

MINUTES
EAGLE MOUNTAIN CITY COUNCIL MEETING

November 18, 2014

Work Session 4:00 p.m. Policy Session 7:00 p.m.

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

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

ELECTED OFFICIALS PRESENT: Adam Bradley, Donna Burnham, Richard Steinkopf and Tom Westmoreland. Ryan Ireland was excused.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Deputy City Recorder; Jeff Weber, Assistant Public Works Director; Chris Trusty, City Engineer; Steve Olsen, Energy Department; Steve Mumford, Planning Director; Ken Sorenson, City Planner; Linda Peterson, Public Information Director; Kent Partridge, Building Official; Rand Andrus, Fire Chief; Eric McDowell, Sheriff's Deputy.

Mayor Pengra called the meeting to order at 4:13 p.m.

1. **CITY ADMINISTRATOR INFORMATION ITEMS** – This is an opportunity for the City Administrator to provide information to the City Council. These items are for information and do not require action by the City Council.
 - A. Presentation – Proposed Amendment to the Military Utility Abatement Program, by Luke Pannell

Mr. Pannell, Chair of the Military and Veterans Advisory Board, presented a proposal for amending the military utility abatement program. The proposal is designed to show appreciation to the families of military personnel who are deployed out of state or out of the country for sixty days or more. The Board recommended that the abatement be 25% of the family's utility bill. This is a draft proposal that is expected to change as more information becomes available, especially as the sale of the electric and gas utilities is finalized.

Councilmember Burnham asked that the abatement specifically apply to only one home owned by the service member. Mr. Pannell explained that the abatement would only apply to the home of record listed with the military. The service members will be required to provide written orders to document their eligibility for the program.

The proposal would substantially reduce the number of families who qualify for the abatement. The Board recommended that the families who won't qualify for the new program be phased out over ten months.

Mayor Pengra emphasized that the City doesn't intend to "pull the rug out" from families who currently qualify for the abatement. The City will hold internal conversations regarding how to transition to the new program.

2. **AGENDA REVIEW** – The City Council will review items on the Consent Agenda and Policy Session Agenda.

20. Sewer Truck

Jason Lovell, Fleet Manager, stated that the Sewer Department plans to replace truck #31 with a new, one-ton truck. Truck #31 is no longer adequate for the work that the department needs done. It's 2007 model with approximately 120,000 miles. The new truck was approved in the fiscal year 2015 budget.

Councilmember Bradley asked how much the City is likely to receive by selling truck #31. Mr. Lovell responded that it would be between \$5,000 and \$10,000 at auction. The City plans to sell seven trucks this year and buy three. Trucks are bought on the State contract at approximately \$20,000 below sticker price. They're replaced about every five years for gas-powered trucks and seven years for diesel-powered trucks. The City always buys new trucks for the warranty, and because the State contract doesn't cover used vehicles.

Councilmember Westmoreland asked what the mileage trigger is for selling trucks. Mr. Lovell said it is approximately 100,000, but that varies. The goal is to use the trucks as much as possible, while getting a good price when they're sold at auction.

17. Bond Refunding

Mayor Pengra invited Cody Deeter of Lewis Young Robertson & Burningham to discuss item #17, a bond refunding opportunity. Mr. Deeter said the bond rates are at a historic low, which allows the City to refund (refinance) the bonds at a lower rate than they currently carry. The City will see a significant savings in interest costs. The bond process will be on an aggressive schedule to take advantage of the low rates, which could rise at any time.

Consent Agenda

Mayor Pengra asked if the Council had any questions on the Consent Agenda. Councilmember Bradley asked about the bond release for the tee box relocation. Chris Trusty, City Engineer, responded that the owners of the golf course piped the wash in that area to provide more control during storm events. Fionnuala Kofoed, City Recorder, explained that the contract for the tee box was an amendment to the golf course donation agreement.

Ms. Kofoed stated that the election canvass was completed by the County. The Council is being asked to approve the results of the County's canvass of the ballot question regarding approval of the sale of the utility system.

Councilmember Bradley asked why the City paid a private company to lay down chip seal when Public Works recently purchased a paver. Mr. Trusty explained that chip sealing is a different process than paving.

