

MINUTES
EAGLE MOUNTAIN SPECIAL CITY COUNCIL
TELEPHONIC MEETING
TUESDAY, AUGUST 24, 2004
WORK SESSION 4:00 P.M. • POLICY SESSION 7:00 P.M.
Eagle Mountain City Council Chambers

TELEPHONIC WORK SESSION – No Action or Minutes Taken – 4:00 to 6:30 p.m.

1. Consent Agenda
2. Discussion on Title 1 of the Eagle Mountain City Development Code
3. Discussion regarding Development Criteria for Valley View Annexation Master Development
4. Discussion regarding Animal Control and Code Enforcement
5. Discussion on dissolving the Telecommunications and Airport Advisory Boards
6. Items as outlined on the policy session
7. Other business
8. Adjourn work session at 6:30 p.m.

I N T E R M I S S I O N

Prayer by Invitation of the Mayor Pro-Tem

The prayer was offered by Adam Lenhard.

TELEPHONIC POLICY SESSION – 7:00 p.m.

1. **Call to Order - Roll Call:**

Mayor Pro-Tem Mark Madsen called the meeting to order at 7:12 p.m.

City Council Present: Mayor Pro-Tem Mark Madsen, Linn Strouse, David Blackburn, Vincent Liddiard, Diane Jacob

City Staff:

City Administrator:	Chris Hillman
City Attorney:	Gerald Kinghorn
City Engineer:	Korey Walker
City Recorder:	Janet Valentine
Deputy Recorder:	Angela Cox
Planning Director:	Shawn Warnke
City Planner:	Adam Lenhard

Others Present:

Residents: Rob Healy, Michelle DeKorver, Tiffany Ulmer, Jim & Chris Smith, Cindy Morris, Jeff Black, Becky Oakley, Pat Hoffman, Jim Konold, Janiece Sloan; Laura Lewis, Eagle Mountain Financial Advisor; Janet Burningham, The Crossroads Journal; Wendy Nabhan, North Ranch HOA; Gary Bertagnole, Meadow Ranch

2. **Pledge of Allegiance:**

The Pledge of Allegiance was led by Jerry Kinghorn

3. **Approval of City Council Minutes (July 20, 2004 and August 3, 2004):**

MOTION: *Diane Jacob moved to approve the minutes of July 20, 2004 and August 3, 2004 as amended. David Blackburn seconded the motion. Ayes: 5 - Linn Strouse, David Blackburn, Vincent Liddiard, Diane Jacob, Mark Madsen. Nays: 0. Motion passed.*

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

None.

5. **Appointments:**

A. Library Board

MOTION: *Linn Strouse moved to appoint Brenda Park to the Library Board to a term ending on December 31, 2005 to fill the vacancy created by the resignation of Darrell Jackson. Diane Jacob seconded the motion. Ayes: 5 - Linn Strouse, David Blackburn, Vincent Liddiard, Diane Jacob, Mark Madsen. Nays: 0. Motion passed.*

6. **Public Notices:**

None.

7. **Public Comment:**

Cindy Morris of North Ranch stated that she is concerned with the set backs in Valley View Ranch. She would like to see 175' rather than the proposed 100'. She also stated that she would like the Council to consider the proposal of allowing the same home every four lots. She feels this is to close.

Tiffany Ulmer of Eagle Park recognized and thanked Wal-Mart for sponsoring and supporting the Eagle Park Commons park improvements.

Wendy Nabham of North Ranch Home Owners Association is concerned with the standard of allowing the same house every four lots. She would like the Council to think about how a tract home subdivision would look between the two beautiful custom home subdivisions. She also stated that she believes that 100' lots are to narrow and she would like to see larger.

Rick Knowlton of Canyon Wash Drive stated his concern with homes being built to close to Tickville Wash. He believes that flash floods will be a concern. He also stated his concern with Valley View subdivision looking like a tract home subdivision.

Pat Hoffman a resident of Eagle Park asked if there were plans to discuss the paths and the safety of the children walking to the new school.

