



EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

August 7, 2018

Eagle Mountain City Council Chambers

1650 East Stagecoach Run, Eagle Mountain, Utah 84005

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

ELECTED OFFICIALS PRESENT: Mayor Tom Westmoreland, Councilmembers Donna Burnham, Melissa Clark, Colby Curtis and Benjamin Reaves. Stephanie Gricius was excused.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; David Mortensen, City Treasurer/Assistant Finance Director; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Chief Deputy City Recorder; Aaron Sanborn, Economic Development Director; Linda Peterson, Communications and Community Relations Director; Steve Mumford, Community Development Director; Mike Hadley, Planning Manager; Tayler Jensen, City Planner; Chris Trusty, City Engineer; Zac Hilton, Streets and Storm Drain Manager; Ross Fowlks, Fire Chief; Lt. Eric McDowell, Chief Sheriff's Deputy.

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

1. **CITY ADMINISTRATOR INFORMATION ITEMS** – This was an opportunity for the City Administrator to provide information to the City Council. These items were for information only and did not require action by the City Council.
 - A. **PRESENTATION – Citizen Survey**

Quincey McKeen and Desiree Haroldsen-Eccles, the City's management interns, presented the results of the annual Citizen Survey. Over 800 completed responses were received. Ms. McKeen found the answers were very much the same as in previous years. Residents liked the sense of community, interacting with fellow residents, open spaces and closeness to nature, the location slightly away from cities and the quiet, small town feel. They disliked the numerous road construction projects, worried about having enough infrastructure to support the population growth, and wanted more commercial development and less high-density residential development. They wanted a recreation center and a pool.

Ms. Haroldsen-Eccles said the survey asked how much residents knew about various City offices. She compared the results with the approval percentages. In order, residents reported they knew the least about the City Administrator, Recorder, Engineering, Facilities and Wastewater.

Slightly more than half of the responders said they were satisfied or very satisfied with public safety services, a drop of about 20%.

Councilmember Curtis asked if the drop might be due to a larger neutral response. Ms. Eccles said she would research that.

Residents wanted more official Neighborhood Watch programs with Sheriff's Office participation. They wanted more patrols; although very few people reported feeling unsafe.

Residents were more satisfied with the Administration and Finance Departments than last year, although they were less satisfied with government transparency. Several responses mentioned the secrecy surrounding the Facebook data center project.

Overall, citizen satisfaction remained the same as last year, approximately 3.5 out of 5. There were a lot of neutral responses, probably because so many residents knew little about City departments.

Councilmember Clark asked if department descriptions similar to those in the annual City budget document could be linked to the next survey, so residents would have information about the departments they were rating. Councilmember Curtis felt that would skew the responses.

Asst. City Administrator Paul Jerome felt it would be helpful to include public documents and more information about City departments in the newsletter.

Mayor Westmoreland suggested making additional information videos.

Councilmember Clark wanted to know whether enrollment in the City's notification system had increased or decreased over the past several years.

Councilmember Burnham felt videos would be much more effective than written information.

2. AGENDA REVIEW – The City Council reviewed items on the Consent Agenda and Policy Session Agenda.

13. MOTION – Jeppson Automotive Repair Commercial Site Plan and Preliminary Plat.

City Planner Tayler Jensen said the proposed Jeppson Automotive Repair building would be located in the City Center Commercial project south of Holiday Oil. The site plan showed more parking spaces than required by the Municipal Code; however, the applicant requested eight parking spaces in front of the building, which would violate the Code. His rationale for the request was that customers walking from rear parking to the front of the building would pass open repair bays, which could be unsafe. A 6' tall privacy wall would surround the parking behind the building.

Councilmember Clark supported a 48-hour limit on cars being parked in front of the building.

The Planning Commission requested additional parking spaces because of auto repair businesses in Lehi that had become eyesores due to extremely crowded parking lots. They were also concerned that cars might be parked in the adjacent dance studio lot.

14. MOTION – Dublin Farms Site Plan and Preliminary Plat.

Mr. Jensen stated the proposed Dublin Farms site plan and preliminary plat were comprised of 128 townhome units located on 9.39 acres in Pods 3b and 4 of the Porter's Crossing Town Center development. Pod 3b was defined in the MDA/MDP as Improved Open Space and Pod 4 was designated as Multi-Family Residential for Attached Townhomes and vested with up to 128 units. A wall would divide the multifamily housing from single family houses.

The MDA called for the parks to be completed before 80% of the building permits were issued. The developers wished to build the entire project at once and construct the parks before 50% of the certificates of occupancy were issued.

