

**MINUTES**  
**EAGLE MOUNTAIN CITY COUNCIL MEETING**

October 16, 2007

Eagle Mountain City Council Chambers, 1650 East Stagecoach Run, Eagle Mountain, Utah 84005

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

Mayor Don D. Richardson called the meeting to order at 4:07 p.m.

CONDUCTING: Mayor Don D. Richardson

ELECTED OFFICIALS PRESENT: Councilmembers David Blackburn, Heather Jackson, Vincent Liddiard (arrived 5:48 p.m.), David Lifferth and Linn Strouse.

CITY STAFF PRESENT: John Hendrickson, City Administrator; Gerald Kinghorn, City Attorney; Gordon Burt, City Treasurer; Ifo Pili, Management Analyst; DeAnna Whitney, Human Resources Coordinator; Gina Peterson, City Recorder; Melanie Lahman, Deputy Recorder; Mike Hadley, Senior Planner; Steve Mumford, Senior Planner; Chris Trusty, City Engineer; Dave Norman, Staff Engineer; Kent Partridge, Building Official; Rand Andrus, Fire Chief; Eric McDowell, Sergeant.

**DISCUSSION/REVIEW ITEMS**

DISCUSSION – Proposed Changes to Policies and Procedures Manual – John Hendrickson

**AGENDA REVIEW**

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

**ADJOURN TO A CLOSED EXECUTIVE SESSION**

The City Council recessed into a closed executive session at 6:04 p.m. for the purpose of discussing reasonably imminent litigation, pursuant to Section 52-4-205(1) of the Utah Code, Annotated. Mayor Richardson adjourned the closed executive session at 7:10 p.m.

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

Mayor Don D. Richardson called the meeting to order at 7:15 p.m. Kent Partridge led the Pledge of Allegiance.

CONDUCTING: Mayor Don D. Richardson

ELECTED OFFICIALS PRESENT: Councilmembers David Blackburn, Heather Jackson, Vincent Liddiard, David Lifferth and Linn Strouse.

CITY STAFF PRESENT: John Hendrickson, City Administrator; Gerald Kinghorn, City Attorney; Gordon Burt, City Treasurer; Ifo Pili, Management Analyst; Gina Peterson, City Recorder; Melanie Lahman, Deputy Recorder; Linda Peterson, Public Information Coordinator; Mike Hadley, Senior Planner; Steve Mumford, Senior Planner; Chris Trusty, City Engineer; Dave Norman, Staff Engineer;

Jeff Weber, Assistant Public Works Director; Kent Partridge, Building Official; Rand Andrus, Fire Chief; Eric McDowell, Sergeant.

## **INFORMATION ITEMS/UPCOMING EVENTS**

- Candidates' forum and debate, October 17, 6:30 p.m., City Council Chamber
- Library Movie Masquerade, October 27, 10:30 a.m.
- The Hidden Valley Elementary School groundbreaking was held on October 9.
- General Election, November 6, 7:00 a.m. to 8:00 p.m.
  - City Center residents vote at City Hall
  - Ranches residents vote at Pony Express Elementary School

## **PUBLIC COMMENTS**

Mr. Todd Moir, 7432 Castle Rock Road, spoke concerning the parkway maintenance agreement with the Ranches Homeowners' Association. The parkways are the first things that many people see when they enter the city; they often give a poor impression because of their condition. He asked the Council to approve the agreement quickly so the parkways can improve.

Ms. Joan E. Jones, 2203 Cedar Fort Drive, stated the North Ranch HOA would do a good job on parkway maintenance. As to the details of the agreement, she suggested that the HOA bill the city for labor costs, then the city could give that amount as a credit to the HOA's water billing. She thought that would be a better way of tracking water use than allowing the HOA unlimited water for its own property in exchange for parkway maintenance.

Mr. Tim Smith, 4503 Boulder Street, urged the City Council to vote no on items 13 A and B and 14 B and C, the rezoning requests for Talon Cove and Cedar Ridge subdivisions. He said these properties were annexed with specific requirements, which should not be changed at the cost of City time and to the detriment of residents.

Mr. Doug Page, 7787 Crestwood Circle, told the Council he has worked hard for 14 months to get the developer of his subdivision to install a parking strip near his house. He said building permits in SilverLake included payment for trees which had not been planted. Required fencing has not been installed. He wanted to know if SilverLake plats were under warranty and if inspections were being made. He said staff response to his concerns has been poor, at best. It is the developer's responsibility to do the work, not Mr. Page's to repeatedly request information and try to get the developer to meet its obligations.

