

MINUTES
EAGLE MOUNTAIN CITY COUNCIL MEETING

September 6, 2005

Eagle Mountain City Council Chambers, 1650 East Stagecoach Run, Eagle Mtn, Utah 84043

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

Mayor David Lifferth called the meeting to order at 4:17 p.m.

CONDUCTING: Mayor David Lifferth

ELECTED OFFICIALS PRESENT: Councilmembers David Blackburn, Janiece Sloan, and Brian B. Olsen (Vincent Liddiard and Linn Strouse were excused).

CITY STAFF PRESENT: Chris Hillman, City Administrator; Gerald Kinghorn, City Attorney; Gina Peterson, City Recorder; Angela Cox, Deputy Recorder; Shawn Warnke, Assistant to the City Administrator; Adam Lenhard, Planning Director; Peter Spencer, City Planner; Mark Sovine, Public Works Director; Gordon Burt, Finance Director.

DISCUSSION/REVIEW ITEMS

REVIEW – Proposed Bi-annual City Survey (Dan Jones)

DISCUSSION – Managing Media Relations – Chris Hillman

REVIEW – Building in Eagle Mountain City: A benchmark study of subdivision inspection and building fees – Matt Michaelis

REVIEW – Financial Report – August 2005

AGENDA REVIEW

The City Council reviewed items on the Consent Agenda and Policy Session Agenda.

ADJOURNMENT

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

Mayor David Lifferth called the meeting to order at 7:10 p.m. The Pledge of Allegiance was led by Mark Lofgren.

CONDUCTING: Mayor David Lifferth

ELECTED OFFICIALS PRESENT: Councilmembers David Blackburn, Vincent Liddiard (participated telephonically), Brian B. Olsen, Janiece Sloan and Linn Strouse.

CITY STAFF PRESENT: Chris Hillman, City Administrator; Gerald Kinghorn, City Attorney; Chris Trusty, City Engineer; Gina Peterson, City Recorder; Angela Cox, Deputy Recorder; Shawn Warnke, Assistant to the City Administrator; Adam Lenhard, Planning Director; Peter Spencer, City Planner; Mark Sovine, Public Works Director; Gordon Burt, Finance Director.

OTHERS PRESENT: Nick Bell, Jayna Jones, Charlotte Ducos, Julie Wallace, Wanda Hiller, Clint Moser, Daryle Harris, Jared Pemberton, Brigham Morgan, Delainey Kicklighter, Henry Kicklighter, Mark Lofgren, Mary Lynn Christensen, Amy Evans, Barbara Petersen, Carolyn Conley, Stephen Conley, Darren Coles, Andrea Coles, Donna Burnham, Alicia Hill, Chris Ulmer, Tiffany Ulmer, Loreen Cole, Residents; Jerry Monson, John Molder, Utah County Sheriff's; Janet Burningham, The Crossroad Journal; Cary Brackett, The Ranches Home Owner's Association; Michelle Vongphakdy, Pony Express – North County Papers; Amy Twitty, Brian Haskell, Sage Group; Ken Berg, Sowby & Berg.

APPROVAL OF MINUTES

MINUTES of City Council Meeting – July 19, 2005

MINUTES of Special City Council Meeting – August 2, 2005

MINUTES of City Council Meeting – August 16, 2005

Councilmember Olsen requested a section of the August 16, 2005 minutes be redone verbatim for the candidacy introductions and then return for approval.

Councilmember Blackburn **moved** to approve the City Council Minutes of July 19, 2005 and August 2, 2005. Councilmember Sloan **seconded** the motion. Those voting aye: David Blackburn, Vincent Liddiard, Brian Olsen, Janiece Sloan and Linn Strouse. Motion passed with a unanimous vote.

PUBLIC COMMENTS

Nick Bell of the Eagle Park subdivision stated he received a citation from the Code Enforcement Officer for paintball bunkers he placed on city property. He is concerned because other residents are using the city property for storage, including Councilmember Liddiard. He is the only one who was cited. He feels that Councilmember Liddiard is using his position for his own personal gain. Mr. Bell asked if there is another place that he could set up the paintball bunkers for the neighborhood kids. He stated that no neighbors, with the exception of Councilmember Liddiard have complained about this.

Mayor Lifferth stated he would follow up on the issue and contact Mr. Bell with information pertaining to his concerns.

City Administrator Chris Hillman assured Mr. Bell he would have the Code Enforcement Officer follow-up with his neighbors using the public property for storage.

