

**MINUTES OF THE EAGLE MOUNTAIN CITY
SPECIAL COUNCIL MEETING
Eagle Mountain City Council Chambers
1680 East Heritage Drive
Eagle Mountain, Utah 84043
October 30, 2002**

POLICY SESSION – 7:00 PM

Mayor Bailey called the meeting to order at 7:04 PM.

1. Roll Call:

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

City Staff:

City Attorney:	Gerald Kinghorn
City Administrator:	Chris Hillman
Public Works Director:	Mark Sovine
City Recorder:	Janet Valentine
Deputy Recorder:	DeAnna Whitney

Others Present: Nate Shipp, Development Associates; Justin Jones, representative of City of Saratoga Springs; Mike Wren, Eagle Mountain Properties.

2. Pledge of Allegiance:

The Pledge of Allegiance was led by Mayor Bailey.

Item 6 was discussed before Item 3.

3. Consideration for Adoption of a Resolution Declaring the Intention of the City Council of Eagle Mountain City, Utah County, Utah to Construct Improvements within Eagle Mountain City Consisting of Road Improvements, Water Improvements, Wastewater Improvements, Park Improvements and All Other Miscellaneous Work Necessary to Complete the Improvements in a Proper Workmanlike Manner; to Create Eagle Mountain City Special Improvement District No. 2002-1 (The "District"); to Pay the Cost and Expenses of Said Improvements by Special Assessments to be Levied Against the Property Benefited by Such Improvements; to Provide Notice of Intention to Authorize Such Improvements and to Fix a Time and Place for Protests against Such Improvements or the Creation of The District; to Declare Its Official Intent to Reimburse Itself for Expenditures Paid by It Prior to the Sale of Bonds; to Declare Its Intention to Fund a Reserve Fund in Lieu of a Guaranty Fund; and Related Matters:

Gerald Kinghorn explained this item to the Council. He stated that the first step in the process is to authorize official notice of intent to create the District. Mr. Kinghorn explained how the SID would benefit the City by providing much needed improvements, such as expansion of the wastewater

treatment plant, digging an additional well, and building parks and roads, etc. Mr. Kinghorn answered questions from the Council and recommended that the City move forward to approve the District.

Mike Wren, Eagle Mountain Properties, answered the Council's questions.

Greg Kehl stated he would like to know what the administrative costs would be, and the Mayor explained that efforts are already being made to compile this information.

MOTION: *Brigham Morgan moved to adopt Resolution No. R 16-2002, a Resolution Declaring the Intention of the City Council of Eagle Mountain City, Utah County, Utah to Construct Improvements within Eagle Mountain City Consisting of Road Improvements, Water Improvements, Wastewater Improvements, Park Improvements and All Other Miscellaneous Work Necessary to Complete the Improvements in a Proper Workmanlike Manner; to Create Eagle Mountain City Special Improvement District No. 2002-1 (The "District"); to Pay the Cost and Expenses of Said Improvements by Special Assessments to be Levied against the Property Benefited by Such Improvements; to Provide Notice of Intention to Authorize Such Improvements and to Fix a Time and Place for Protests against Such Improvements or the Creation of the District; to Declare Its Official Intent to Reimburse Itself for Expenditures Paid by It Prior to the Sale of Bonds; to Declare Its Intention to Fund a Reserve Fund in Lieu of a Guaranty Fund; and Related Matters. Diane Jacob seconded the motion. Ayes: 4 – Brigham Morgan, Greg Kehl, Diane Jacob, Mark Madsen; Nays: 0. Motion passed.*

4. Consideration to Approve a Temporary Working Space Agreement with Kern River Gas Transmission Company:

This item was discussed after Item 5.

The Mayor explained this agreement to the Council. He presented a recommendation from Greg Kehl that would require further negotiation with Kern River Gas Transmission Company before an agreement could be approved.

MOTION: *Greg Kehl moved to authorize the Mayor to negotiate a Temporary Working Space Agreement with Kern River Gas Transmission Company. Brigham Morgan seconded the motion. Ayes: 4 – Brigham Morgan, Greg Kehl, Diane Jacob, Mark Madsen; Nays: 0. Motion passed.*

Mark Sovine presented another agreement with Kern River Gas. He indicated that Mr. Kinghorn had received a copy of this agreement via fax and had made adjustments. Mr. Sovine advised that Kern River had concerns with one adjustment involving not-to-exceed costs.

Mr. Kinghorn advised that this agreement was not on the Agenda and, therefore, could not be approved at this Council meeting. He indicated that if the Mayor is able to negotiate the compensation for the Temporary Working Space Agreement, he could then be authorized to sign the agreement subject to its being ratified at the next Council meeting.

5. Road Repair and Overlay of Ranches and Pony Express Parkways (Final Payment), Valley Asphalt:

This item was presented to the Council before Item 4.

MOTION: *Brigham Morgan moved to approve the road repair and overlay of Ranches and Pony Express Parkways final payment to Valley Asphalt. Mark Madsen seconded the motion. Ayes: 4 – Brigham Morgan, Greg Kehl, Diane Jacob, Mark Madsen; Nays: 0. Motion passed.*

6. Evans Ranch Concept Plan (Master Development Plan – Subdivision Plan):

This item was discussed before Item 3.

Nate Shipp, Development Associates, presented information on this concept plan.

Greg Kehl expressed his concerns about the inability of snowplows and fire trucks to maneuver around the small roundabouts in the cul-de-sacs. He asked Mr. Shipp to take this concern under advisement during the final planning process. Mr. Kehl indicated Mr. Shipp should contact Fire Chief DeKorver for input into this matter.

Mr. Shipp addressed two concerns of the Planning Commission: 1) a connector road to Pony Express Parkway, and 2) changing access to T-lots. Mr. Shipp stated he was still exploring solutions to these concerns.

Gerald Kinghorn had questions about phasing plans, and Mr. Shipp responded to these questions.

Justin Jones, representing Saratoga Springs, explained the problem his city was experiencing with a planned arterial roadway. He stated that the property owner will not allow his city access to their property for the building of this roadway, unless the roadway swings out and around their property. He explained that Saratoga Springs is requesting from Eagle Mountain a half width of right-of-way of 60 feet in order to secure the roadway. Mr. Jones answered questions from the Council.

Mayor Bailey advised Mr. Jones that the City would discuss this request with the landowner.

The Mayor asked for an official consensus from the Council regarding the Evans Ranch concept plan.

Brigham Morgan stated he likes the overall layout but had hoped to see a larger-lot buffer around the outside perimeter. He also expressed concerns with the turning radius around the roundabouts.

Greg Kehl advised that he feels the plan has a good mix, even though he favors larger lots. He indicated that the problem with access into cul-de-sacs needs to be addressed. He recommended the developer talk to City Engineer Korey Walker to discuss ways to prevent road failure in the right-of-way section.

Mark Madsen indicated he likes the layout and is looking forward to seeing the final plans for the parks.

Mayor Bailey also expressed his concerns about access in cul-de-sacs but stated that the overall concept plan looks good.

7. Adjournment:

Mayor Bailey moved to adjourn the meeting at 7:54 PM.

APPROVAL: _____

Kelvin E. Bailey
Kelvin E. Bailey, Mayor

DATE: 11-19-2002

This certifies that the minutes of
~~30-OCT 2002~~ are a true, full and
correct copy as approved by the
City Council on 19-Nov 2002

Signed: _____

Janet B. Valentine, cmc
City Recorder