

MINUTES OF THE EAGLE MOUNTAIN CITY COUNCIL MEETING

Eagle Mountain City Council Chambers

1680 East Heritage Drive

Eagle Mountain, Utah 84043

October 1, 2002

WORK SESSION - No Action or Minutes Taken – 4:00 PM to 6:30 PM

1. Consent Agenda
2. Discussion on Eagle Mountain City Marketing Strategies
3. Items as Outlined on the Policy Session
4. Other Business
5. Adjourn Work Session at 6:30 PM

Prayer by Invitation of the Mayor

The prayer was offered by Mayor Bailey.

POLICY SESSION – 7:00 PM

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

1. Roll Call:

Council Members Present: Mayor Kelvin Bailey, Mark Madsen, Brigham Morgan, and Linn Strouse.
Diane Jacob was excused to arrive later. Greg Kehl was excused.

City Staff:

City Attorney:	Gerald Kinghorn
City Engineer:	Korey Walker
Finance Director:	Kent Parker
Planning Director:	Shawn Warnke
Public Works Director:	Mark Sovine
City Recorder:	Janet Valentine
Deputy Recorder:	DeAnna Whitney
Utah County Sheriff:	Sergeant Jo Murphy (arrived at 7:45 PM)

Others Present: Jennifer Hunt, resident; Mike Wren, Eagle Mountain Properties; Scott Hazard, The Ranches; John Wallace, Prestige Homes; Sheila Curtis, resident.

2. Pledge of Allegiance:

The Pledge of Allegiance was led by Mark Sovine.

3. Approval of Minutes (September 17, 2002):

MOTION: *Mark Madsen moved to approve the Minutes of September 17, 2002. Linn Strouse seconded the motion. Ayes:3 - Brigham Morgan, Mark Madsen, Linn Strouse; Nays: 0. Motion passed.*

4. General Discussion/Questions/Announcements:

The Mayor announced that there would be no City Council meeting on November 5, 2002, due to the general election.

Brigham Morgan announced that the Harvest Fest is scheduled for Friday, October 4 at 6:00 PM in the Town Center.

5. Appointments:

None

6. Public Notices:

None

7. Public Comment:

Sheila Curtis addressed the Council regarding the Bike Rodeo that was held at Pony Express Elementary School on September 28. She thanked those who helped with the rodeo and indicated it was a great success. She advised that there is another bike rodeo planned for the Town Center in the spring.

Mrs. Curtis indicated that FEMA has made funds available for CERT training. She stated that these funds would be distributed by the State.

Sheila Curtis reminded the City department heads and members of the City Council of the Incident Command System (ICS) training scheduled for November 2.

8. Public Hearing: (City Proposal to Amend Its Capital Facilities Plan, Amend the Economic Analysis for Impact Fees and Increase Impact Fees for Certain Public Facilities):

- a. Open Public Hearing (7:10 PM or as soon thereafter as may be heard)

Mayor Bailey opened the Public Hearing at 7:10 PM.

- b. Receive Public Comment

The Mayor acknowledged receipt of a written comment from Wayne Patterson, Patterson Construction.

Jennifer Hunt, resident, asked for an explanation of impact fees. Mayor Bailey and the Council explained these fees. Ms. Hunt was advised that the Council has done everything possible to keep these fees low to remain competitive with other cities.

- c. Close Public Hearing

Mayor Bailey closed the Public Hearing at 7:14 PM.

Korey Walker reviewed the Economic Analysis Report and explained impact fees listed in the Ordinance.

Mike Wren, Eagle Mountain Properties, had questions about fees and asked for specific calculations, which Korey Walker provided.

Gerald Kinghorn answered questions from the Council regarding SID's.

9. **Consideration and Approval of an Ordinance of Eagle Mountain City, Utah Adopting an Impact Fee Analysis and Amending and Enacting an Ordinance Requiring the Payment of Impact Fees for Certain Public Facilities:**

MOTION: *Brigham Morgan moved to approve Ordinance No. O 18-2002, an Ordinance of Eagle Mountain City, Utah Adopting an Impact Fee Analysis and Amending and Enacting an Ordinance Requiring the Payment of Impact Fees for Certain Public Facilities as submitted, with stated change to Page 6 of the document, Subsection 3.2.2.2, reducing the Equity Buy-in fee to \$999.83, for the total South Area wastewater impact fee maximum to be reduced to \$3000.00. Linn Strouse seconded the motion. Ayes: 3 – Brigham Morgan, Mark Madsen, Linn Strouse; Nays: 0. Motion passed.*

10. **Resolution recognizing Carolina Herrin as October's Citizen of the Month:**

This item was tabled.

11. **Re-consideration to Approve an Ordinance of Eagle Mountain City, Utah Amending Chapter 3, Section 11 of the Development Code of Eagle Mountain City (concerning eliminating the extension requirements for approved subdivisions):**

This item was discussed after Item 13.

MOTION: *Mark Madsen moved to approve Ordinance No. O 20-2002, an Ordinance of Eagle Mountain City, Utah Amending Chapter 3, Section 11 of the Development Code of Eagle Mountain City. Diane Jacob seconded the motion. Ayes: 3 – Diane Jacob, Mark Madsen, Linn Strouse; Nays: 1 – Brigham Morgan. Motion passed.*

12. **Consideration and Approval of an Ordinance of Eagle Mountain City, Utah Repealing Section 9.1.5 of the Development Code of Eagle Mountain City (concerning the planting of street trees):**

John Wallace with Prestige Homes expressed his concerns and those of other developers about inconsistencies in the Development Code with regard to street tree requirements.