Councilmember Blackburn asked if the paintballs are in close enough proximity to hit neighboring homes.

Mr. Bell responded that the paintballs have hit neighboring homes, and his kids clean the paint off the homes when that happens.

Brigham Morgan stated he is here on behalf of the Pumpkin Fest, which has been an event in the City for the past six years with the exception of last year. He is looking at finding someone else to sponsor and run the event to eliminate the appearance of political agendas; however, all the interest has been contingent upon the City co-sponsoring the event. He stated he will find someone to run the event and he will back out completely. This is to be a citizen oriented activity. The benefits of the City co-sponsoring the event would be the City's insurance, the event could be used as a fund raising event for disaster relief for the victims of Hurricane Katrina or for the Fire Department. The City would be able to dictate the terms identifying the event as a no politics zone. Mr. Morgan stated that he has been in contact with volunteers who are not politically affiliated that are interested in running this event if the City will co-sponsor it. It will be completely funded by sponsors. There will be no cost to the City. He stated that he is not looking for any political gain with this event. He believes it is a valuable asset to the City and a great opportunity to bring the citizens together for a worthy cause and provide a safe environment for the children.

Mayor Lifferth stated that he would discuss the proposal with the City Council and Staff.

Councilmember Strouse expressed concern that the event would be duplicating efforts of the LDS Church Stake who is having a Harvest Festival.

Mr. Morgan responded that the Stake activity is just for the Stake which includes the City Center area of the city, Fairfield and Cedar Fort where the Pumpkin Festival would be for all the residents of Eagle Mountain City. It will also have a different theme and a different set of events. The intent is that the event will be citywide.

Councilmember Sloan asked if he had a location in mind.

Mr. Morgan responded that in the past the City area has been used with a place for a hay ride, open air games, food, and a place for arts and crafts. If we had it out here the library and parking lot could be utilized for activities. The school is the other option.

Councilmember Strouse questioned when the Stake activity is. She also asked who is sponsoring the event and what money has been put forward.

Mr. Morgan responded that the Stake event is on September 10, 2005 and the Pumpkin Festival will be at the end of October. He also stated there are three builders who have agreed to help sponsor who wish to remain anonymous until there is approval from the city. They don't want to have any affiliation with political candidates. Others have indicated that if the City will co-sponsor the event they will be willing to financially sponsor the event.

Henry Kicklighter stated that he would like to make an appeal for the victims of Hurricane Katrina currently residing at Camp Williams. There are approximately 600 evacuees at Camp Williams and that number should rise to 1000 people. He asked the City Council and residents of Eagle Mountain City to make every effort to help victims wanting to relocate to Utah come to Eagle Mountain. He stated that there are vacant houses and houses owned by the banks that are being donated across the country by banks and people in construction. He challenged them to make efforts to donate a home. The needs of the victims are great and grow greater each day. Mr. Kicklighter also proposed that the City sponsor a party for the victims of the hurricane and introduce them to Eagle Mountain. He stated that residents

can't fail in this mission to help these people. He explained that he has been looking into what FEMA is doing to help these people relocate.

Mr. Hillman stated that the SilverLake amphitheater is approximately five miles away from Camp Williams and would be a convenient location to host an event for the evacuees staying at Camp Williams.

Mr. Kicklighter explained that he works with the evacuees as a member of the National Guard but he is here as a concerned citizen.

Councilmember Blackburn asked if Mr. Kicklighter's proposal is duplicating efforts of the Red Cross.

Mr. Kicklighter stated that the Red Cross is not organized at this point as they have never dealt with anything like this before.

Councilmember Strouse stated it is highly commendable of Mr. Kicklighter and suggested that the City sponsor a petting zoo for the children staying at Camp Williams.

Mr. Kicklighter stated that the needs of the victims are great. The evacuees are still trying to locate their families. He offered to give web addresses to anyone interested in supporting these efforts.

Mayor Lifferth commended Mr. Kicklighter's efforts in taking care of his fellow men. He expressed appreciation for him encouraging others to reach out. He announced that Mr. Kicklighter's daughter is placing Red Cross donation boxes at the City Office and is also organizing a bake sale on Friday, September 9, 2005 at Hollywood Video in Saratoga Springs between the hours of 3:00 p.m. and 8:00 p.m. to benefit the Red Cross.

Mr. Kicklighter gave a phone number for people who want to donate to the victims of Hurricane Katrina.