Mayor Richardson asked Mr. Hendrickson to respond to some of Mr. Page's concerns. Mr. Hendrickson stated the developer, DAI, thought the parkway area had been sold to another company. DAI has found that is not the case, so they will landscape the area in the spring. He said the trees were to be planted when 90% of the homes in each phase were built. Phases 3 and 4 are complete, so trees will be planted in the spring. The fencing doesn't appear to be required in the agreements, so it would be the homeowners' responsibility, however, the fencing requirement will be studied further.

## **CITY COUNCIL/MAYOR ITEMS**

### CITY COUNCIL COMMENTS

Councilmember David Lifferth

Councilmember Lifferth stated he was excited about the recent groundbreakings for new schools. It is good to be making progress towards filling the community's educational needs.

Councilmember David Blackburn

Councilmember Blackburn said several business owners have commented to him that businesses located within the city are competing with large national businesses. He recommended that residents support small businesses in the community so the businesses can remain in the city as valuable assets.

Councilmember Linn Strouse

Councilmember Strouse stated that she went to the safety fair last week sponsored by the city's public safety departments. It was very impressive. She expressed appreciation for Chief Andrus and the others who make such efforts to serve, educate and get to know the community. She said Mr. Page's concerns were discussed in Work Session. She realized that the City's email system was faulty enough that she needed to call Mr. Hendrickson periodically, rather than emailing him. He had not been aware what a long-term issue this was. She has previously suggested that the City have a system for tracking concerns expressed by residents to be sure their concerns are followed up. She has also brought up information that should be included in the City Street Guide. It should show which areas are maintained by the City and which are maintained by other entities. She has heard regularly that documents do not exist. She would like to know if that is true and, if so, she would like the Council to find out what happened to them. Regarding local businesses, Diane Bradshaw is now heading the Chamber of Commerce and will do a great job. Councilmember Strouse would like a list of local businesses posted on the City's website.

Councilmember Vincent Liddiard

Councilmember Liddiard stated the holidays are coming soon and wished everyone good, safe holidays. He hoped the City will be ready for the upcoming snow season. Election Day will come before the Council meets again, so he encouraged residents to become informed about the issues. He expressed support for Mr. Ireland, Ms. Burnham and Mr. Cieslak in their campaigns for seats on the City Council.

Councilmember Heather Jackson

Councilmember Jackson echoed the praise expressed for the safety fair. The Council met the City's 15 Sheriff's Deputies at the last meeting. Her five-year-old kindergartner recently told her about the fire fighters and sheriff's deputies who visited his school. He was able to name two of them. She was impressed that they made such an impression on a small child. She received an email today about a great Neighborhood Watch meeting, which educated the attendees on how to fight small fires in their homes. She said the groundbreaking for the elementary school was well attended. A children's choir directed by Cindy Arnold sang at the event. They sang beautifully on very short notice. She hoped residents would attend the candidates' debate on Wednesday.

Mayor Don Richardson

Mayor Richardson reported that representatives of the Children's Health Insurance Program attended the safety fair to enroll children who were without health care; families can still sign up. He updated the audience about progress on wells. Well #4 has been drilled and work has begun on well #5. The wells are not ready for pumping yet, but work is progressing. It is expected that both wells will be completed before warm weather increases water use.

**CONSENT AGENDA**

Councilmember Blackburn **moved** to approve the following items on the Consent Agenda:

CHANGE ORDER – Pioneer Park and Walden Park – J. Lynn Roberts Construction – CO #3  
FINAL PAYMENT – Pioneer Park and Walden Park – J. Lynn Roberts Construction  
Councilmember Jackson **seconded** the motion. Those voting aye: David Blackburn, Heather Jackson, Vincent Liddiard, David Lifferth and Linn Strouse. Motion **passed** with a unanimous vote.