14. Outdoor Lighting Ordinance

Ken Sorenson, City Planner, said that the Planning Department rewrote the proposed ordinance to incorporate the Council's comments at the October 7 meeting. They added additional definitions, allowed for seasonal decorations, and clarified the language about grandfathering existing lighting into the ordinance. The ordinance generally applies only to new construction, although a major remodel will trigger a requirement to comply with the new ordinance. The Planning Department recommended low-pressure sodium outdoor lighting, which is the standard for cities trying to control light pollution. The ordinance includes specific regulations for permanent sign lighting.

Councilmember Westmoreland asked if any of the regulations were controlled by amount of lumens. Mr. Sorenson said it would have made the ordinance more complicated, so the Planning Department chose to regulate lighting by the opacity of the light instead.

15. Gateway Park Rezone, Plat & Site Plan

The proposed Eagle Mountain Business Park is located northwest of SR73 and Mt. Airey Drive. This property was rezoned in 2013 from Industrial to Commercial Storage and Commercial in preparation for a storage unit development and commercial warehouse/office development. The purpose of the Business Park zone is to provide for professional offices, research and development uses, retail or commercial businesses, light manufacturing and assembly, and multifamily development. The purpose of the Commercial Storage zone is to provide for non-retail commercial sites for storage of vehicles, equipment, and inventory, and associated offices. Two parcels are being preserved for a UDOT right-of-way, in anticipation of a future expansion of Cory Wride Memorial Highway.

Councilmember Bradley asked if the haul truck traffic will damage the road. Scot Hazard, the applicant, said it will, but it will be separated from regular traffic as far as possible. Discussion ensued on traffic issues with the project. Mayor Pengra noted that Mr. Hazard has been patient with UDOT in dealing with the right-of-way for the future highway expansion. UDOT's involvement has slowed the project considerably.

Mr. Mumford said that the northern portion of the property was originally master-planned as residential. It's really not good residential land.

Councilmember Steinkopf said the plan wording allowed for open-air equipment storage. Mr. Hazard responded that open-air storage isn't planned for the Commercial Storage zone. Companies in the Commercial zone will probably store vehicles and equipment outdoors. Councilmember Steinkopf suggested landscaping to improve the view of the project from the road. He asked what maintenance will be done on the road to clean up material spilled from truck loads. Mr. Hazard said that he has a maintenance agreement with the gravel pit operator.

16. Culinary Water Impact Fee Enactment

Chris Trusty, City Engineer, stated that the culinary water impact fee was updated last June. Shortly afterwards, a reimbursement agreement was approved for a water line shown in the Capital Facilities Plan (CFP). The developer of the property needed an eight-inch line for the project, but future development would require a twelve-inch line. The developer agreed to build the larger line, and the City agreed to reimburse him for the upgrade. The upgrade was not included in June's update to the CFP. The item on the agenda at this meeting added the upgrade to the CFP, allowing the City to collect impact fees to pay for it.

19. Hidden Hollow Preliminary Plat

Hidden Hollow is a 34-lot development adjacent to Hidden Hollow Elementary School. This is a revised preliminary plat, due to inclusion of the school site and an adjustment for the steepness of the terrain. Improvement of open space is regulated by a point system. The developer has agreed to improve 1.2 acres of the frontage road in front of the school. This is an alternative to a park, which would be the usual improvement of open space.

Councilmember Westmoreland asked what part of the school property was acquired by eminent domain. Mr. Mumford explained that it was the whole ten acres. Alpine School District and the

developer were unable to come to an agreement on the school site, so the district used eminent domain to acquire the site.

Councilmember Westmoreland also asked what the land to the west and south of the plat would be used for. Mr. Mumford said that the land to the west is going to be maintained as a natural hillside. There is an area closed to Pony Express Parkway could be development. The land to the south is owned by another party and is suitable for a small development. The land to the south could also be a small development.

Councilmember Westmoreland was concerned that the school site isn't large enough. There's too little room for parking and the school is already using portable classrooms. He wanted to know what impact the school would have as additional development is constructed. Mr. Mumford said the school has no buses. Development closer to the school won't require additional parking, as most of the students will walk to school. As the school population increases, the school district will build more schools that will draw off some of the homes that currently send students to Hidden Hollow Elementary.

Councilmember Bradley asked the other Councilmembers if they were willing to make an exception to the Development Code to allow improvement of the frontage road rather than building a park. It is an improvement for the City, but not for the residents in the area. Mr. Mumford explained that a park was planned for the upper area of the development, but it was poorly planned. Half of the park consisted of unusable hillside.