Councilmember Clark said that, in practical terms, there was never adequate parking in either single family or multifamily developments. Residents parked on the streets, impeding traffic and snow plowing in most areas and creating a hazard for small children. She suggested the Council consider revising the Municipal Code regarding parking restrictions.

15. AGREEMENT – Professional Service Agreement between Eagle Mountain City and Executech for IT Services.

Economic Development Director Aaron Sanborn said that the City recently sent out a request for proposals for information technology (IT) services. Fourteen responses were received and upon evaluation of the proposals, staff recommended that the City contract with Executech for IT services.

Executech had extensive experience with municipal clients. All the municipal clients City staff contacted gave the company good reviews. Executech would provide a dedicated staff person to Eagle Mountain. The cost would be similar to the cost of Netwize services.

Councilmember Burnham stated she wished to abstain from the vote to prevent any perceived conflict of interest because she won an iPad during an Executech prize drawing at a ULCT conference several years ago.

Chris Gibbons introduced himself as a Senior Account Executive for Executech. He introduced Brian Hazlett, a Regional Vice President over technical operations, who covered this region. He would work directly with Eagle Mountain in terms of ensuring the success of the City's transition to Executech.

Councilmember Clark said her employer used Executech and found them very capable and responsive.

Mr. Gibbons stated while the model was to assign a specific technician to the client, Executech would operate as an IT department for the City, giving the City access to additional technicians as needed. The system was designed to be proactive, preventing issues as well as responding to them.

City Recorded Fionnuala Kofoed requested that the staff have authority to work out some of the terms of the agreement, since the hiring process happened very quickly and not every term had been settled. Mayor Westmoreland agreed.

16. RESOLUTION – Resolution of Eagle Mountain City, Utah, Approving the Third Amendment to the Pole Canyon Annexation and Master Development Agreement.

City Attorney Jeremy Cook stated the proposed resolution approved the third amendment to the Pole Canyon Annexation and Master Development Agreement, adding provisions for the funding of necessary improvements to the White Hills sewer line. The developers agreed to cover part of the cost of the debt service payments for five years.

Mayor Westmoreland asked what the right-of-way easement for the project included. Mr. Cook said it went along the road but only included the property occupied by the sewer line.

3. ADJOURN TO A CLOSED EXECUTIVE SESSION – The City Council adjourned into a Closed Executive Session for the purpose of discussing reasonably imminent litigation pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

MOTION: *Councilmember Burnham moved to adjourn into a Closed Executive Session for the purpose of discussing reasonably imminent litigation pursuant to Section 52-4-205(1) of the Utah Code, Annotated. Councilmember Clark seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis and Benjamin Reaves. The motion passed with a unanimous vote.*

The meeting was adjourned at 5:04 p.m.

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

ELECTED OFFICIALS PRESENT: Mayor Tom Westmoreland, Councilmembers Donna Burnham, Melissa Clark, Colby Curtis and Benjamin Reaves. Stephanie Gricius was excused.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; David Mortensen, City Treasurer/Assistant Finance Director; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Chief Deputy City Recorder; Aaron Sanborn, Economic Development Director; Linda Peterson, Communications and Community Relations Director; Steve Mumford, Community Development Director; Mike Hadley, Planning Manager; Tayler Jensen, City Planner; Chris Trusty, City Engineer; Ross Fowlks, Fire Chief; Lt. Eric McDowell, Chief Sheriff's Deputy.

4. CALL TO ORDER

Mayor Westmoreland called the meeting to order at 7:05 p.m.

5. PLEDGE OF ALLEGIANCE

Scouts Dallin and Sam from Boy Scout Troop 1008 led the Pledge of Allegiance.

6. INFORMATION ITEMS/UPCOMING EVENTS

- **Street Fair** – The City’s annual Street Fair will be held Saturday, August 11 from 9:00 a.m. to 4:00 p.m. on Peregrine Road. 150 small businesses will have booths at the fair. A free car show, food, and entertainment will also be offered near the booths.
- **Library Summer Reading Closing Event** – The Library will close early, at 5:30 p.m., on Thursday, August 9 to hold the final event for their summer reading program. The event is a Native American drum circle and will take place at Wride Memorial Park from 6:00-7:00 p.m. It will be led by Eagle Mountain resident Curtis Walker and is open to the public.
- **End of Summer Dance Party** – A free End of Summer Dance Party for all ages will be held on Friday, August 17 from 8:00 to 10:00 p.m. at SilverLake Amphitheater. Free glow sticks, prize giveaways, and great music will be offered. Kona Ice and Sodalicious trucks will be on site for purchase of refreshing treats.
- **Seniors BBQ** – The Eagle Mountain Seniors (ages 55+) will hold a barbecue on Monday, August 27 from 5:00 to 7:00 p.m. at City Hall. Meat will be provided. Please bring a side dish to share.
- **Sign up for City Notifications** – There are many ongoing transportation and other projects that impact residents this summer. Don’t miss out on traffic alerts and news, as well as emergency notifications – sign up to receive City notices by email or text at www.emcity.org/notifyme.