## SCHEDULED ITEMS

### PUBLIC HEARING – Budget Amendments

### ORDINANCE – Consideration and adoption of an ordinance amending the FY 2008 budget

City Administrator John Hendrickson presented amendments to the FY 2008 City budget. Administration of the adopted budget includes monitoring and amending the budget document from time to time. The budget process is a continuous effort to ensure that revenues are collected as projected and that expenses do not exceed appropriated funds. The City Council must approve any amendments which alter the total expenditures of a fund. These amendments implement a 1.5% cost of living adjustment for all employees hired permanently as of July 1, 2007. The reasons are that increases were not considered in the original budget document and employee annual evaluations will be changed from being conducted all at once to being conducted on each employee's anniversary date of hiring. This requires phasing the process in over the course of the year. Another adjustment is a change in the Office Manager/Assistant position currently budgeted in the Engineering Department. The position will be re-designated among the Gas, Electric and Water Funds. No additional revenue sources will be needed for either adjustment. They will be funded by an anticipated surplus in various departmental personnel line items.

*\*\*Mayor Richardson opened the public hearing at 7:45 p.m. Hearing no comments, he closed the hearing.\*\**

Councilmember Liddiard **moved** to adopt Ordinance O-20-2007, amending the FY 2008 City budget to allow for a 1.5% cost of living adjustment for permanent employees and the re-designation of the Office Manager/Assistant position currently budgeted in the Engineering Department. Councilmember Blackburn **seconded** the motion.

Councilmember Strouse informed the audience that extensive discussion on this issue took place during Work Session.

Those voting aye: David Blackburn, Heather Jackson, Vincent Liddiard, David Lifferth and Linn Strouse. Motion **passed** with a unanimous vote.

### RESOLUTION – Consideration and donation of impact fees to Homes For Our Troops for the Home for a Hero project

City Administrator John Hendrickson presented a resolution waiving certain fees as a donation to Homes For Our Troops for the Home for a Hero project. The City Council requested at their last meeting that a budget amendment be submitted to allow granting a fee waiver for the project. After review, staff has determined that a budget amendment is not necessary for this matter.

Councilmember Jackson **moved** to approve Resolution R-18-2007, authorizing the Building Official to issue a building permit without collecting fees from Homes for Our Troops, with a net fiscal impact of \$5,660.02. Councilmember Liddiard **seconded** the motion.

Councilmember Jackson noted that \$7681.82 in fees was waived at the City Council meeting on October 2, 2007. Because the remaining fees could not be waived at that time, a resolution had to be adopted at this meeting to allow the rest of fees to be waived. She said it was a wonderful thing to be able to provide this home to a veteran in the community.

Councilmember Liddiard echoed her sentiment.

Councilmember Lifferth requested a legal explanation as to why this item did not require a budget amendment. Mr. Hendrickson explained that the action does not increase the City's expenditures.

Councilmember Lifferth called the question.

Mayor Richardson called for a vote on the motion. Those voting aye: David Blackburn, Heather Jackson, Vincent Liddiard, David Lifferth and Linn Strouse. Motion **passed** with a unanimous vote.

MASTER DEVELOPMENT AGREEMENT – Consideration and approval of a Master Development Agreement with Isaac Patterson Properties, Inc., and HHH Funding, L.L.C., for the Talon Cove Development

ORDINANCE – Consideration and adoption of an ordinance rezoning land in the Talon Cove Master Plan area and amending the zoning map of Eagle Mountain City

Councilmember Jackson asked that the applicant be allowed to address the Council after Mr. Mumford's presentation, as he did not have the opportunity to do so during Work Session. Mayor Richardson agreed.

Senior Planner Steve Mumford presented the Master Development Agreement for Talon Cove. The Talon Cove Master Development is located north of SR 73 and east of Meadow Ranch. The first step in the Master Development Plan process is consideration and approval of the land use element. The land use element of the Talon Cove Master Development Agreement was approved by the City Council on February 15, 2005. This approval vested the project with 421 dwelling units over approximately 158.85 acres, for an overall density of 2.65 dwelling units per acre. The development is required to have not less than 14 acres of improved park space, 12.55 acres of unimproved open space and a 10.83-acre possible school site. Tonight's zoning action only approves the ordinance for this land use element which was approved in 1995. The densities and number of units have not changed from that date. The Master Development Agreement outlines the City's and developer's responsibilities, sets time lines for improvements, sets funding and fee collections, etc. Mr. Mumford presented the parks plan, including a possible splash park, which is a park with water features for children to play in.

Councilmember Liddiard asked if the specified open space acreage meets the requirements for the entire development. Mr. Mumford responded that it slightly exceeded the requirements. Specific plans to be submitted in the future will detail the parks plan. If they fall short, the Planning Department can require the developer to provide all that is required.