Mayor Pengra asked if Pony Express Parkway will shift to the south at that location, or would the improvements to the frontage road have to be taken out. Mr. Trusty stated that the road will be shifted.

Councilmember Steinkopf suggested some benches and trash cans for the path. Mr. Mumford asked the Council to make suggestions for the landscaping for the development and the path.

3. ADJOURN TO A CLOSED EXECUTIVE SESSION – The City Council will adjourn into a Closed Executive Session for the purpose of discussing reasonably imminent litigation and the purchase, lease or exchange of real property pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

No Closed Executive Session was held. The meeting was adjourned at 6:05 p.m.

POLICY SESSION – CITY COUNCIL CHAMBERS

ELECTED OFFICIALS PRESENT: Adam Bradley, Donna Burnham, Richard Steinkopf and Tom Westmoreland. Ryan Ireland participated by telephone starting at 7:50 p.m.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Deputy City Recorder; Jeff Weber, Assistant Public Works Director; Chris Trusty, City Engineer; Steve Olsen, Energy Department; Steve Mumford, Planning Director; Ken Sorenson, City Planner; Linda Peterson, Public Information Director; Kent Partridge, Building Official; Rand Andrus, Fire Chief; Eric McDowell, Sheriff's Deputy.

4. CALL TO ORDER

Mayor Pengra called the meeting to order at 7:00 p.m.

5. PLEDGE OF ALLEGIANCE

Cub Scouts Rigel Watt and Logan Webb led the Pledge of Allegiance.

6. INFORMATION ITEMS/UPCOMING EVENTS

- **Bag the Leaf** – The City’s Storm Drain Department is offering a free bagged leaf disposal service for residents through November 28. Bags are available at City Hall or The Ranches HOA office through the end of November. For program details, please visit the City website, News section.
- **Bicycle and Pedestrian Master Plan** -- Eagle Mountain is currently developing a bicycle and pedestrian master plan with the goal of connecting the community and making it a place where bicycling and walking are safe, normal, and fun activities for all ages and abilities. Planning efforts are currently underway to solicit public input, identify desired routes and hazards, and develop a shared vision for the future of bicycling and walking in Eagle Mountain. Please visit the News section of the City website to provide input via a survey and mapping tool.
- **Turkey Trot** -- Eagle Mountain City will hold the annual Turkey Trot on Thanksgiving Day, November 27. The event starts at 8:00 a.m. for the Competitive category and 8:15 a.m. for the Leisure category. This event is FREE. Pre-register on the City website, Events page. Prizes and refreshments!
- **Deck the Halls Tree Lighting** -- Friday, December 5 from 6:30 p.m. to 8:30 p.m., the City will hold the annual Christmas tree lighting event. Visit with Santa, drop off a letter in our Santa Mailbox, and enjoy refreshments in the main lobby. An essay contest and gingerbread house contest are also offered. Details on the City website, Events page.
- **Santa on the Fire Truck** – Santa will make his annual visit to Eagle Mountain neighborhoods on the fire truck on Saturday, December 6, from 8 a.m. until finished.

7. PUBLIC COMMENTS – Time has been set aside for the public to express their ideas, concerns and comments.

Marianne Smith asked when the Streets Department will finish installing reflectors on the medians along the road. She also told the Council that Lake Mountain Road has large rocks on the gravel surface. She asked the Council to budget for some road base to keep the rocks covered. Mayor Pengra said the City is having internal conversations about what to do with Lake Mountain Road. He asked where reflectors are still needed. Mrs. Smith said they’re needed on the narrow strips of median at intersections.

8. CITY COUNCIL/MAYOR’S ITEMS – Time has been set aside for the City Council and Mayor to make comments.

Councilmember Steinkopf

Councilmember Steinkopf wished everyone a safe and happy Thanksgiving.

Councilmember Burnham

Councilmember Burnham reported that the Rodeo Committee voted to move the date of the rodeo back to Memorial Day weekend. They have tentatively scheduled a demolition derby and a motocross race. She urged residents to drive safely with the snowfall coming soon.

Councilmember Westmoreland

Councilmember Westmoreland thanked everyone attending the meeting. He reminded residents to use caution and keep their doors locked and their garage doors closed. Many thefts are crimes of opportunity.