Mayor Bailey read a memo from Kent Partridge, Eagle Mountain City Chief Building Official, regarding concerns of the Building Department relating to street tree requirements.

Linn Strouse shared the comments she had received from residents regarding the street tree requirement.

MOTION: *Linn Strouse moved to approve Ordinance No. O 19-2002, an Ordinance of Eagle Mountain City, Utah Repealing Section 9.1.5 of the Development Code of Eagle Mountain City. Mark Madsen seconded the motion. Ayes: 3 – Brigham Morgan, Mark Madsen, Linn Strouse; Nays: 0. Motion passed.*

13. **Final Plat Approvals:**

- a. O Fallon's Bluff, Plat A (includes Development Agreement & CC&R's), Mortgage Investment Trust of Utah

Shawn Warnke presented slides to describe this item. He answered questions from the Council and recommended approval, with conditions required by the Planning Commission.

Linn Strouse asked for clarification on the drainage swall, which Korey Walker explained.

MOTION: *Brigham Morgan moved to approve the final plat of O'Fallon's Bluff, Plat A, subject to staff's recommendations 1, 2 and 3, as submitted. Mark Madsen seconded the motion. Ayes: 3 – Brigham Morgan, Mark Madsen, Linn Strouse; Nays: 0. Motion passed.*

b. Lone Tree, Plat A (includes Development Agreement & CC&R's), KHM Lone Tree, LC

Shawn Warnke continued his slide presentation explaining this subdivision. He recommended final plat approval per conditions required by the Planning Commission.

Diane Jacob arrived at 8:05 PM.

Diane Jacob declared a conflict of interest because her husband has sold water rights to the developer.

MOTION: *Brigham Morgan moved to approve Lone Tree, R-3 and 4, Plat A, final plat subject to staff's recommendations, modifying recommendation No. 6 to read that the developer provide either full-yard landscaping or a master-grading plan as part of recordation on the plat, and adding an Item 7 that the utility easements also be marked as storm water drainage easements so that drainage can be adequately controlled. Linn Strouse seconded the motion. Ayes: 4 – Brigham Morgan, Diane Jacob, Mark Madsen, Linn Strouse; Nays: 0. Motion passed.*

14. Motion to approve Consent Agenda items as follows:

- a. Check Register
- b. Change Orders
 - i. Porters Crossing and Golden Eagle Roadway Extension (CO No. 1), H.E. Davis
 - ii. Ranches & Pony Express Parkway Landscaping Area No. 1 2000-1 SID (CO No. 2), Golden Landscaping
 - iii. Ranches & Pony Express Parkway Landscaping Area No. 2 2000-1 SID (CO No.2), Golden Landscaping
- c. Final Payments
 - i. Fire Station (Final Payment), Bonneville Builders
 - ii. Ranches & Pony Express Parkway Landscaping Area No. 3 2000-1 SID (Final Payment), Golden Landscaping
 - iii. Porters Crossing and Golden Eagle Roadway Extension PRV Station (Final Payment), Mitchell Excavation
- d. Partial Payments
 - i. Land Application Project (PP No. 3), Arrow Engineering
 - ii. Porters Crossing and Golden Eagle Roadway Extension (PP No. 2), H.E. Davis
 - iii. Ranches & Pony Express Parkway Landscaping Area No. 1 2000-1 SID (PP No. 6), Golden Landscaping
 - iv. Ranches & Pony Express Parkway Landscaping Area No. 2 2000-1 SID (PP No. 4), Golden Landscaping

Korey Walker asked the Council to remove Item 14.c.ii from the Consent Agenda.

MOTION: *Brigham Morgan moved to remove Item 14.c.ii from the Consent Agenda. Diane Jacob seconded the motion. Ayes: 4 – Brigham Morgan, Diane Jacob, Mark Madsen, Linn Strouse; Nays: 0. Motion passed.*

MOTION: *Brigham Morgan moved to approve the Consent Agenda as submitted. Mark Madsen seconded the motion. Ayes: 4 – Brigham Morgan, Diane Jacob, Mark Madsen, Linn Strouse; Nays: 0. Motion passed.*

15. Other Business:

Korey Walker explained a grant that provides partial funding that could be used for improvements to the pavilion and restroom facilities at the Red Hawk Ranch Park and improvements to Pony Express Memorial Park. He stated this grant would be greatly accentuated by having a 50-percent match of funds from the City. He advised that the estimated cost would be approximately \$120,000 to \$150,000, requiring a match from the City amounting to \$60,000 to \$75,000. Mr. Walker asked for City Council approval to submit the grant application. It was the general consensus of Council to proceed with the grant application.

Diane Jacob addressed driving safety issues in the Town Center caused by the lack of clear lines on the roadway. She stated that lines needed to be repainted. She also advised that the glow-in-the-dark paint at the roundabout in Town Center needs to be reapplied.

Mark Sovine replied that the City is aware of these issues and appropriate steps will be taken. He also advised that streetlights are being planned for the main entrances in the City.

Mayor Bailey indicated that Diane Bradshaw, Telecom Administrator, had advised him there is an open position on the Telecom Board. Brigham Morgan, Telecom Council liaison, was not aware of any opening on the board and stated he would follow up on the matter.

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

No Closed Executive session was called.

17. Motion to Reconvene in to Open Session:

Not applicable

18. Any Actions from the Closed Executive Session:

Not applicable.

19. Adjournment:

Brigham Morgan moved to adjourn the meeting at 8:20 PM.

APPROVAL: _____

Mayor Kelvin E. Bailey

DATE: _____

10-15-02

This certifies that the minutes of
1-OCT. 2002 are a true, full and
correct copy as approved by the
City Council on 15-OCT. 2002

Signed: _____

City Recorder