

**MINUTES OF THE TOWN COUNCIL MEETING
TOWN OF EAGLE MOUNTAIN, UTAH
Eagle Mountain Community Center
1668 E. Heritage Dr
Eagle Mountain, UT 84043
November 7, 2000**

TOWN COUNCIL/PLANNING COMMISSION JOINT SESSION – 5:30 to 7:00 p.m. – Eagle Mountain Community Center

Roll Call: Mayor Paul Bond, Dave Albrecht, Bert Ankrom, Diane Bradshaw, Bill Chipman, Steve Gabrielson, Doug Gwilliam, Jody Hooley, Greg Kehl, Jerry Kinghorn, Fionnuala Kofoed, Ken Leetham, Brigham Morgan, John Newman, Korey Walker, Jennifer Wright-Thulin & Janet Valentine.

Others present: Nick Berg, Eagle Mountain Properties (EMP); Dan Valentine, Eagle Mountain Telecom; Carl Allred, The Ranches.

Mayor Bond called the meeting to order at 5:40 p.m.

1. Pledge of Allegiance:

Doug Gwilliam led the Pledge of Allegiance.

2. Discussion Items:

c. Discussion of Town Goals & Implementation.

d. Development Standards, lot widths, home sizes, compatibility.

(Discussed simultaneously)

The Planning Commission discussed the Town Council's expectations of the Commissioners and wanted to know whether they were assisting the Council to their best ability. The Council was confident that the Planning Commission was doing a good job and encouraged them to stick to the policies that have been established and work together even though they were two separate bodies.

The Commissioners asked if the Council was interested in assigning the Commissioners to certain areas of expertise with respect to planning to better assist the Town Council. They also requested that they receive the minutes of the Town Council meetings in their packets to stay better informed regarding the Town Council's approvals. An additional request was that the Town Council states, for the record, the reasons they abstain from voting and why they vote nay on issues and that it be included in the minutes.

Also discussed was the need to amend the Development Code, revision of the General Plan, alleyways, phasing and lot size compatibility. One of the main concerns was density and building on lot widths 60 feet or less. The Planning Commission wanted to know what action the Town could take to limit building on small lots.

Korey Walker recommended that the developers submit to the Town where they stand regarding density.

Greg Kehl suggested taking a field trip with the Planning Commission to evaluate development projects within Eagle Mountain.

a. Possible Revisions of the General Plan.

Committees were organized to research revisions to the General Plan. Council member Brigham Morgan and Commissioner Diane Bradshaw were assigned to the General Plan.

b. Possible Revisions of the Development Code.

Jerry Kinghorn stated that Ken Leetham had submitted a proposal regarding the Development Code and recommended that the Planning Commission review and comment on it. Upon review, the Town could give notice for a Public Hearing. Bill Chipman believed it was necessary to give fair notice to the developers that they would be making comprehensive changes to the Code.

The Town Council and Planning Commission agreed to meet on a quarterly basis for joint meetings and scheduled their next meeting for February 6th, 2000.

c. Bylaws for the Planning Commission-Discussion of Alternative Planning Commissioner.

John Newman recommended that the Council adopt an amendment to add an alternate member to the Planning Commission. Mayor Bond requested that the Planning Commission formulate an idea on how they would like the alternate member to work and bring a recommendation back to the Council for approval. Jerry Kinghorn would be directed to draft an ordinance once the Council approved the recommendation.

The Commissioners requested a list identifying the length of their terms. Mayor Bond commented that Diane Jacob had expressed an interest in serving an additional term, as hers was due to expire at the beginning of the New Year, 2001.

d. Development Standards, lot widths, home sizes, compatibility.

Greg Kehl and Jennifer Wright-Thulin were assigned to research the issue regarding zero lot lines, widths and compatibility.

3. General Discussion/Questions/Announcements:

There were none.

4. Adjourn:

The meeting adjourned at 7:05 p.m.

- CHANGE OF VENUE -

TOWN COUNCIL POLICY SESSION – 7:00 TO 10:00 p.m. – Eagle Mountain Community Center

Mayor Bond called the meeting to order at 7:10 p.m.

1. Roll Call:

Council Members present: Mayor Paul Bond, Dave Albrecht, Bert Ankrom, Greg Kehl and Brigham Morgan.

Town Staff:

Town Administrator: John Newman
Town Attorney: Jerry Kinghorn
Town Engineer: Korey Walker
Town Recorder: Janet Valentine
Deputy Town Clerk: Fionnuala Kofoed

Others present: Sheila & Dave Curtis, residents; Rob Smith, resident; Chris Thompson, resident; Mark Lofgren, resident.

2. Pledge of Allegiance:

Mayor Paul Bond led the pledge of Allegiance.