Councilmember Bradley

Councilmember Bradley welcomed everyone at the meeting, especially the Scouts. He reiterated the encouragement to go onto the City's website and take the survey about the parks and trails plan. He was very pleased with the turnout for the election on November 4th. He said that a young man who used to be his neighbor took his own life this week. He asked everyone to help each other and notice those who might need a little extra love.

Mayor Pengra

Mayor Pengra thanked Councilmember Bradley for the reminder to help and encourage each other. He was grateful for the voter turnout. He reported that City staff was working at high speed and putting in long hours. He wanted to recognize all they're doing.

He stated that Councilmember Ireland was excused, as he was out of town.

CONSENT AGENDA

9. MINUTES

- A. October 21, 2014 – Regular City Council Meeting

10. BOND RELEASE – Into Warranty

- A. Meadow Ranch, Plat 7
- B. Meadow Ranch V, Plat 3
- C. Arrival, Phase 1

11. BOND RELEASE – Out of Warranty

- A. Tee Box #12 Relocation and Improvement Project – Ames Construction

12. 2014 Ballot Proposition 8 Election Canvass Report

13. FINAL PAYMENTS

- A. Pony Express Parkway Chip Seal – Advanced Paving and Construction, LLC
- B. Cemetery Irrigation Project – Great Western Landscape
- C. Cemetery Landscape Project – Great Western Landscape

MOTION: *Councilmember Burnham moved to approve the Consent Agenda. Councilmember Steinkopf seconded the motion. Those voting aye: Adam Bradley, Donna Burnham, Richard Steinkopf and Tom Westmoreland. The motion passed with a unanimous vote.*

SCHEDULED ITEMS

PUBLIC HEARING

14. ORDINANCE – Consideration of an Ordinance of Eagle Mountain City, Utah Amending the Development Code Regarding Outdoor Lighting.

This item was presented by Steve Mumford, Planning Director. Staff presented the dark sky ordinance concept to the City Council on May 6, 2014 and received direction to prepare a draft ordinance. The proposed draft includes a new chapter addressing outdoor lighting standards (Chapter 17.56 Outdoor Lighting Standards) and amendments to Chapters 15.70, 17.54.050, 17.55.040, 17.72, 17.80, 17.100.060, 17.100.070 of the Municipal Code. The purpose of the ordinance is to preserve the view of the nighttime skies and support the nighttime training mission of Camp Williams. This item was tabled from the October 7 City Council meeting.

Mr. Mumford presented definitions of various types of lighting. He said that current lighting will be grandfathered in under the ordinance. The ordinance will apply to new construction and to extensive renovation projects. Changes to the draft ordinance include a simpler grandfathering clause, grandfathering all existing lighting unless a renovation is extensive enough to require a site plan or a building permit. There is now no retroactive date for mercury vapor lighting. Uplighting is prohibited, except for government flags and seasonal decorations and certain signage. Low-pressure sodium lighting is now recommended rather than required. There is no longer an 11:00 p.m. time limit on recreational lighting such as field lighting. There are changes to the sign ordinance, mostly regarding coloring. White backgrounds create much more light pollution than any other color.

Mayor Pengra opened the public hearing at 7:27 p.m.

Marianne Smith said the school seems to be doing a better job of controlling lighting at night. She asked that the lights at the rodeo grounds be better controlled. She felt that the night sky is beautiful and the view of it should be preserved. Mayor Pengra responded that the City would check on the rodeo lights.

Duff Astin said he works for the Sandy City Police Department, primarily in crime prevention. He said that low-pressure sodium lights have terrible color rendition. Correct color is important in police work. He said the average perpetrator is 15 – 25 years old. As the median age in Eagle Mountain reaches that age group, the City is going to experience more crime. Gas stations are quite dangerous, as are parking lots. The City needs to be careful to have appropriate lighting in those locations. He felt the ordinance was being rushed and needed more work.

Mayor Pengra closed the public hearing at 7:34 p.m.

Councilmember Bradley asked if the prohibition against flashing or moving signs would apply to schools. Jeremy Cook, City Attorney, stated that schools are exempt from many City regulations. He wasn't sure if that extended to signage. Mayor Pengra said signage could be discussed with the school district.