Chris Hillman responded that the City is currently addressing the issue. He explained the Alpine School Districts strategic placement of the elementary school... CDBG...

Korey Walker stated that he believes that the improvements should be completed in approximately fifteen days.

Mark Madsen...

Chris Hillman stated that some of the trails going to the school may not be the most direct route to the school...

Linn Strouse stated that The Ranches had a similar situation when Pony Express Elementary was first opened.

Mark Madsen ...

Lisa Amendola of Overland Trails stated that she walked he children to school this morning...

Mr. Hillman responded in explaining

8. **Council Comments:**

Vincent Liddiard stated that the School District was proposing a possible split. The County Commission voted as to whether the split would be put on the ballot. The County Commission voted two to one to not allow...

9. **Recognition of Military Service:**

None.

10. **Consideration of Development Agreement Criteria for Valley View Annexation Master Development:**

Mark Madsen...

Brian Haskell explained that the investor group on this project has conceded to have a minimum lot size of one half acre in this project, provided, however, that there is a maximum density allowed of 1.1 units per acre which totals approximately 335 units. That would be the maximum density allowed. They are proposing the minimum lot width be 100' No more than 50% of the homes to be built with exterior materials of vinyl siding, not repeating any elevation more than once every four homes. The linear park with the trail system going through the interior back lot lines is eliminated to make room for the half acre lots; economically there would be no requirement for sewer and no requirement for curb and gutter. A park will be built totaling up to 3.5 acres. The project originally proposed 16.8 total acres of developed open space, now there would be approximately 6-7 acres of developed open space.

Discussion ensued on the minimum lot width and the standard of allowing the same elevations in the development.

Mark Madsen asked Mr. Haskell if the Wash would be included in the acre lots and if there would be a fifty foot easement along the wash. Mr. Haskell stated that the acre lots would not include the wash; however he feels that a fifty foot easement is excessive and arbitrary.

Mr. Madsen read Mayor Bailey's comments.

Mr. Haskell explained the proposed trail system.

Discussion ensued on a fifty foot easement along the wash and a rear lot setback. Mr. Haskell stated that he would like to have a study completed to evaluate the wash and ensure safety. The City Council felt that a fifty foot rear set back including a twenty foot easement would be sufficient, and asked staff to provide a recommendation.

Korey Walker stated that a drainage analysis will be completed that will identify what improvements along the wash that will need to be made to ensure non-erosion.

Mr. Madsen stated that the developer is proposing 50% siding. The intent is to match the existing neighborhoods. He stated that he believes that this is a fair standard. He addressed the proposal of not repeating elevations more than every five homes. The Mayor had made a recommendation of not more than three times in the whole subdivision. The City Council felt that a little steep.

Linn Strouse asked Mr. Haskell what he could do to ensure the City Council that the homes would have a unique look. Mr. Haskell stated that it is impossible to ensure that at this time because they don't have builders in place at this time.

Mr. Madsen stated that he believes there are other standards in place the will derive individuals from building cookie cutter homes. He also stated the proposal that the half acre lots can have small animal rights. This will also be the standard in the new Code.

The City Council had a consensus on waiving the standard on curb and gutter unless the engineer stated it was needed for storm drain purposes.

Jim Smith of North Ranch questioned whether the CC&R's would remain the same as the existing lots that they are adjacent to.

Vincent Liddiard stated that they may not be identical but they will at least conform to the major issues such as animal rights, exterior materials, and minimum square footages. Discussion ensued on lot size requirements for animal rights.

Mr. Madsen explained that the half acre lots could, because of topographical or alignment challenges that require adjustment, be reduced up to 10%, only allowing 12% of the lots to be adjusted.

Gary Bertagnolli of Meadow Ranch asked for clarification on the standard of + or - 10% on lot sizes and questioned if that would affect animal rights. Mr. Madsen explained the proposed standard and when it would apply. He also stated that the small animal rights on the half acre lots would not be affected.

Mr. Bertagnolli also stated that both Meadow and North Ranch are custom home neighborhoods and he is concerned that the Valley View Ranch will not be consistent with the existing neighborhood. He feels that the standard of allowing an elevation to be repeated every fifth home is inconsistent with the existing neighborhoods.

