

MINUTES
EAGLE MOUNTAIN CITY COUNCIL MEETING

August 16, 2011

Work Session 5:00 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 ***

5:00 P.M. WORK SESSION – CITY COUNCIL CHAMBERS ** Please note special start time **

ELECTED OFFICIALS PRESENT: Donna Burnham, Jon Celaya, Ryan Ireland and John Painter.
Nathan Ochsenhirt was excused.

CITY STAFF PRESENT: John Hendrickson, City Administrator; Jerry Kinghorn, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Deputy Recorder; Steve Mumford, Planning Director; Chris Trusty, Public Works Director; Rand Andrus, Fire Chief; Gordon Burt, Finance Director; Kent Partridge, Building Official; Linda Peterson, Public Information Director; Eric McDowell, Lieutenant.

Mayor Jackson called the meeting to order at 5:10 p.m.

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

This item was moved to Policy Session.

3. 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 Burnham 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 Painter seconded the motion. Those voting aye: Donna Burnham, Jon Celaya, Ryan Ireland and John Painter. The motion passed with a unanimous vote.*

The meeting was adjourned at 6:00 p.m.

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

ELECTED OFFICIALS PRESENT: Donna Burnham, Jon Celaya, Ryan Ireland and John Painter.
Nathan Ochsenhirt was excused.

CITY STAFF PRESENT: John Hendrickson, City Administrator; Jerry Kinghorn, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Deputy Recorder; Steve Mumford, Planning

Director; Chris Trusty, Public Works Director; Rand Andrus, Fire Chief; Gordon Burt, Finance Director; Kent Partridge, Building Official; Linda Peterson, Public Information Director; Eric McDowell, Lieutenant.

4. CALL TO ORDER

Mayor Jackson called the meeting to order at 7:10 p.m.

5. PLEDGE OF ALLEGIANCE

Ven Johnson led the Pledge of Allegiance.

6. INFORMATION ITEMS/UPCOMING EVENTS

- **2011 Election** – The Primary Election will be held on September 13. The General Election will be November 8. Visit the City website for election information.
- **Mt. Airey Drive Closure** – From today through Thursday 8/18, there will be a full closure of Mt. Airey Drive at SR 73. During this closure residents and motorists can use Ranches Parkway as a detour route.
- **Movie in the Park** – *How to Train Your Dragon* will be shown at SilverLake Amphitheater on Monday, August 22 beginning at dusk. Admission is free. Concessions will be available.
- **Exceptional Kids Club Activity** – Special needs children of all ages are invited to participate in the Exceptional Kids Club activities. The first activity will be dance instruction from Sheena's Dance Studio. It will be held on Tuesday, August 30 at 4:00 p.m. in the City Council Chambers. Admission is free.
- **Fall Street Fair** – The Eagle Mountain City Street Fair will be held on Saturday, September 17 from 12:00 p.m. to 4:00 p.m. along Peregrine Road behind the Chevron.
- **City Facebook Page** – The official Eagle Mountain City government page is now on Facebook. "Like" the page and receive timely city news, emergency notices, and requests for public feedback.

7. 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.)*

No public comments.

8. 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 Ireland

No comment.

Councilmember Burnham

Councilmember Burnham asked residents to be patient during the current road construction projects.

Councilmember Celaya

No comment.

Councilmember Painter

Councilmember Painter asked who sponsors the Movie in the Park activity. Mayor Jackson responded that the company the City hired for Pony Express Days offered to sponsor a free Movie in the Park night if it could sell concessions. Councilmember Painter also noted that the City's Facebook page is inadvertently showing Brigham City's logo. Ms. Peterson will change it back to Eagle Mountain's logo.

Mayor Jackson

Mayor Jackson had no comment.

9. OATH OF OFFICE

- A. Administration of Oath of Office to Deputy Recorder Johna Rose by City Recorder

City Recorder Fionnuala Kofoed administered the oath of office to the City's new Deputy Recorder, Johna Rose.