Councilmember Blackburn asked what the contours and slopes of the parks would be. Mr. Mumford said improved park space must be on less than a 15% slope. Trails will be located along the hill and amenities will be placed on more level ground.

Councilmember Strouse asked if both motions are being considered at the same time. Mr. Mumford responded that they were. She asked for clarification of what was meant in this case by rezoning the land. Mr. Kinghorn explained the land was annexed as an Agricultural zone. Rezoning to Residential is done with a later action. He said the long delay in bringing the agreement and the ordinance to the Council was due to access problems caused by landowners being unable to agree with each other. Those disagreements have been resolved.

Councilmember Blackburn asked if the current rezone places the development under the current Development Code standards for parks, usable space, slopes, etc. Mr. Kinghorn responded the development's densities and uses were vested under the standards in place in February, 2005. In all other respects, it is subject to the Code.

Councilmember Strouse asked about the school property. The school district sold the property back to the developer. It is still considered a possible school site.

Councilmember Liddiard noted the skate park shown on the plan and asked for details. Mr. Mumford stated skate parks are proposed in more than one area of the Ranches. The splash park is a new proposal. Mr. Hendrickson said Talon Cove may not be a good location for a skate park. It would be difficult for law enforcement personnel to observe and it is north of SR 73, whereas most residents live south of SR 73.

Councilmember Jackson **moved** to approve the Master Development Agreement with Isaac Patterson Properties, Inc., and HHH Funding, L.L.C., for the Talon Cove Development. Councilmember Liddiard **seconded** the motion. Those voting aye: David Blackburn, Heather Jackson, Vincent Liddiard, David Lifferth and Linn Strouse. Motion **passed** with a unanimous vote.

Mr. Scot Hazard of HHH Funding explained that the change from skate park to splash park was encouraged by staff. HHH will build either. HHH is required to contribute \$2,000 per developable acre, which will be used for advanced improvements in parks.

Mr. Hazard said the school district was reluctant to build a school in the area because of lack of access. Councilmember Strouse asked if it would be possible to place the skate park on the former school site. Mr. Hendrickson said there was still a possibility that a school will be built there.

Councilmember Liddiard encouraged staff to consider a skate park in a more accessible area in the development.

Councilmember Blackburn suggested the trail be looped. Mr. Hazard stated the trail connects with the City's trail system, but it could also be looped.

Councilmember Lifferth asked what happened to the gravel pit that had been proposed for an area of the development. Mr. Hazard responded that it is not addressed in the development agreement.

Councilmember Jackson **moved** to approve the Talon Cove Master Development Agreement. Councilmember Liddiard **seconded** the motion. Those voting aye: David Blackburn, Heather Jackson, Vincent Liddiard, David Lifferth and Linn Strouse. Motion **passed** with a unanimous vote.

Councilmember Jackson **moved** to adopt Ordinance O- 21-2007, rezoning land in the Talon Cove master plan area and amending the zoning map to reflect the approved Talon Cove land use element.

Councilmember Blackburn **seconded** the motion. Those voting aye: David Blackburn, Heather Jackson, Vincent Liddiard, David Lifferth and Linn Strouse. Motion **passed** with a unanimous vote.

AGREEMENT – Consideration and approval of a maintenance agreement with The Ranches Homeowners’ Association for Ranches Parkway and Pony Express Parkway

City Administrator John Hendrickson presented a maintenance agreement with The Ranches Homeowners’ Association for parkway landscaping maintenance. The Ranches Homeowners’ Association (HOA) approached City staff with a proposal to provide all maintenance for Ranches Parkway and Pony Express Parkway landscaping in exchange for not being charged for water used on HOA owned or maintained open space. Staff has had several meetings with the HOA to evaluate the proposal and believes that such a proposal would be advantageous to the City. Stipulations by the City are as follows:

- that the City control standards of maintenance along the parkways, regulatory signage along the parkways, the maintenance of Nolan Park and that the HOA must consult with City staff before changing types of plants and grasses in the areas they maintain.
- that the City receive sufficient value for the water to be provided to the HOA at no cost. The value of the water is expected to be \$40,000 to \$50,000.
- that the use of the water provided at no cost be limited to a reasonable amount each month. The amount used is expected to be 5.2 million gallons a month without cost. Amounts in excess of that will cost \$.80 per 1,000 gallons, the standard water rate in the City.