Mr. Haskell stated that in Meadow and North Ranch the elevations are repeated very infrequently if at all; however there are no restrictions of that nature. He believes that the market is what determined that and the market is what will drive this project also.

1. Consideration and Approval of an Ordinance Amending Title I and Title II of Eagle Mountain City Development Code:

This item was tabled.

12. City Utility Administration Building, Site Plan Review:

Shawn Warnke explained the proposed location and presented the plan and layout of the floor plan. He presented the exterior elevations and the materials. He continued in explaining the conditions.

Adam Lenhard explained the grading and berming.

Vincent Liddiard stated that a location for a flag pole needed to be identified. He also asked that parking stall be removed at each of the entry ways to the building and have cement bollards installed to block vehicle entry into the building.

Discussion ensued on landscape islands in the parking area. Mark Madsen wanted to do away with the landscape islands and increase the parking area. Diane Jacob would like the landscape islands left, unless there is not a sufficient amount of parking.

David Blackburn suggested the center of the courtyard for the flag.

MOTION: *Vincent Liddiard moved to approve the Utility Administration Building Site Plan with the following conditions:*

- 1. That bollards are placed in the entrances to the building from the parking lot.*
- 2. That adequate parking is provided that complies with the Development Code.*
- 3. That a location for displaying the flag be determined.*

Diane Jacob seconded the motion. Ayes: 5 – Linn Strouse, David Blackburn, Vincent Liddiard, Diane Jacob, Mark Madsen; Nays: 0. Motion passed.

13. Silver Lake Village, Final Plat Approval:

Shawn Warnke explained the location and proposal. He displayed an overview map of the proposed project and explained the area that will be privately owned and commonly owned.

Jerry Kinghorn explained that this is an unusual zero lot line subdivision. It is a planned unit development. The CC&R's will have to be modified considerably to make sure the Home Owners Association has the ability to take care of the common area, which is the area around all of the building pad lots.

Linn Strouse requested that potential buyers are made aware of the Home Owners Association prior to closing on the home.

Korey Walker addressed the Tickville Wash along the subdivision. He requested the engineers evaluating this provide calculations for him to review.

MOTION: *Vincent Liddiard moved to approve the Silver Lake Village Final Plat subject to the recommendations of the staff and the plat modifications. David Blackburn seconded the motion. Ayes: 5 – Linn Strouse, David Blackburn, Vincent Liddiard, Diane Jacob, Mark Madsen; Nays: 0. Motion passed.*

14. Spring Valley Plat A, Development Agreement Including CC&R's Approval:

This item was tabled.

15. Consideration and Approval of a Resolution Providing Provisions of Removal of Board and Commission Members:

Vincent Liddiard stated that his concern is if this provides protection for individuals who are willing to volunteer and if it provides protection to the City to move forward.

Diane Jacob stated that her concern is that the removal is not because of a conflict with a Council Person.

Mark Madsen agreed that a removal should be because the duties of the position are not being carried out.

MOTION: *Vincent Liddiard moved to adopt Resolution R15 – 2001. Linn Strouse seconded the motion. Ayes: 5 – Linn Strouse, David Blackburn, Vincent Liddiard, Diane Jacob, Mark Madsen; Nays: 0. Motion passed.*

16. Consideration And Approval Of A Resolution Of The City Council Of Eagle Mountain City, Utah (The "Issuer"), Finalizing The Terms And Conditions Of The Issuance And Sale By The Issuer Of Its Special Assessment Refunding Bonds, Series 2004A (Special Improvement District No. 98-1) In The Aggregate Principal Amount Of \$6,295,000 (The "Series 2004A Bonds"); Awarding And Confirming The Sale Of Said Series 2004A Bonds; Authorizing The Execution By The Issuer Of A General Indenture Of Trust, And Other Documents Required In Connection Therewith; Authorizing And Approving A Bond Purchase Contract; And Authorizing The Taking Of All Other Actions Necessary To The Consummation Of The Transaction Contemplated By This Resolution; Providing A Severability Clause; Repealing Resolutions And Orders In Conflict; Providing An Effective Date; And Related Matters:

MOTION: *Diane Jacob moved to adopt Resolution R17 – 2004. Vincent Liddiard seconded the motion. Ayes: 5 – Linn Strouse, David Blackburn, Vincent Liddiard, Diane Jacob, Mark Madsen; Nays: 0. Motion passed.*

17. Ratify Notice of Award for the Project "2004 Trail Improvements, 2004":

MOTION: *Vincent Liddiard moved to award the bid of the 2004 Trail Improvements, 2004 to Arrow Engineering. Diane Jacob seconded the motion. Ayes: 5 – Linn Strouse, David Blackburn, Vincent Liddiard, Diane Jacob, Mark Madsen; Nays: 0. Motion passed.*

18. Consideration to Award the Bid for Ruby Valley Completion:

Korey Walker explained that this approval was required at the 98-1 SID refunding to be able to act upon this. We received a bid from Terry Messersmith to complete this project. The estimate is high to cover the rock excavation on this project.

MOTION: *Vincent Liddiard moved to allow the Mayor to sign the Award Bid for Ruby Valley Completion. Linn Strouse seconded the motion. Ayes: 5 – Linn Strouse, David Blackburn, Vincent Liddiard, Diane Jacob, Mark Madsen; Nays: 0. Motion passed.*

19. Consideration to Approve Contract to Drill Pony Express Well:

MOTION: *Mark Madsen moved to approve the Contract to Drill Pony Express Well to Lang Exploratory Drilling. Linn Strouse seconded the motion. Ayes: 5 – Linn Strouse, David Blackburn, Vincent Liddiard, Diane Jacob, Mark Madsen; Nays: 0. Motion passed.*

20. Consent Agenda

- :
- A. Contract Change Order
 - 1. Ranches Irrigation Line (CO No.1), Arrow Engineering
 - B. Partial Payments
 - 1. Ranches Irrigation Line (PP No. 1), Arrow Engineering
 - 2. Sweetwater Roadway Extension, 2004 (PP No. 7), Terry Larson Excavating, Inc.
 - 3. Maintenance Shop, 2004 (PP No. 2), Rimrock Construction
 - C. Partial Bond Releases
 - 1. Freemont Springs Plat C (PBR No. 1), Sundance Homes
 - 2. Freemont Springs Plat D (PBR No. 1), Church of Jesus Christ of Latter-Day Saints
 - 3. Rush Valley Plat A (PBR No. 5), Sundance Homes
 - 4. Rush Valley Plat B (PBR No. 2), Sundance Homes
 - 5. Rush Valley Plat C (PBR No. 2), Sundance Homes
 - 6. Willow Springs Condos Phase 3 (PBR No. 4), Summit Development
 - D. Final Bond Release
 - 1. The Anthem Phase 1 (FBR), EM Links

MOTION: *Linn Strouse moved to approve the consent agenda. Vincent Liddiard seconded the motion. Ayes: 5 – Linn Strouse, David Blackburn, Vincent Liddiard, Diane Jacob, Mark Madsen; Nays: 0. Motion passed.*

21. Motion to recess in to a closed executive session for the purpose of discussing personnel issues, potential litigation and/or public safety:
22. Motion to close the closed executive session and reconvene in to open session:
23. Any actions from the closed executive session:
24. Other business:
25. Adjournment:

MOTION: Mayor Bailey moved to adjourn the meeting at 9:15 p.m.

APPROVAL:

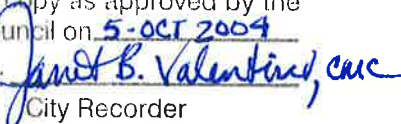

Mark B. Madsen, Mayor Pro Tem

DATE:

10/5/04

This certifies that the minutes of
24-Aug-09 SCC are a true, full and
correct copy as approved by the
City Council on 5-OCT-2009

Signed:


City Recorder