3. Approval of Minutes (Oct. 17, 2000):

MOTION *Dave Albrecht moved to approve the minutes of October 17, 2000 as amended. Brigham Morgan seconded the motion. Ayes: 5, Nays: 0. Motion passed.*

4. General Discussion/Questions/Announcements:

- The Town's new office hours were scheduled from 7:30 a.m.-5:30 p.m. Monday through Thursday.
- Polls for the Presidential Election would be open until 8:00 p.m. that night.
- A spay and neuter clinic was open to the public in Pleasant Grove.
- The new format for public comments at Town Council meeting announced. A 3 x 5 card must be filled out in order to comment. The specific topic of conversation, name and address must be included on the card. Time would be limited to 3 minutes per person for a total of 30 minutes. Line item comments would be limited to 2 minutes per person for a total of 10 minutes. All participants must speak at the microphone.

a. **Notification of Award for Robert Bateman.**

Mayor Bond thanked Rob Bateman (not present) for his time served on the Telecommunications Board and had a plaque that he intended to forward to Mr. Bateman.

5. Appointments:

None

6. Public Notices:

A Public Hearing for the Public Works Board regarding raising utility rates was scheduled for November 8, 2000 @ 6:00 p.m. at the Community Center.

7. **Public Comment:**

None

8. **Camp Williams - Information Briefing the Town Council on activities taking place at Camp Williams:**

Major Neil Hansen, representing Camp Williams, addressed the Council and residents of Eagle Mountain and stated that the mission of Camp Williams was to identify the camps ranges and boundaries and educate the public regarding safety issues. With continued growth in Eagle Mountain and surrounding areas public safety was a big concern to camp officials. Because of the encroachment Camp Williams Officials were forced to consider using fences around the boundaries.

The only impact that the firing ranges would have on Eagle Mountain residents was the noise as all weapons were aimed in a northerly direction away from the Town. The ranges are located north of SR73 where the National Guard and police practice with small firearms up to a 40-millimeter round. Soldiers train at night during the summer until 11:55 p.m., however, if there is cloud cover, training ceases at 10:00p.m. Local youth groups and the LDS church also use the Camp's facilities.

Major Bob Dutton commented on several environmental issues.

9. **Major Development Approval:**

a. **Final Plat Approval (Includes Dev. Agree & CC&R's) Eagle Point, Plat I**

b. **Final Plat Eagle Point, Plat E Phasing and L.D.S Church Site Proposal**

Ken Leetham noted that the developer was not present.

This item was tabled.

10. **Consideration to Approve an Integrated Municipal Finance Software System:**

A Committee comprised of Treasure Stephan Gabrielson, Councilman Greg Kehl and Town Clerk Janet Valentine researched both Caselle and Springbrook Integrated Municipal Finance Software Systems and reported to the Council regarding the software. Based on the information presented the Council recommended that the Town choose Springbrook as first option.

MOTION *Brigham Morgan moved to approve Springbrook as a first option, if negotiations are unsuccessful that the Council would approve Caselle as a second option, and authorize John Newman to negotiate with those companies. Greg Kehl seconded the motion. Ayes: 5, Nays: 0. Motion passed.*

11. **Eagle Mountain Fire Department 1st Response/Ambulance Funding:**

John Newman discussed the need for an ambulance for the Fire Department. The Fire Department proposed the purchase of two vehicles to service Eagle Mountain. The money to purchase the vehicles wasn't available in this years budget, however, the Council directed John Newman to find the financing for the upcoming year. The first payment wouldn't be due until 2001 and would be spread over four years. The vehicles would be housed at the volunteer's residence until a permanent facility was available. The projected revenue collected from the ambulance service would eventually pay for the vehicles. Once the vehicles were purchased the Fire Department could operate as an intermediate level response team. The estimated response for Eagle Mountain residents would be between 4-6 minutes as opposed to waiting approximately 20 minutes for EMS from Lehi.

MOTION *Bert Ankrom moved to approve the acquisition to go out to bid for an ambulance and a first response vehicle, as outlined in the proposal. Also, to direct the Town Administrator to put*

in the budget, when it's open, the necessary funding mechanisms for current year operations. Brigham Morgan seconded the motion. Ayes: 5, Nays: 0. Motion passed.

12. **Letter re: Town of Eagle Mountain v. Tasco Engineering (Mediation):**

This item was discussed with item 22.

13. **Consideration & Approval of the Interconnect Agreement with Qwest Corporation:**

Dan Valentine, Eagle Mountain Telecommunication, explained how the Interconnect Agreement would affect the Town's telecom service. Once things were in place the residents would be able to choose their long distance carriers and other features with respect to phone service.