Mark Lofgren stated that he attended a Red Cross meeting and he explained that the Red Cross will only accept cash. The Red Cross has requested that any other items be given to the LDS church or the Salvation Army. He recommended that people donate time to the evacuees staying at Camp Williams.

MAYOR'S REPORT / CITY COUNCIL ITEMS

COUNCIL COMMENTS

Councilmember Strouse commended Mr. Bell for entertaining the children of Eagle Mountain City. She believes that a paintball field could be worked in with the proposed skate park.

Councilmember Strouse stated that she witnessed a lightning strike west of North Ranch and it shocked her to see flames start within minutes. She was relieved to see a brush truck and she explained that if the wind would have changed the fire may have gone into North Ranch. She emphasized that anyone who has weeds in their alleys or weeds around their home to clean them up. She wanted to find out what everybody, including the City, is doing about tall weeds.

Councilmember Liddiard stated that Mr. Bell is a good guy, and he likes the idea of incorporating the paintball area with a skate park. He also stated that he will move his trailer off City property this week.

Councilmember Olsen requested an update on the codification of the City's ordinances.

City Recorder Gina Peterson stated the ordinance codification process will begin after elections due to time constraints in the Recorder's Office.

Councilmember Sloan thanked the Mayor in advance for the comments he will be making pertaining to Constitution Week.

Councilmember Strouse expressed gratitude for the firefighters and the volunteers who have worked at the Fire Department for years putting their life on the line.

PUBLIC NOTICES

Ms. Peterson stated that September 7, 2005 is the Basic Training meeting for the City Council and Mayoral candidates. She explained that this is not a City Council meeting; it is only for the candidates. Ms. Peterson also stated that campaign signs are not allowed in park strips or public rights of way. If candidates are missing signs they can pick them up at the Recorder's office if they have been removed by the City.

Ms. Peterson then explained that there will be a Special City Council Meeting on September 14, 2005 at 4:00 p.m. regarding the refinancing of bonds.

INTRODUCTIONS – City Council/Mayoral Candidates

Ms. Peterson invited the candidates who did not have the opportunity to speak in a City Council meeting to introduce themselves. None were present at that time.

APPOINTMENT – Loreen Cole – Neighborhood Watch Coordinator

Mayor Lifferth recommended Loreen Cole be appointed as a Neighborhood Watch Coordinator and stated that he would entertain such a motion.

Councilmember Liddiard **moved** to appoint Loreen Cole to a Neighborhood Watch Coordinator. Councilmember Olsen **seconded** the motion. Those voting aye: David Blackburn, Vincent Liddiard, Brian Olsen, Janiece Sloan and Linn Strouse.

Councilmember Strouse asked Ms. Cole to explain what the Neighborhood Watch Coordinator position entails.

Ms. Cole explained that the Neighborhood Watch is a liaison for the area. She explained that there are three areas that need someone to head it up. She stated that Tiffany Ulmer will oversee the City Center, she will oversee The Ranches and SilverLake, and Lynette Perkins oversees North Ranch and Meadow Ranch. Neighborhood Watch Coordinators are responsible for setting up and training the Neighborhood Watches in each development. She stated that they also work as a liaison with the Sheriff's Department.

Mayor Lifferth thanked Ms. Cole for her willingness to serve and make Eagle Mountain City a safer place.

Councilmember Strouse asked Sergeant Binks if there is an unmarked patrol car working in Eagle Mountain City with the Sheriff's Department. A resident called her concerned that an unmarked car was pulling her over.

Sergeant Binks explained there is not a Deputy with an unmarked car specifically assigned to Eagle Mountain City; however, Detective Knapp who is assigned to Eagle Mountain City drives an unmarked car along with other representatives in the Sheriff's Office. He explained that anyone being pulled over by an unmarked car should call dispatch to verify if it is an officer or they can drive to a well lit public place.

NON-AGENDA ITEM – Constitution Week Proclamation

Mayor Lifferth read a proclamation proclaiming the week of September 17, 2005 as Constitution Week.

Mayor Lifferth commended Fire Chief Rand Andrus for completing certification and receiving his Paramedic License.

He also stated that the City Web Site has been changed and the address is now www.eaglemountaincity.com and at some point will be changed to www.eaglemountaincity.org. This change will be noticed on utility bills also.

Mayor Lifferth explained federal funds of \$9.25 million dollars are being allocated to widen Redwood Road from Bangerter Highway in Salt Lake County to Saratoga Springs in Utah County. He stated the funds will be made available near October 1, 2005.