MOTION: *Councilmember Bradley moved to approve an ordinance of Eagle Mountain City, Utah amending the Development Code regarding outdoor lighting. Councilmember Westmoreland seconded the motion. Those voting aye: Adam*

Bradley, Donna Burnham, Richard Steinkopf and Tom Westmoreland. The motion passed with a unanimous vote.

Councilmember Westmoreland stated that this ordinance was difficult for him. He felt that it's dangerous when government deals closely with people's lives and with technology. Fortunately, ordinances can be adjusted as necessary. He appreciated Mr. Astin's comments on color. He also said that when he lived in Lake Tahoe, the city was able to enact a sign ordinance that maintained the mountain feel of the city. That's the intent of this ordinance, without compromising safety.

15. PUBLIC HEARING

- A. ORDINANCE – Consideration of an Ordinance of Eagle Mountain City, Utah, Rezoning Portions of the Gateway Park Project to Industrial, Commercial, and Commercial Storage Zones.
- B. MOTION – Consideration of a Preliminary Plat for Gateway Park.
- C. MOTION – Consideration of a Master Site Plan for Gateway Park.

This item was presented by Steve Mumford, Planning Director. The proposed rezone, preliminary plat, and master site plan are for the Gateway Park business park, located northwest of Wride Memorial Highway and Mt. Airey Drive. The rezone changes the Commercial zone to the Business Park zone and makes adjustments to the Commercial and Industrial zones. The preliminary plat includes one 7.06-acre storage unit lot, three industrial lots totaling 9.9 acres, eight commercial lots totaling 10.72 acres, and an 8.29-acre UDOT preservation parcel for future expansion of Wride Memorial Highway. The master site plan depicts a possible layout of each business park and commercial storage lot, with the understanding that each lot will require a specific site plan approval in the future.

Councilmember Ireland joined the meeting by telephone at 7:50 p.m.

Mayor Pengra opened the public hearing at 7:51 p.m. As there were no comments, he closed the hearing.

Mayor Pengra questioned the road access to lot 101, and whether that was changeable if this plan is approved. Mr. Mumford explained that this is a conceptual plan. It can be changed if desired when the final site plan is considered.

Councilmember Westmoreland asked if it typical to have one entrance/exit to a storage facility. Mr. Mumford said that's the norm. Discussion ensued on the front and side appearance of the storage facility.

Councilmember Steinkopf felt that a two-way or three-way stop should be included at the intersection of the gravel pit and the frontage road. Mr. Mumford said that there will be a two-way stop. Scot Hazard, the applicant, pointed out that gravel trucks have been entering Wride Memorial Highway safely for years. He felt that the intersection will be adequate as planned. Mr. Hazard discussed various concepts for the facility with the Council.

MOTION: ***Councilmember Burnham moved to approve an ordinance of Eagle Mountain City, Utah rezoning portions of the Gateway Park Project to Industrial, Commercial, and***

Commercial Storage zones. Councilmember Westmoreland seconded the motion. Those voting aye: Adam Bradley, Donna Burnham, Ryan Ireland, Richard Steinkopf and Tom Westmoreland. The motion passed with a unanimous vote.

MOTION: Councilmember Burnham moved to approve a preliminary plat for Gateway Park, with the conditions listed in the staff report. Councilmember Bradley seconded the motion. Those voting aye: Adam Bradley, Donna Burnham, Ryan Ireland, Richard Steinkopf and Tom Westmoreland. The motion passed with a unanimous vote.

The conditions in the staff report are as follows:

1. Developer must provide a water model for the project and must comply with any requirements as a result of the water model.
2. A second access is required for construction or permits for lots 105-111, unless approved by the Fire Marshal.
3. Storm drain calculations and plan must be approved by the City Engineer.
4. Developer must provide an access agreement with UDOT for utilities located within UDOT right-of-way or install utilities outside of the UDOT right-of-way.
5. All offsite sewer will need to be installed prior to construction of phase 1. Provide offsite sewer design with the first final plat.
6. A detailed sign plan is required with the first site plan, including details for an entryway monument for the project. The entryway monument must be completed with the first final plat.

MOTION: Councilmember Westmoreland moved to approve a master site plan for Gateway Park, with the condition listed in the staff report. Councilmember Burnham seconded the motion. Those voting aye: Adam Bradley, Donna Burnham, Ryan Ireland, Richard Steinkopf and Tom Westmoreland. The motion passed with a unanimous vote.