The total net savings to the City is expected to be \$100,000 annually in direct and indirect costs for manpower and water. In a water crisis, public safety would have priority.

Councilmember Jackson **moved** to approve a maintenance agreement with The Ranches Homeowners’ Association for Ranches Parkway and Pony Express Parkway. Councilmember Strouse **seconded** the motion.

Councilmember Blackburn was concerned that the land was paid for by SIDs. Residents are paying HOA fees and City taxes for maintenance of this land. He felt that payment of City taxes for improved open space and HOA fees for maintenance of these areas amounts to double taxation. While this agreement is a cost benefit to the city, the Parks and Streets Department needs to become a Parks and Recreation Department, fully staffed and funded. The City should have the equipment and resources to mow the area every week. The area has been managed by both the HOA and the City during several years. Watering has never been under good control. He said the landscaping was poorly designed and would be improved by xeriscaping. The agreement states the HOA will be in charge of maintenance and reservations for a pavilion next to Nolan Park. He asked why the staff is not doing that.

Councilmember Strouse said it was unfortunate that parkway maintenance has been a problem for so long. She felt for the residents who are embarrassed by the neglect of landscaping and water supplies over the last two years. She said there needs to be a win-win solution for everyone.

Councilmember Liddiard stated the contract indicates a difference between the cost to the City and the cost to the residents. He would have liked to see an annual review of costs.

Councilmember Jackson commented that conversations with Ranches residents constantly refer to maintenance of parkway landscaping. They regularly ask that maintenance be returned to the HOA.

Councilmember Lifferth asked if the agreement has a “sunset clause” or if it is automatically renewed. Mayor Richardson responded either party can terminate the agreement with 60 days’ notice.

Councilmember Lifferth asked the HOA board if there has been any polling of the residents that has been supportive of this proposal. Mr. Cary Brackett of the HOA responded that specific polling had not been done, but there have been many conversations with members, with a general consensus largely in favor. Many did want to know why the City was not doing the job.

Councilmember Liddiard suggested that the City invest the money saved into building a park near Pony Express Elementary.

Councilmember Lifferth asked for Assistant Public Works Director Jeff Weber's opinion of the plan. Mr. Weber said the City has been unable to retain temporary summer employees. The permanent crews have doing the very best they can with the limited water that has been available for the last three years. He thought having help from the HOA would be great.

Councilmember Strouse asked if the agreement required adequate insurance for a private entity to maintain City property. Mr. Kinghorn responded the agreement requires a cost estimate from the HOA every year, which will determine the bonding amount for each year. They are also obligated to indemnify the City for any accident that occurs during maintenance.

Councilmember Blackburn expressed appreciation for the work the Parks and Streets employees do.

Councilmember Jackson called the question.

Mayor Richardson called for a vote on the motion. Those voting aye: David Blackburn, Heather Jackson, Vincent Liddiard, David Lifferth and Linn Strouse. Motion **passed** with a unanimous vote.

AGREEMENT – Consideration and approval of an agreement for technical and professional services with Stanley Consultants, Inc., for the engineering design of well houses for wells #4 and #5 and upgrades to well houses for wells #1 and #2

City Engineer Chris Trusty presented a request for proposals (RFP) for design and construction management services for well sites 1, 2, 4 and 5. The City has contracted with Boart Longyear to drill two new wells within the city limits. Well #4 is complete and is being developed and test pumped. Drilling of well #5 will begin this week. The City owns approved water rights at two new sites within its service area and desires to construct facilities to perfect these water rights. The City will use these additional water supplies to meet increasing water demands from its users. Two of the City's existing wells need to be upgraded. Well #1 will be upgraded to increase the flow rate. Well #2 will be upgraded to modify the pump to waste line and chlorine chemical feed system. Wells #4 and #5 are new wells that will need to be constructed to the City's and State's standards for new municipal groundwater sources. Stanley Consultants was the lowest responsible bidder.

Councilmember Liddiard stated Stanley's bid was only slightly lower than the next lowest bid. He asked if the second lowest bidder offered better service. Mr. Trusty responded that firm did not provide complete information and their construction manager did not have the necessary experience.

Mayor Richardson mentioned that well house #3 would need additional ventilation after it was constructed. He asked Mr. Trusty if the current plan included adequate ventilation. Mr. Trusty responded that he would make sure it did.