Mayor Lifferth stated he has set aside time on Thursday from 5:00 – 8:00 PM for "let me speak to the mayor". Residents may discuss any issues they have at that time with the Mayor.

Mayor Lifferth read a letter sent by Ken Hixson of Meadow Ranch commending Deputy Mulder for his calm and professional manner in dealing with an issue.

SCHEDULED ITEMS

MOTION – Consideration and approval of the Amended Sage Valley Master Development Agreement.

Planning Director Adam Lenhard explained that this matter is on the agenda for final approval of the Amended Master Development Agreement. The Sage Valley Master Development Plan was originally approved with a density ceiling of up to 67 dwelling units. Right now they're approving the development agreement between the city and the developer to formalize the approval process that's already been completed. There are about 110 acres in Sage Valley and Plats A&B will have a total of 98 units. The minimum lot size is ½ acre. Plat A has 21 recorded dwelling units. Future plats would have been eligible for 46 more dwelling units as previously approved. The applicant wished to increase the overall density of the project to 100 units and bring the development under the City's new Development Code. The Development Agreement limits them to 98. The rezoning to the higher density

was approved at a previous City Council meeting. He explained the developer has agreed to complete Plat A improvements that should have been completed previously.

Councilmember Olsen left the meeting at 7:55 p.m.

Mayor Lifferth explained the developer has agreed to complete a number of improvements in Plat A prior to the issuance of building permits in Plat B.

Councilmember Blackburn asked if the road design of a T-intersection should be carried down five feet instead of leaving cold patch.

Councilmember Blackburn stated he feels Lot 22 should also be classified as unbuildable. Mr. Lenhard stated a determination will be made during the preliminary and final plat process. Councilmember Blackburn asked to have roads continue through intersections rather than having a dead end. He wanted that stipulated for this development.

City Attorney Jerry Kinghorn explained this amendment will need to be made in the construction specifications and cannot be required until the amendment has been made and approved by the City Council; however, the City Council may encourage the developer to act in accordance with this proposal.

Councilmember Strouse stated she is pleased the developer has agreed to complete improvements that should have been completed in plat A and additional improvements.

Councilmember Sloan **moved** to approve the Amended Sage Valley Master Development Agreement with stipulations noted in the Development Agreement. Councilmember Strouse **seconded** the motion.

Mayor Lifferth called for a vote on the motion. Those voting aye: David Blackburn, Vincent Liddiard, Brian Olsen, Janiece Sloan and Linn Strouse. Motion **passed** with a unanimous vote.

Councilmember Olsen returned to the meeting at 7:57 p.m.

Councilmember Olsen indicated he was able to hear the discussion on the outside speakers when he stepped out of the meeting. He stated that he has been involved in the process of the Sage Valley Master Development Plan Amendment therefore he feels comfortable voting on this item.

Councilmember Blackburn asked Ms. Peterson to have the amendment to the construction specifications on intersections put on the City Council agenda for September 20, 2005.

Mayor Lifferth stated that Eagle Mountain City had a record number of building permits in August totaling 94, and 7 basement permits. He commended the Building Department for catching up and managing that many building permits in one month.

FINAL PLAT – Consideration and approval of the Final Plat for Valley View – Plat A.

FINAL PLAT – Consideration and approval of the Final Plat for Valley View – Plat B.

Valley View Plats A and B were discussed simultaneously.

Mr. Lenhard explained that the Valley View Ranch South is located north of SR 73 between North Ranch and Meadow Ranch. The City Council approved the Valley View Master Development Plan on August 3, 2004. The Planning Commission approved the Preliminary Plat on December 14, 2004, and the Final Plats for Phases A and B on February 8, 2005. Final revision has been submitted to the City Council for their approval September 6, 2005. This item has been before the City Council several times so parties could come to consensus on the development. Mr. Lenhard explained the staff's recommended conditions of approval.

Mayor Lifferth stated in Work Session the City Council requested City Attorney Jerry Kinghorn write a legal summary of the actions taken place which have created discrepancies between the original Master Development Plan and the current project.

Councilmember Strouse stated she is pleased that this development is a win-win situation for the developers and residents. She asked if the Master Development Plan will need to be amended.