The condition in the staff report is as follows:

Individual site plan approvals are required for each lot. Landscaping, architecture, parking and building layout will be reviewed at that time.

PUBLIC HEARING

16. **ORDINANCE – Consideration of an Ordinance of Eagle Mountain City, Utah, Adopting the Eagle Mountain City Culinary Water Impact Fee Enactment.**

This item was presented by Chris Trusty, City Engineer. The proposed ordinance enacts and updates the culinary water impact fee imposed as a condition of development in Eagle Mountain City. Impact fees are a one-time charge to new developments for the purpose of defraying the cost of capital improvements and facilities necessitated by development. The Ordinance incorporates and approves amendments to the City's Culinary Water Impact Fee Facilities Plan and Culinary Water Impact Fee Analysis.

This is an amendment to the culinary water impact fee approved last June. A developer was required to build an eight-inch water line through his subdivision project. Additional development in the area would require a 12-inch line. The developer agreed to build the larger line, with the City reimbursing for the upsizing. The ordinance allows the City to include this project in the

Capital Facilities Plan and collect impact fees to pay for the difference between the 8-inch line and the 12-inch line.

Mayor Pengra opened the public hearing at 8:10 p.m. As there were no comments, he closed the hearing.

MOTION: *Councilmember Bradley moved to approve an ordinance of Eagle Mountain City, Utah adopting the Eagle Mountain City culinary water impact fee enactment. Councilmember Burnham seconded the motion. Those voting aye: Adam Bradley, Donna Burnham, Ryan Ireland, Richard Steinkopf and Tom Westmoreland. The motion passed with a unanimous vote.*

17. RESOLUTION – Consideration and Adoption of a Resolution of Eagle Mountain City, Utah, Authorizing the Issuance and Sale of Not More Than \$11,000,000 Aggregate Principal Amount of Water and Sewer Revenue Refunding Bonds, Series 2014 and Related Matters.

This item was presented by Ifo Pili, City Administrator. The purpose of refunding the water and sewer revenue bonds is to capture economic savings due to the current interest rate environment. This refunding will reduce the overall debt service payments, which will keep more of the water and sewer funds in the City. This refunding does not lengthen the time of debt service. It does reduce the payments, saving the City approximately \$1.5 million.

Mayor Pengra emphasized that this is not an issuance of new debt.

MOTION: *Councilmember Steinkopf moved to adopt a Resolution of Eagle Mountain City, Utah, authorizing the issuance and sale of not more than \$11,000,000 aggregate principal amount of Water and Sewer Revenue Refunding Bonds, Series 2014 and related matters. Councilmember Burnham seconded the motion. Those voting aye: Adam Bradley, Donna Burnham, Ryan Ireland, Richard Steinkopf and Tom Westmoreland. The motion passed with a unanimous vote.*

18. ORDINANCE – Consideration of an Ordinance of Eagle Mountain City, Utah, Amending Section 3.10.020 of the Municipal Code for Municipal Energy Sales and Use Tax.

This item was presented by Jeremy Cook, City Attorney. The Eagle Mountain City Council adopted a 6% Energy Sales and Use Tax, the maximum allowed by State law, in the 2005 Fiscal Year budget. As part of the proposed gas and electric utility sale, the City needs to update the Municipal Code to reflect the increase that took effect on July 1, 2005. Although it was approved in the 2005 budget, the correct paperwork was never filed with the State.

The tax replaces the utility franchise fees used to recoup the costs of providing utility service in the City. The tax was previously 3%.

MOTION: *Councilmember Bradley moved to adopt an ordinance of Eagle Mountain City, Utah amending Section 3.10.020 of the Municipal Code for Municipal Energy Sales and Use Tax. Councilmember Burnham seconded the motion. Those voting aye: Adam Bradley, Donna Burnham, Richard Steinkopf and Tom Westmoreland. Those voting no: Ryan Ireland. The motion passed with a vote of 4:1.*

19. PRELIMINARY PLAT – Consideration and Approval of Hidden Hollow Phase A, Preliminary Plat.

This item was presented by Steve Mumford, Planning Director. The project is located south of Pony Express Parkway and southwest of Hidden Hollow Elementary School. The original proposal consisted of 54 total lots with a density of 4.10 lots per acre and an average lot size of 8,236 sq. ft. The applicant has redesigned the project since the acquisition of a school site within the original project. The current application is for 34 lots with a density of 3.07 lots per acre and an average lot size of 8,542 sq. ft. The proposal adds an access to Pony Express Parkway. There is also an area adjacent to the plan area that is large enough to develop a few more lots.