Councilmember Blackburn asked if the contract fees would be recouped through impact fees. Mr. Trusty responded that they would.



Councilmember Liddiard **moved** to approve an agreement for technical and professional services with Stanley Consultants, Inc., for the engineering design of well houses for wells #4 and #5, and upgrades to well houses for wells #1 and #2. Councilmember Blackburn **seconded** the motion. Those voting aye: David Blackburn, Heather Jackson, Vincent Liddiard, David Lifferth and Linn Strouse. Motion **passed** with a unanimous vote.

#### PRESENTATION – Update on the Mountainview Corridor

Ms. Terri Timmons of the UDOT MountainView Corridor Team presented information on the status of the project. The team has been working on the project for five years. The draft environmental impact statement will be available to the public tomorrow. She reviewed the highlights of the project during the past five years. In 2003, UDOT conducted growth choices workshops about the interaction of transportation and land use. In 2004, they held “talk truck” meetings to get information out to the public. In 2005, UDOT held alternatives refinement open houses to show the public what the impact of each proposed alignment would be. In 2006, town hall meetings were held to discuss statewide transportation funding issues. In 2007, the draft environmental study has been completed and public hearings are about to begin. In 2008, UDOT expects a final decision. The environmental study is a five-volume, 2238-page document weighing 18 pounds. A copy will be delivered to each city. Copies are available on UDOT’s website, at public libraries, and in some copy centers so people can have their own copies made. CDs are also available. UDOT has created a series of fact sheets with summaries of the information in the document. The Salt Lake County plan includes a freeway and a transit system. Utah County alternatives are:

- the southern freeway, continuing from the Salt Lake freeway to the Pleasant Grove/Lindon interchange;
- bringing the same freeway to SR 73 with a six-lane freeway running east-west along 2100 North
- the same freeway going to SR 73 with three surface streets, 1900 South, 2100 North and Porter Rockwell.

The 2100 North alternative has the lowest impact on existing wetlands, homes and businesses. Lehi City has proposed a 4800 North alternative.

Councilmember Liddiard asked what impact studying the Lehi alternative would have on the timeline. Ms. Timmons responded it would cause a delay of six to nine months.

Mr. Hendrickson asked if there was funding in place for the 10<sup>th</sup> South arterial. Ms. Timmons said there was and it will be built separately.

The public comment period will run from October 17 through December 24. There will be various methods for making comments: a website, an email address, a telephone comment line and comments by mail. Public hearings will be held beginning on Wednesday, November 14.

#### RESOLUTION – Consideration and adoption of a resolution acknowledging and approving assignment of banked water rights

Oquirrh Mountain Ranch has banked water rights for use within the city on various projects. The document before the Council for approval is an assignment to Bank of American Fork of the banked water entitlement, which will be held as collateral by the bank. The assignment has been reviewed and is in proper form. The ordinance requires that entitlements be presented to the Council and signed by the Mayor.

Councilmember Liddiard clarified that the water is always retained for use in the city and will not be transferred out. Mr. Kinghorn confirmed that.

Councilmember Liddiard **moved** to adopt Resolution R-19-2007, assigning banked water to the Bank of American Fork to be used as collateral for Oquirrh Mountain Ranch. Councilmember Jackson **seconded** the motion.

Councilmember Lifferth asked Mr. Kinghorn if there was any document available that new Council members could read to learn about this complex process. Mr. Kinghorn responded the ordinance is the only document available. He would be happy to speak with new members or write a memorandum explaining the process.

Councilmember Blackburn asked if banked water entitlements will be used more often in the future. Mr. Kinghorn said they probably would.

Councilmember Jackson called the question.

Mayor Richardson called for a vote on the motion. Those voting aye: David Blackburn, Heather Jackson, Vincent Liddiard, David Lifferth and Linn Strouse. Motion **passed** with a unanimous vote.

MOTION – Authorization for Mayor Richardson to sign a right-of-way grant with the U.S. Bureau of Land Management (BLM) for the 138 kV transmission line

Mr. Kinghorn explained that Eagle Mountain City has contracted with SWCA to do an environmental assessment for the 138 kV transmission line. It is through the assistance of SWCA that the City has been able to obtain a right of way agreement with the BLM for the power line. This right of way is integral to the completion of the transmission line. The BLM is providing this easement to the City for 30 years (the maximum term) with no rent.