Mr. Kinghorn responded the only change to the Master Development Plan is the removal of the Y intersection island on 14400 West; due to the legal access rights of Camp Williams on that road. The City can comply with the map on the north end of 14400 West allowing limited access the way the Master Development Plan shows or the City Council can implement the traffic engineer's recommendation and have all of the traffic come down Valley View Drive. That will be decided at the submission of the plats. Access to the Camp Williams right of way will be closed to the public. The right of way was never a specific item in the plats; it was assumed that Camp Williams would agree to have traffic go up Valley View Drive. Camp Williams did not agree with that and they are asserting their legal rights to use 14400 West.

Councilmember Blackburn asked if the City can stipulate road construction build out at this stage of the development.

Mr. Kinghorn stated that will need to be shown on the construction plans.

Mayor Lifferth commended the residents as well as the developer for finding an agreeable solution for all involved. He stated that this has been a long and painful process, but there has been a spirit of cooperation. Mayor Lifferth then called for a motion.

Councilmember Blackburn **moved** to approve the Final Plat of Valley View – Plat A subject to the following conditions:

1. COMPLIANCE WITH DEVELOPMENT AGREEMENT AND CODE. That both plats meet all of the requirements for this development set forth in the Valley View Development Agreement and City Development Code.
2. PARK. That the park area for these phases is secured for dedication and improvement in future phases according to the requirements within the Master Development Plan. That the type of security is called out in the Development Agreement and approved by the Council.
3. PLAT CORRECTIONS & NOTES. That the plat corrections and notes be added to the plat. (see section in the background section.)
4. UTILITY LOOPING AND SECONDARY ACCESS. Water must be looped. Secondary Access as required by Fire Chief & Staff.
5. E-FILES. That approved e-files are submitted for the plat, utility layout, and dry utilities.

6. WATER RIGHTS. That water right documentation is provided for both plats and approved by the City Attorney.
7. FEES. That the application fees are paid for the General Plan Amendment (\$400) and Capital Facility Plan Amendment (\$236.05).
8. SIGNAGE. That monument signs for Valley View (similar to the entry monuments for North Ranch and Cedar Pass Ranch) is bonded for and built by the developer at the entrance. In addition to the monument sign, a ladder-sign on the north west corner of the 4-way intersection indicating that Valley View is to the west and Meadow Ranch is to the east. Finally, a dead end sign on the north east corner of the 4-way intersection.
9. DRY UTILITY PLANS. That the dry utility plans are submitted and approved by the City.
10. GEOTECH REPORT. That the geotech report is submitted and approved by the City Engineer, and that all improvements which may be identified in that report are bonded for and completed.
11. STREET NAMES. That the street between lots 21 & 20 is named on the plat.

Councilmember Sloan **seconded** the motion. Those voting aye: David Blackburn, Vincent Liddiard, Brian Olsen, Janiece Sloan, and Linn Strouse. Motion **passed** with a unanimous vote.

Councilmember Blackburn moved to approve the Final Plat of Valley View – Plat B subject to the following conditions:

1. COMPLIANCE WITH DEVELOPMENT AGREEMENT AND CODE. That both plats meet all of the requirements for this development set forth in the Valley View Development Agreement and City Development Code.
2. PARK. That the park area for these phases is secured for dedication and improvement in future phases according to the requirements within the Master Development Plan. That the type of security is called out in the Development Agreement and approved by the Council.
3. PLAT CORRECTIONS & NOTES. That the plat corrections and notes be added to the plat. (see section in the background section.)
4. UTILITY LOOPING AND SECONDARY ACCESS. Water must be looped. Secondary Access as required by Fire Chief & Staff.
5. E-FILES. That approved e-files are submitted for the plat, utility layout, and dry utilities.
6. WATER RIGHTS. That water right documentation is provided for both plats and approved by the City Attorney.
7. FEES. That the application fees are paid for the General Plan Amendment (\$400) and Capital Facility Plan Amendment (\$236.05).
8. SIGNAGE. That monument signs for Valley View (similar to the entry monuments for North Ranch and Cedar Pass Ranch) is bonded for and built by the developer at the entrance. In addition to the monument sign, a ladder-sign on the north west corner of the 4-way intersection indicating that Valley View is to the west and Meadow Ranch is to the east. Finally, a dead end sign on the north east corner of the 4-way intersection.
9. DRY UTILITY PLANS. That the dry utility plans are submitted and approved by the City.
10. GEOTECH REPORT. That the geotech report is submitted and approved by the City Engineer, and that all improvements which may be identified in that report are bonded for and completed.
11. STREET NAMES. That the street between lots 21 & 20 is named on the plat.