7. PUBLIC COMMENTS

Bruno Hunziker, a resident of White Hills, thanked Mayor Westmoreland for solving the White Hills water emergency. When Mr. Hunziker initially called for help, he was told the employee was not permitted by his supervisor to go to White Hills. They ran out of water the next day and were out for eight hours. Mr. Hunziker called Mayor Westmoreland, who was able to have the situation resolved. Mr. Hunziker also said he complained to a State office about the rock crusher at the quarry on Wride Memorial Highway, which was throwing dust onto the road. He hoped the Mayor could get some help with that. He also invited City administrators to go out once a month and visit City parks to see what maintenance they needed.

City Engineer Chris Trusty said he asked the State to do an inspection of the dust problem. The State inspector said he had recently been to the quarry and directed the operators to clean up the dust. Mr. Trusty said City Code Enforcement officers had also been there multiple times. He said the City inspectors looked at wind speed and debris on the road, while State inspectors looked at opacity. City inspectors could receive State training and be authorized to handle complaints as the State does. He said the quarry might need to surface its access road.

David Tobla, a resident of Eagle Point subdivision, stated off-highway vehicles were crossing the median at the east end of Eagle Mountain Blvd., damaging the median and kicking rocks into the road. He asked for a solution, perhaps a sign, to alleviate the problem.

Councilmember Curtis suggested sending the new street sweeper to the location periodically to clean up the rocks.

8. CITY COUNCIL/MAYOR’S ITEMS

Councilmember Curtis

Councilmember Curtis thanked everyone for attending the meeting and being involved in local government. He mentioned that residents sometimes resort to social media to express their frustrations with City services, and reminded everyone the City had a hotline at 801-789-5959 for reporting various issues.

Councilmember Burnham

Councilmember Burnham thanked those in attendance. She had a goal to attend every City Council meeting, either by phone or in person. However, in two weeks she would be out of the country and unable to participate.

Councilmember Reaves

Councilmember Reaves said it was good to see residents attending the meeting and stated the Council had every intention of making decisions on the residents' behalf. He thanked residents for their patience with the numerous road construction projects going on.

Councilmember Clark

Councilmember Clark stated the annual Street Fair will be held on August 11, with Eagle Mountain's Got Talent at 10:00 a.m. the same day. The Eagle Mountain Community Theater will hold auditions this weekend and Arts Com will be held on Sept. 21 & 22 at Black Ridge Elementary School.

CONSENT AGENDA

9. MINUTES

- A. June 19, 2018 – Regular City Council Meeting
- B. July 17, 2018 – Regular City Council Meeting

10. BOND RELEASE

- A. City Center Commercial Phase A, Plat 2 – Out of Warranty

11. BID AWARDS

- A. 2018 Slurry Seal Project – Morgan Pavement Maintenance
- B. Dump Truck – Freightliner of Utah

12. RESOLUTIONS

- A. Preliminary Engineering Report for White Hills Sewer Project – Jackson Engineering
- B. Street Sweeper Lease Purchase Agreement – Zions Bank

MOTION: *Councilmember Burnham moved to approve the Consent Agenda. Councilmember Curtis seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis and Benjamin Reaves. The motion passed with a unanimous vote.*

SCHEDULED ITEMS

13. MOTION – Jeppson Automotive Repair Commercial Site Plan and Preliminary Plat.

Mr. Jensen stated he proposed site plan and preliminary plat for the Jeppson Auto repair shop were designed for a .73 acre lot located in the City Center Commercial project south of Holiday Oil. The plan met the requirements of the Municipal Code, except for an exception request for parking in front of the building. A 6' tall privacy wall would surround the parking behind the building.

Councilmember Curtis was uncomfortable with the Planning Commission's recommendation that the applicant provide additional parking. The plan as presented met the Code requirements. He approved of allowing parking in front of the building to prevent customers from having to walk past open repair bays.

The Council discussed the possibility of prohibiting cars remaining parked in front of the building for longer than 48 hours, which would be virtually impossible to enforce. The intent was to prevent the site from looking shabby. The Council felt the applicant would be a good neighbor and keep the site attractive.