Councilmember Jackson **moved** to authorize Mayor Richardson to sign the right-of-way grant from the Bureau of Land Management for an easement for the 138 kV transmission line. Councilmember Blackburn **seconded** the motion.

Councilmember Liddiard called the question.

Mayor Richardson called for a vote on the motion. Those voting aye: David Blackburn, Heather Jackson, Vincent Liddiard, David Lifferth and Linn Strouse. Motion **passed** with a unanimous vote.

DISCUSSION – Eagle Mountain South Service Area wastewater treatment plant update

City Engineer Chris Trusty updated the Council on the progress of the new wastewater treatment plant. He meets with Stantec weekly. He gave Stantec a draft report on the State's request for integration of smart growth principles into the treatment plant design. The report will be incorporated into the wastewater treatment facilities plan, finalized and submitted to the State prior to next Tuesday. Stantec is hiring a geotechnical engineer who will attend an on-site meeting next week. The electrical engineer will also make a site visit. By the next City Council meeting a revised timeline should be ready. Flocculent is beginning to be added to the system, but one of the pumps and the tubing are not sufficient to do the job. New materials will be ordered.

Councilmember Lifferth asked when ground will be broken. Mr. Trusty said the bid opening is scheduled for May 5<sup>th</sup>.

Councilmember Blackburn asked for a cost analysis per gallon for treated water. Mr. Trusty said there has not been time to put that together yet due to the workload at the Engineering Department.

## **CITY COUNCIL/MAYOR'S BUSINESS**

### Councilmember Jackson

Councilmember Jackson expressed appreciation for City Recorder Gina Peterson, who will be leaving to work as the Highland City Recorder. [Applause] She said the easement provided by the BLM for 30 years at no cost is an exciting opportunity. She was happy for the progress on the HOA maintenance agreement.

### Councilmember Liddiard

Councilmember Liddiard invited Ames Construction to have its subcontractor remove the pile of concrete from his flowerbed. He encouraged staff to improve the park just west of Pony Express Elementary. Veterans' Day will come before the next Council meeting. He encouraged the audience to think of those who put themselves in harm's way so the United States can enjoy freedom. He asked staff inform residents that Public Works will need to have cars parked off the streets so they can plow. He expressed appreciation for Public Works employees.

### Councilmember Strouse

Councilmember Strouse announced that City Council meeting minutes are now available on CDs rather than cassette tapes. She appreciated Ms. Peterson's service to the city.

### Councilmember Blackburn

Councilmember Blackburn thanked Ms. Peterson for sticking with the City for three years. He asked that codification of City ordinances be finished before she leaves. He encouraged residents and staff to stop watering their lawns. Mr. Hendrickson responded the city system was to be turned off yesterday. Councilmember Blackburn wished luck to the candidates for City office.

### Councilmember Lifferth

Councilmember Lifferth thanked Ms. Peterson for her professionalism.

### Mayor Richardson

Mayor Richardson appreciated everyone working together. He wished luck to the candidates. He said Ms. Peterson has been a great asset to the city and wished her the best of luck in Highland.

## **CITY ADMINISTRATOR ITEMS**

Mr. Hendrickson suggested that a special City Council meeting be held on October 30 for the following reasons:

- to appoint a new Planning Commissioner
- to contract with an architect for Fire Station #2
- to discuss personnel policies
- to begin the SID process for the Talon Cove area

He reported that the Finance Department is on schedule to complete the audit during December. Staff has done a great job.

He said a State Supreme Court decision created liability for the City in allowing volunteer projects. Staff has asked the Utah Local Governments Trust, the City's insurance provider, if volunteer projects can be allowed and be covered by ULGT. ULGT agreed, as long as each project is planned and supervised. Mr. Hendrickson will create a policy for Council approval.


He commended City Librarian Michele Graves for helping to coordinate the North County libraries' interlocal agreement, which allows residents of several communities to use each others' libraries at a reduced membership cost.

Ms. Peterson thanked the Council for their comments. She said leaving was a difficult decision. She has learned a lot working for the City and believes in the system, even with its difficulties.

ADJOURNMENT

Councilmember Liddiard **moved** to adjourn the meeting at 9:57 p.m.

APPROVED BY CITY COUNCIL DECEMBER 4, 2007

  
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Fionnuala B. Kofoed, City Recorder