Councilmember Strouse **seconded** the motion. Those voting aye: David Blackburn, Vincent Liddiard, Brian Olsen, Janiece Sloan, and Linn Strouse. Motion **passed** with a unanimous vote.

Charlotte Ducos thanked the City Council, Mayor, previous Mayor, and the developer for the opportunity the residents had to give input in the final plat approval.

FINAL PLAT – Consideration and approval of the Final Plat for Jacobs Well – Plat B.

City Planner Peter Spencer explained Jacob's Well Plat B is located in Smith Ranch south of the approved Liberty Farms subdivision and west of O'Fallon's Bluff. The plat consists of six lots, no open space, the plat is 2.45 acres, and the average lot size is just over 15,000 sq. ft.

On August 5, 2003 the City Council reviewed and approved Jacob's Well Plat A (4 lots) and B (6 lots) Final Plats, but they have never been recorded. The Sage Group recently submitted a revised layout for Plat B in which the vest pocket was removed and lots fronted onto Golden Eagle Road, a collector road in The Ranches. This is similar to the situation in Lone Tree Plat B where the developer asked to remove the vest pocket because of the bedrock they encountered in the hillsides. It was not cost effective to remove the bedrock in order to construct the vest pocket. The Planning Commission recommended denial of the amendment due to potential traffic safety issues.

The purpose of a "vest pocket" is to limit and consolidate driveway access, thus preserving the free-flowing nature of the collector or arterial traffic corridor. It typically involves a one-way travel lane separated from the main road by a landscaped median. Collector roads are intended to carry medium volumes of traffic at higher speeds. These roads are critical to moving traffic efficiently and creating safe neighborhoods and communities that function well. Staff recommended that the city Council deny this proposal. Mr. Spencer then explained the proposed conditions in the event the plat is approved.

The developer Brian Haskell stated the proposed property consists of a steep slope and a lot of rock. This is the initial reason they considered eliminating the vest pocket park. He explained that it would be a significant cost to excavating the rock and landscape because of the slope. Mr. Haskell stated that Golden Eagle Road is not a major collector, eventually when Porter's Crossing Parkway is connected to Pony Express Parkway less traffic will utilize this road.

Councilmember Strouse stated sometimes when things are done for the sake of safety more problems are created. She indicated she has walked this path to the elementary school and believes vest pocket parks are a safety concern for pedestrians because they will take the shortest route, walking along the collector road rather than around the vest pocket.

Mr. Haskell explained that with the current proposal two flag lots are eliminated. He stated the property is not in excess of 25% slope.

Councilmember Blackburn asked where the homes would be placed on the lots if the City approved the proposal. Mr. Haskell explained the homes would be placed closer to the road. Discussion ensued.

Councilmember Liddiard questioned the significant factors in the Planning Commission's denial of the proposal.

Mr. Lenhard stated that the Planning Commission gave a unanimous vote in denying this proposal. They felt the configuration of Golden Eagle Road and the location of the intersection of Ranches Parkway as well as the termination of another collector road, necessitated limited driveway access on Golden Eagle Road. They felt the potential of having people back out on to a collector road should be eliminated.

Councilmember Liddiard expressed concern that people coming on Ranches Parkway to Golden Eagle Road would think they could go straight. He was also concerned with people backing on to a collector road.

Mayor Lifferth stated he likes the lot layouts in the proposal, but he is concerned with access.

Mr. Lenhard stated that the engineer's main concern is that with circular driveways this proposal is essentially doubling the points of access onto a collector road for each lot.

Councilmember Liddiard agreed with the Mayor's comments. He liked the layout of the lots better but the curved access to the road is a problem.

Councilmember Strouse stated that it scares her that pedestrians avoid going around the vest pocket parks and walk in the road because of the length of time it takes to walk around them.

Councilmember Liddiard proposed Mr. Haskell turn Lot 31 into an open space public park eliminating a driveway directly across from where Ranches Parkway ends.

Mr. Haskell stated that may be considered.

Mr. Lenhard explained Lot 31 is staff's biggest concern because Ranches Parkway intersects with the driveway of Lot 31.

Mayor Lifferth called for a motion.

Mr. Haskell withdrew this plat as it is currently proposed stating the plat will be redrawn and resubmitted.

Councilmember Blackburn stated he likes this proposal and not having a vest pocket park to maintain, however, he is concerned with direct access onto Golden Eagle Road.

MOTION – Consideration and approval of the Disposal of Public Property in Eagle Park.