CONSENT AGENDA

10. MINUTES

- A. August 2, 2011 – Regular City Council Meeting

11. FINAL PAYMENTS

- A. 2011 City Center Walking Trails Project – Geneva Rock
B. Wastewater Parking Lot Project – Kilgore Paving

MOTION: *Councilmember Ireland moved to approve the Consent Agenda. Councilmember Painter seconded the motion. Those voting aye: Donna Burnham, Jon Celaya, Ryan Ireland and John Painter. The motion passed with a unanimous vote.*

SCHEDULED ITEMS

PUBLIC HEARING

12. ORDINANCE – Consideration and Adoption of an Ordinance of the City Council of Eagle Mountain City, Utah, Amending Chapter 17.80 Sign Regulations and Sign Permits.

This item was presented by Planning Director Steve Mumford. This is a proposed Development Code amendment to modify and simplify the regulations concerning ladder signs. The leases on ladder signs throughout the City have expired. Lease payments have not been made and some of the signs have fallen into disrepair. City staff proposes leasing ladder sign slats to businesses, home builders, and others through an administrative process not requiring Council approval for each lease. The City would own and maintain the ladder signs.

Mr. Mumford explained three options for dealing with signs: removing all signs in rights of way, continue the current program with some modifications, or the program being proposed this evening. The Planning Commission recommended approval of this program.

Councilmember Celaya, who had some of these signs several years ago, questioned why the City should provide signs, rather than a private business. Mr. Mumford responded that City staff can

easily maintain the signs and oversee the leases, rather than deal with a private company which may or may not comply with City regulations.

There was discussion as to what advantages would accrue to the City by owning the signs. Questions raised included fees charged by the City vs. costs of code enforcement, efficiency of maintenance, and whether the City should provide a service which could be provided by a private company.

Mayor Jackson opened the public hearing at 7:32 p.m.

Richard Steinkopf, 3459 Appaloosa Way, said there are too many ladder signs along Ranches Parkway. He would like to see some of those eliminated and replaced with directional signage, including signage for schools and public buildings.

Mayor Jackson closed the public hearing at 7:34 p.m.

Councilmember Painter said the signs should be owned by a private company, which would lease signs or slats to those who want them. The City should be charged the same amount as any other user. Mayor Jackson said the City had been unable to find a company willing to do that. Mr. Painter said that if there isn't one, then the market won't bear it and the signs should be taken down.

Councilmember Burnham suggested that, since the City owns the signs already, some of the signs could be changed to directional signs for City use and the others could be taken down, which would get the City out of the leasing business.

Councilmember Ireland said the City should have directional signs for City purposes. There should also be allowances for commercial signs, but not on a public right of way.

MOTION: *Councilmember Ireland moved to table an Ordinance of the City Council of Eagle Mountain City, Utah, amending Chapter 17.80 Sign Regulations and Sign Permits. Councilmember Burnham seconded the motion.*

Councilmember Celaya felt that the current restrictions are part of the reason the current program is not working: most are only available for model homes and the price cap prevents them from being profitable. When the program is reconsidered, he would like the signs to have a consistent look and be well-maintained, and he would like some to be available for City signage. He felt the ordinance could be written that way.

Mayor Jackson said that the State allows signs in its right of way and allows businesses to buy space on those signs. She would like the major roads through the City to have consistent signage which provides businesses a way to advertise.

Those voting aye: Donna Burnham, Jon Celaya, Ryan Ireland and John Painter. The motion passed with a unanimous vote.

Mayor Jackson asked the Councilmembers to contact Mr. Mumford with their suggestions for signage regulations.

The existing ladder signs will be removed because they are not in compliance with City code and no program currently exists authorizing their use.

13. MOTION – Consideration and Appointment of Poll Workers for the 2011 Primary & General Municipal Elections in Eagle Mountain City.

