5 – Brigham Morgan, Greg Kehl, Diane Jacob, Mark Madsen, Linn Strouse; Nays: 0. Motion passed.*

16. Motion to recess in to a Closed Executive Session for the purpose of discussing personnel issues, potential litigation and/or public safety/security:

No Closed Executive Session was called.

17. Motion to Reconvene in to Open Session:

Not applicable.

18. Any Actions from the Closed Executive Session:

None

19. Adjournment:

Greg Kehl moved to adjourn the meeting at 8:35 PM.

APPROVAL: _____

Kelvin E. Bailey
Kelvin E. Bailey, Mayor

DATE: _____

7-15-03

This certifies that the minutes of
1-July 2003 are a true, full and
correct copy as approved by the
City Council on 15-July 2003

Signed: *Janet B. Valentine, CMC*
City Recorder