The applicant, Bryan Jeppson, said he owned a mobile mechanic business in Eagle Mountain that had been in operation for five years. He said he had spoken to the property owner about buying an additional 1.28 acres for future growth, adjacent to the property he'd already bought. He said the front parking stalls would only be for pickup and drop-off, never for vehicles being repaired. Mr. Jeppson said the building should open for business in nine months.

Councilmember Burnham noted that Mr. Jeppson was her neighbor and had responded immediately to the one complaint that had been received about his mobile repair business.

MOTION: *Councilmember Burnham moved to approve the Jeppson Automotive Repair commercial site plan and preliminary plat, with the condition that no vehicle be parked in front of the building for more than 48 hours, and removing the condition that the applicant attempt to find a way to increase the number of parking stalls. Councilmember Curtis seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis and Benjamin Reaves. The motion passed with a unanimous vote.*

14. MOTION – Dublin Farms Site Plan and Preliminary Plat.

Mr. Jensen stated the proposed Dublin Farms site plan and preliminary plat were comprised of 128 townhome units located on 9.39 acres in Pods 3b and 4 of the Porter's Crossing Town Center development.

There would be three different building designs in the development. Two would be rear-entry units and one would be front-entry. The tallest building design would be located farthest away from the New Park single family home development, next to the improved open space and a 6' wall would divide Dublin Farms from New Park.

A Traffic Impact Study (TIS) was completed for the Porter's Crossing Town Center MDA/MDP, and was updated in November 2017 when the Master Development Plan/Agreement was amended. The TIS was completed for the entire project at full build-out, including the 128 townhome units vested in Pod 4.

The TIS anticipated that a signal would be warranted at the intersection of SilverLake Parkway & Pony Express Parkway and recommended that an all-way stop-control be used as an interim measure to mitigate delays and queuing at the intersection. No additional mitigation measures were recommended. A signal will be installed at the intersection of SilverLake Parkway & Pony Express Parkway as part of the ongoing Pony Express Parkway widening project.

The developers planned to provide park amenities and parking spaces in excess of the requirement.

The MDA called for the parks to be completed before 80% of the building permits were issued. The developers wished to build the entire project at once and construct the parks before 50% of the certificates of occupancy were issued.

Councilmember Reaves asked whether the project complied with the Municipal Code in relation to density. The Code stated Tier 4 projects could be developed only after Tiers 1, 2 and 3. Mr. Jensen said the tiers were being built simultaneously and met Code requirements.

Councilmember Curtis didn't approve of basing the park construction deadline on certificates of occupancy rather than building permits.

Mr. Mumford stated certificates of occupancy would work for this project because it consisted entirely of rental units. No individual buyer would be waiting for a certificate of occupancy to be issued.

Councilmember Clark referenced the Code prohibition against more than one family occupying one unit. Mr. Doolin said the developers prohibited that, as well and strictly controlled parking and trash removal because those were both important issues in a multifamily development.

Mr. Mumford clarified that the State's definition of a family was people related by blood or marriage or up to four unrelated adults.

MOTION: *Councilmember Burnham moved to approve the Dublin Farms site plan and preliminary plat with the conditions listed in the staff report. Councilmember Clark seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis and Benjamin Reaves. The motion passed with a unanimous vote.*

The conditions listed in the staff report were as follows:

1. Additional features shall be added to the side elevations of the seven side facades adjacent to public rights-of-way and/or improved open spaces.
2. Additional architectural features, to be approved by staff, shall be provided on the rear elevations of the *Payton* buildings.
3. Park property shall be dedicated to the City along with the first recorded subdivision plat.
4. The park fee-in-lieu of \$697,796.00 shall be paid to the City prior to recording any plats.
5. The park shall include a tot lot for ages 2-5.
6. Architectural features similar to those on the front elevation of the *Delinda* buildings shall be provided on the front elevation of the *Steve* buildings.
7. The park shall be completed prior to issuance of more than 50% of the certificates of occupancy.

15. AGREEMENT – Professional Service Agreement between Eagle Mountain City and Executech for IT Services.

Economic Development Director Aaron Sanborn stated the City recently processed a request for proposals for information technology services. Fourteen responses were received and upon evaluation of the proposals, staff recommended that the City contract with Executech.

The City's agreement with Netwize had a 30-day termination clause, with the 30 days beginning the 1st day of the month after notice was given. Executech wished to begin working with the City and Netwize right away to transfer information and create a seamless transition.

Councilmember Curtis asked what costs might be associated with the transition, in terms of new software and other improvements. Mr. Sanborn said the Microsoft Office applications would move to Office 365, which would simplify the transition by moving the City's data to the cloud. Executech planned to closely inspect the City's IT infrastructure to determine what needed to be done. The City already budgeted \$20,000 in this fiscal year for the known major expenses such as email migration and server issues.