This item was presented by City Recorder Fionnuala Kofoed. In accordance with Utah Code, the City Recorder will present the City Council with a list of recommended individuals to serve as poll workers for the 2011 Primary & General Municipal Elections. (Section 20A-5-602(1)(a), Utah Code)

MOTION: *Councilmember Painter moved to approve the appointment of poll workers for the 2011 Primary & General Municipal Elections in Eagle Mountain City, as identified in the staff report. Councilmember Ireland seconded the motion. Those voting aye: Donna Burnham, Jon Celaya, Ryan Ireland and John Painter. The motion passed with a unanimous vote.*

The following poll workers were appointed by the City Council:

Lynnette Rose	Counting worker
Diane Bradshaw	Counting worker
Shana Clark	Counting worker
Kristy Ellers	Ballot driver
Kelsey Bradshaw	Runner & ballot driver
Janae Wahnschaffe	Supply worker -- City Center
Joye Roberts	Poll worker
Teresa McKitrick	Poll worker
Lynette Story	Supply worker -- Ranches Academy
Lee Kline	Poll worker
Sean Hammond	Poll worker
Kathy Nuttall	Supply worker -- Pony Express
Kim Brown	Poll worker
Joyce Hauber	Poll worker
Jack Roberts	Poll worker -- alternate
Linda Bell	Poll worker -- alternate

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

This item was presented by City staff. The proposed resolution amends the Consolidated Fee Schedule for the following: adding fees for missing RFID tags (Radio Frequency Identification) on items checked out of the library and adding a proctoring fee at the library for non-residents of Eagle Mountain. It also makes text changes to conform with current City Code.

Lease fees for ladder signs were removed from the proposed amendments.

Councilmember Burnham suggested that the RFID fee not be applied until the library staff is sure all books have RFID tags. Councilmember Ireland asked how much time proctoring takes. Councilmember Burnham said each one takes from thirty minutes to two hours. Non-resident students are coming to Eagle Mountain because the City doesn't charge a fee, while the schools do.

MOTION: *Councilmember Burnham moved to adopt a Resolution of the City Council of Eagle Mountain City, Utah, amending the Eagle Mountain City Consolidated Fee Schedule, with the exception of signage fees. Councilmember Celaya seconded the motion. Those voting aye: Donna Burnham, Jon Celaya, Ryan Ireland and John Painter. The motion passed with a unanimous vote.*

15. AGREEMENT – Consideration and Approval of a Power Sales Agreement with Utah Municipal Power Agency.

This item was presented by Mayor Jackson. This agreement gives Eagle Mountain the option to purchase electrical resources in addition to the current contract. This will help Eagle Mountain build its own electrical generation portfolio.

MOTION: *Councilmember Painter moved to approve a power sales agreement with Utah Municipal Power Agency and authorize the Mayor to sign the agreement. Councilmember Celaya seconded the motion. Those voting aye: Donna Burnham, Jon Celaya, Ryan Ireland and John Painter. The motion passed with a unanimous vote.*

16. CITY COUNCIL/MAYOR'S BUSINESS – This time is set aside for the City Council's and Mayor's comments on City business.

Councilmember Painter

No comment.

Councilmember Ireland

No comment.

Councilmember Burnham

No comment.

Councilmember Celaya

No comment.

Mayor Jackson

Mayor Jackson invited Public Works Director Chris Trusty to make an announcement. Mr. Trusty said that sod has been installed in Smith Ranch Park. He also mentioned that the street name signs have been installed where Sweetwater Road was renamed Pony Express Parkway.

City Administrator Item

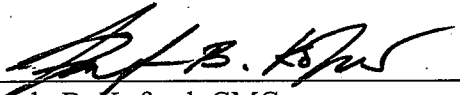
Mr. Hendrickson reported that the Parks and Recreation Advisory Board received a proposal from the Pioneer Addition HOA to replace a sand volleyball pit with a playground. They requested that the City pay half of the cost. Mr. Hendrickson explained to them that a vendor would have to be

chosen through the City bid process and that the project was not budgeted for this year. It would have to wait until another fiscal year unless another project could be completed under budget.

17. 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.
18. COMMUNICATION ITEMS
 - A. Upcoming Agenda Items
 - B. Financial Report
19. ADJOURNMENT

Councilmember Painter moved to adjourn the meeting at 8:02 p.m.

APPROVED BY THE CITY COUNCIL ON SEPTEMBER 6, 2011.



Fionnuala B. Kofoed, CMC
City Recorder