Mr. Spencer stated that an application has been submitted by a property owner in Eagle Park subdivision requesting that the City dispose of a portion of open space behind his home. This area is part of the recorded open space in the Eagle Park Phase 2 Plat. The applicant would like to extend the lot lines of his neighbors to the south and west to square off his rear yard.

Mr. Spencer explained this application requires two formal actions from the City Council. First, they need to classify the City-owned property that is being proposed for disposal as either significant or insignificant. Second, the City Council needs to make a decision on the disposal of the property.

Mr. Spencer stated on August 23, 2005 the Planning Commission recommended that this property be classified as significant based upon the criteria in Ordinance O-11-2003, and that it be disposed of to the applicant for a minimal charge to cover costs incurred by the City for the processing of the application. In addition, the Planning Commission felt the total price for the land should not exceed \$1000.

Mr. Spencer indicated staff concurs with the recommendation of the Planning Commission.

Councilmember Strouse asked how the water rights would be handled in this situation. She then asked how it would be handled if a neighbor was to disagree with the disposal of property.

Councilmember Blackburn stated that the City Council is currently discussing extending the lots in Eagle Park Subdivision that have open space behind them. He stated that the concern with water rights and utility easements has not yet been addressed. All lots about this corridor could possibly assume 40' leaving the City 20' for utility access.

Councilmember Strouse questioned how the City Council could proceed on the proposal without addressing the absent, but necessary, water rights should these areas be deeded to property owners.

Mr. Kinghorn stated the proposal is to table this item while staff comes up with a recommendation to deal with this as an overall policy which will include details on water rights. Staff will have a draft by late October.

Mayor Lifferth questioned if water rights were established on the open space with the original proposal of the subdivision.

Mr. Kinghorn stated that the City will need to determine if the estimated water use is concurrent with the actual use, keeping the water use under the legal authority represented by the water rights.

Mayor Lifferth stated there are a number of issues that need to be resolved. He proposed that this item be tabled having staff review and create a policy not just for this situation but for any situation including deeding parks back to the Homeowner's Association.

Councilmember Blackburn **moved** to table the proposal of disposal of public property in Eagle Park. Councilmember Sloan **seconded** the motion. Those voting aye: David Blackburn, Vincent Liddiard, Brian Olsen, Janiece Sloan and Linn Strouse. Motion **passed** with a unanimous vote.

AGREEMENT – Consideration and approval of a monument sign lease agreement with Parkway Crossroads, LLC.

AGREEMENT – Consideration and approval of a monument sign lease agreement with the Ralph Marsh Family Trust and W. Bruce Woodruff and for The Ranches Business Park.

The monument sign lease agreement with Parkway Crossroads, LLC and the monument sign lease agreement with the Ralph Marsh Family Trust and W. Bruce Woodruff and for the Ranches Business Park was discussed simultaneously.

Mr. Spencer explained section 15.7.2 of the City's Development Code contains a requirement that all new commercial developments must install monument signs for their projects. At the time this section was approved, there were two existing commercial developments in the Ranches (Parkway Crossroads and The Ranches Business Campus) that did not have a monument sign. A section was added to the sign ordinance to provide a way for these projects to retrofit their area with a sign.

The Planning Department has received Sign Permit Applications for these projects. The Planning Commission recommended the City Council allow the applicant enter into a lease agreement with the City to install a monument sign in the City's road right-of-way.

Councilmember Blackburn **moved** to approve a monument sign lease agreement with Crossroads Parkway, LLC. Councilmember Liddiard **seconded** the motion.

Councilmember Liddiard questioned who is responsible for the repair of the signs over time. Mr. Kinghorn responded the lessee is responsible for repair and maintenance of the signs.

Mayor Liffeth stated that he likes the design of the signs.

Mayor Lifferth called for a vote. Those voting aye: David Blackburn, Vincent Liddiard, Brian Olsen, Janiece Sloan and Linn Strouse. Motion **passed** with a unanimous vote.

Councilmember Liddiard **moved** to approve the monument sign lease agreement with the Ralph Marsh Family Trust and W. Bruce Woodruff and for the Ranches Business Park. Councilmember Blackburn **seconded** the motion. Those voting aye: David Blackburn, Vincent Liddiard, Brian Olsen, Janiece Sloan and Linn Strouse. The motion **passed** with a unanimous vote.

MOTION – Consideration and authorization to dispose of surplus personal property.