Councilmember Curtis asked if the new software would be able to identify Internet connectivity issues with Direct Communications. Mr. Sanborn said the City's system used PPPOE, which Netwize was transitioning away from in order to solve much of the connectivity issues.

Key points of Executech's proposal included:

- A one-year agreement with a possible renewal term
- A dedicated Tier III Technical Consultant providing services on-site along with an expanded team of support personnel
- Forty hours of on-site and remote support, with provisions for extra support as needed. Extra hours not used will carry over for a maximum of four months.
- 24/7/365 support offered at the same rate; no premium costs for after-hours, weekends, etc.
- 24/7/365 network monitoring
- Chief Technology Officer (CTO) support to move beyond maintaining the network and repairing breaks, to modernize and expand the City's IT capabilities
- Cost: \$4,500 per month for an annual cost of \$54,000
 - Current Netwize cost is \$51,444 per year.

Councilmember Burnham stated she wished to abstain from the vote to prevent any perceived conflict of interest because she won an iPad during an Executech prize drawing at a ULCT conference several years ago. She noted that she wasn't involved in the IT RFP process.

MOTION: *Councilmember Reaves moved to approve a professional service agreement between Eagle Mountain City and Executech for IT Services in the amount of \$54,000 and authorize the Mayor to sign the contract. Councilmember Clark seconded the motion. Those voting aye: Melissa Clark, Colby Curtis and Benjamin Reaves. Those abstaining: Donna Burnham. The motion passed with a vote of 3 ayes and one abstention.*

Councilmember Curtis commended Mr. Sanborn and the staff for the enormous amount of work they did throughout the selection process.

Councilmember Reaves noted that Executech's cost proposal offered to provide up to double the amount of service hours during the first month at no additional charge to ensure a seamless transition.

16. RESOLUTION – Resolution of Eagle Mountain City, Utah, Approving the Third Amendment to the Pole Canyon Annexation and Master Development Agreement.

City Attorney Jeremy Cook stated the proposed resolution approved the Third Amendment to the Pole Canyon Annexation and Master Development Agreement, adding provisions for the funding of sewer system improvements. City staff had been working for several years to secure a grant/bond for the extension of the White Hills sewer system to Eagle Mountain's existing wastewater facilities. This agreement required the developer in the area to subsidize some of the debt service for five years, to make sure that if the development didn't happen as quickly as expected, the City wouldn't incur out-of-pocket costs.

There were also additional funds available through the White Hills Special Service District, which would cover those costs if necessary. The bond closing would be held within two weeks and the project was expected to be completed by the end of the year.

Councilmember Curtis asked if the White Hills' residents' user rates would increase. Mr. Cook said they would remain at \$45.05 per month, as adopted in the Consolidated Fee Schedule. The first user rate payment from residents would be due in November.

MOTION: *Councilmember Curtis moved to adopt a resolution of Eagle Mountain City, Utah, approving the Third Amendment to the Pole Canyon Annexation and Master Development Agreement. Councilmember Reaves seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis and Benjamin Reaves. The motion passed with a unanimous vote.*

17. CITY COUNCIL/MAYOR'S BUSINESS

Councilmember Curtis

See board liaison report.

Councilmember Burnham

See board liaison report.

Councilmember Reaves

No comment.

Councilmember Clark

Councilmember Clark said the Eagle Mountain Chamber of Commerce had a kick-off luncheon last week with over 50 attendees. She invited anyone interested in becoming a member of the Chamber to contact Mr. Sanborn.

Mayor Westmoreland

Mayor Westmoreland said the City needed good people who were committed to making the new Chamber of Commerce work. It wouldn't be run by the City, but would be an independent voice working for business.

18. CITY COUNCIL BOARD LIAISON REPORTS

Councilmember Curtis stated the Library Board was in need of two new members.

Councilmember Burnham said the senior center building was almost ready to open. The Senior Advisory Council planned a grand opening event in September. She invited anyone interested in volunteering or teaching a class for the seniors to contact the Senior Advisory Council.

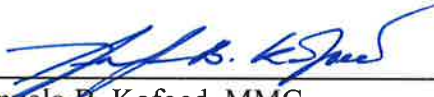
19. COMMUNICATION ITEMS

A. Upcoming Agenda Items

20. ADJOURNMENT

MOTION: *Councilmember Curtis moved to adjourn the meeting at 8:27 p.m. Councilmember Burnham seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Stephanie Gricius and Benjamin Reaves. The motion passed with a unanimous vote.*

Approved by the City Council on August 21, 2018.



Fionnuala B. Kofoed, MMC
City Recorder