MOTION *Brigham Morgan moved to approve the Agreement for Terms and Conditions for Interconnection, Unbundled Network Elements, Ancillary Services, and Resale of Telecommunications Services Provided by Qwest Corporation in the State of Utah for The Town of Eagle Mountain and authorized the Mayor to sign the document. Greg Kehl seconded the motion. Ayes: 5, Nays: 0. Motion passed.*

14. **Black & Veach Report:**

The Mayor announced that the Black & Veach report is completed and available to the public at the Town Offices.

15. **Ranches/Interim Warrant for SID 2000-1:**

This item was tabled.

16. **Awarding of Bid to Kay General Contracting for Concrete Pads for New Generating Unit and Step-up Transformer:**

Korey Walker recommended awarding the bid for Concrete Pads for a New Generating Unit and Step-up transformer to Kay General Contracting. Mr. Walker was confident with their ability to perform.

MOTION *Brigham Morgan moved to award the Contract for Concrete Pads for a New Generating Unit and Step-up Transformer to Kay General Contracting in the amount \$11,900. Dave Albrecht seconded the motion. Ayes: 5, Nays: 0. Motion passed.*

17. **Proposed Fee for Temporary Site Plan:**

The Council approved the proposed fee for a Temporary Site Fee and requested Gerry Kinghorn to embody it into the Consolidated Fee Schedule Amendment and bring it back for review at a future date. The proposed fee was \$1580.

MOTION *Greg Kehl moved to approve the proposed break down of cost fee to process a Temporary Site Plan for the amount of \$1580, and incorporate it in the Consolidated Fee Schedule by a resolution prepared by staff. Dave Albrecht seconded the motion. Ayes: 5, Nays: 0. Motion passed.*

18. **Motion to approve Consent Agenda items as follows:**

- a. **Warrant Register**
- b. **Contract Change Order**
- c. **Partial Payment Request**
- d. **Partial Bond Releases**

MOTION *Brigham Morgan moved to approved the Consent Agenda items with the exception of Change Order #3, dated 10-13-00 for the Booster Pump Station and Well NO. 2 in the amount of \$5462.50. Greg Kehl seconded the motion. Ayes: 5, Nays: 0. Motion passed.*

MOTION *Greg Kehl moved to approve Contract Change Order # 3 for the Booster Pump Station and Well # 2 upon proper signature from The Ranches. Bert Ankrom seconded the motion. Ayes: 5, Nays: 0. Motion passed.*

19. **Other Business:**

None

20. **Motion to adjourn into a Closed Executive Session for the purpose of discussing personnel issues, potential litigation and/or public safety/security:**

MOTION *Bert Ankrom moved to adjourn into a Closed Executive Session @ 8:31 p.m. for the purpose of discussion personnel issues, potential litigation and/or public safety/security. Greg Kehl seconded the motion. Ayes: 5, Nays: 0. Motion passed.*

Present: Mayor Paul Bond, Bert Ankrom, Dave Albrecht, Greg Kehl, Brigham Morgan, John Newman, Gerry Kinghorn, Korey Walker, Janet Valentine and Fionnuala Kofoed. Fionnuala Kofoed and Janet Valentine were excused at 9:20 p.m.

21. **Motion to adjourn the Closed Executive Session and Return to Open Session:**

MOTION *Greg Kehl moved to adjourn the Closed Executive Session and return to Open Session @ 9:45 p.m. Brigham Morgan seconded the motion. Ayes: 5, Nays: 0. Motion passed.*

22. **Any Actions from the Closed Executive Session:**

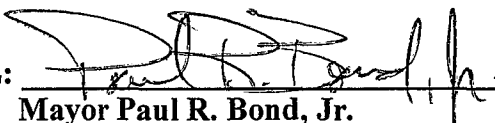
Letter re: Town of Eagle Mountain v. Tasco Engineering (Mediation):

Gerry Kinghorn recommended that the Council approve to enter into a Mediation Agreement between Tasco and the Town. Also, that the Town would agree to pay fees to Craig Coburn, Richards Brandt Miller & Nelson, at \$175/hour and that the Town deposit \$1000 into the firm's trust account to compensate Mr. Coburn. Mr. Coburn's fees would be shared equally with Tasco would also pay \$175/hour.

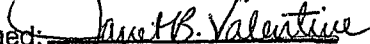
MOTION *Dave Albrecht moved to authorize the Mayor to execute the Mediation Agreement with Richards Brandt Miller & Nelson, between the Town of Eagle Mountain and Tasco Engineering, and expend \$1000 to execute the Agreement. Greg Kehl seconded the motion. Ayes: 5, Nays: 0. Motion passed.*

23. **Adjournment:**

MOTION *Brigham Morgan moved to adjourn the meeting @ 9:51 p.m.*

APPROVAL:  DATE: 12-13-00
Mayor Paul R. Bond, Jr.

This certifies that the minutes of
Nov. 7, 2000 are a true, full and
correct copy as approved by the
City Council on Nov. 21, 2000

Signed: 
City Recorder