Assistant to the City Administrator Shawn Warnke stated the City adopted Ordinance O-09-2004 that outlines the disposal of City owned personal property in 2004. With the move to the new City Offices there is surplus property that the City should dispose.

The Administration Department has created a list of items that may be considered City surplus personal property. All City departments have been notified that these items are available for internal use otherwise the property will be disposed.

Mr. Warnke explained that an ordinance will be coming to a future meeting to allow administrative review and disposal under a certain dollar value.

Councilmember Strouse questioned if Neighborhood Watch, CERT and other City organizations have been notified of the surplus property. Mr. Hillman answered yes, but they will notify them again. The surplus property needs to stay on City property and not be taken to an individual residence.

Councilmember Strouse asked about the status of the City's Disaster Plan. Mr. Hillman indicated the City Council was given an emergency manual about one year ago. Mayor Lifferth suggested that be on the agenda for discussion during work session for next meeting.

Councilmember Olsen **moved** that property contained on the list entitled Eagle Mountain City Disposal of Surplus Property dated September 6, 2005 be deemed as surplus property and be classified as property having a nominal value and that the City Council authorize the City Administrator or his designee to dispose of the property as he deems appropriate including but not limited to sale, donation, or disposal services. Councilmember Liddiard **seconded** the motion.

Councilmember Blackburn asked how the City Council will be notified of the disposal.

Mr. Hillman stated that items put up for auction or for sale he will report any proceeds received to the City Council. He explained that any items that are not of great significance will be given to charity.

Mayor Lifferth called for a vote. Those voting aye: David Blackburn, Vincent Liddiard, Brian Olsen, Janiece Sloan and Linn Strouse. Motion **passed** with a unanimous vote.

MOTION – Consideration and approval of an amendment to Eagle Mountain City’s Personnel Policies and Procedures.

Mr. Hillman explained that the proposed amendment clarifies the policy on social security retirement benefits and work hours for public safety employees.

Councilmember Blackburn **moved** to approve the amendment to Eagle Mountain City’s Personnel Policies and Procedures. Councilmember Sloan **seconded** the motion.

Mr. Hillman explained that the part time public safety employees can work up to 39 hours and will not receive any benefits.

Mayor Lifferth called for a vote. Those voting aye: David Blackburn, Vincent Liddiard, Brian Olsen, Janiece Sloan and Linn Strouse. Motion **passed** with a unanimous vote.

CONSENT AGENDA

Councilmember Blackburn **moved** to approve the consent agenda as follows:

- A. Partial Payment - Counterpoint Construction – Pony Express Pump House (PP No. 1)
- B. Change Order - Star Landscape – Utility Administration Building Landscaping (CO No. 2)
- C. Final Payments - Star Landscape – Utility Administration Building Landscaping

Councilmember Liddiard **seconded** the motion. Those voting aye: David Blackburn, Vincent Liddiard, Brian Olsen, Janiece Sloan and Linn Strouse. Motion **passed** with a unanimous vote.

INTRODUCTIONS – City Council/Mayoral Candidates

Mayor Lifferth recognized City Council candidate Fionnuala Kofoed and asked if she would like to introduce herself to the City Council.

It was requested that the minutes of each candidate introduction be transcribed verbatim

Fionnuala Kofoed: My name is Fionnuala Kofoed. I think I know most of you sitting here. For those of you I don’t, I’ve been a resident of Eagle Mountain for seven years, moved in in 1998, first resident in the town center and I have six years experience in city government. Came on as Deputy Recorder first, was in the Records Office for two years and have been in planning for the past four. I’ve always had a desire to be able to serve but because of my employment with the City was unable to do so although I was always, had my own opinions that I sometimes shared when I shouldn’t. Anyway, I believe that I can provide a lot to the city by way of the experience that I have had. I’m not saying that I have

answers to every issue that we have as a city to face, but I can certainly be a second pair, third, fourth, fifth pair of eyes to be able to work with some of the issues that we have and would be committed to do that. Some of the areas that I feel very strongly are about are where do we go with our youth? There's a lot of kids that are growing up and we need to figure out what we're going to do as far as recreation and things of that nature as far as that's concerned. And also the disposal of open space, I know there was an item on the agenda tonight that I unfortunately missed, but I believe that I have a lot to offer and I will certainly put the time and effort into sharing my ideas and concerns with people and I appreciate the opportunity to come in and share that with you. Thank you.

ADJOURNMENT

Councilmember Strouse **moved** to adjourn the meeting at 8:58 p.m.