The developer proposes to use the required park fees to improve the frontage road in front of the elementary school, rather than constructing a very small park. The school playground can act as a park area. The City Engineer will need to review the plans to be sure the subdivision has proper drainage.

Councilmember Ireland asked what the plan is for a small, triangular space next to lot 16. Mr. Mumford said grass and trees will likely be planted there. The City will own the property. Mr. Trusty said he thought it would be maintained along with the property by the frontage road. Councilmember Ireland suggesting making it part of the lot. Councilmember Steinkopf also felt the triangular piece should be part of lot 16.

Discussion ensued on the road alignment. Councilmember Burnham was concerned about having additional traffic near the school entrance.

MOTION: *Councilmember Bradley moved to approve the Hidden Hollow Phase A preliminary plat.*

Councilmember Bradley had additional questions about the triangular piece of land, so he withdrew the motion. He didn't want the City to own a small piece of land that would be difficult to maintain. Mr. Mumford stated that the Parks and Recreation Director objected to having small pieces of land like that to maintain.

MOTION: *Councilmember Bradley moved to approve the Hidden Hollow Phase A preliminary plat, with the condition that the .5 acre open space be made part of lot 16, and with the conditions outlined in the staff report. Councilmember Burnham seconded the motion. Those voting aye: Adam Bradley, Donna Burnham, Ryan Ireland, Richard Steinkopf and Tom Westmoreland. The motion passed with a unanimous vote.*

20. AGREEMENT – Consideration and Approval of a Purchase Agreement between Eagle Mountain City and Young Automotive Fleet Sales for a 2015 Chevrolet Silverado 3500HD Sewer Truck.

BACKGROUND: *(Presented by Jeff Weber, Assistant Public Works Director)* The proposed purchase agreement is for a 2015 Chevrolet Silverado 3500HD. This one-ton vehicle will be used for hauling fall protection and confined space entry equipment as well as hauling pumps, motors, generators, a skid steer loader, mini excavators and other equipment used in the Wastewater Department. It would replace vehicle #31, a three-quarter-ton vehicle that is inadequate to do the work required.

Councilmember Ireland asked how much truck #31 would bring at auction. Mr. Weber answered that it would sell for \$5,000 to \$10,000. The truck would have a seven to ten year working life.

Discussion ensued on whether an older truck could be purchased for a lower cost. Mr. Weber explained that the State contract allows cities to purchase vehicles for much less than retail cost.

Mayor Pengra explained that he was against the City buying new trucks in the past. In his position as Mayor, he's found that purchasing vehicles through the State contract gives the City reliable, warranted vehicles. The fleet rotation program ensures that the City always has reliable vehicles which can be sold for a reasonable return.

MOTION: *Councilmember Steinkopf moved to approve a purchase agreement between Eagle Mountain City and Young Automotive Fleet Sales for a 2015 Chevrolet Silverado 3500HD in the amount of \$45,082.07, to replace vehicle #31, which will be sold, and authorize the Mayor to sign the contract. Councilmember Westmoreland seconded the motion.*

Councilmember asked how much this truck would cost at retail. Mr. Weber said it would cost about \$65,000.

Mayor Pengra allowed resident Tobin Gardner to make a public comment. He said that he worked in the service side of a car dealership. He wondered if that would save the City enough money to be useful. Mayor Pengra asked if the State contract allowed for purchasing an older model vehicle. Mr. Weber said there is a time limit for each model year. The City ordered this truck after the time limit. Mr. Weber also said that the truck was ordered without a bed, so it could have a utility bed installed. The bed was also bought on the State contract.

Councilmember Westmoreland stated that he has bought fleet vehicles. They can't be bought straight from a dealer; they have to be ordered to save dealer overhead costs.

Those voting aye: Adam Bradley, Donna Burnham, Richard Steinkopf and Tom Westmoreland. Those voting no: Ryan Ireland. The motion passed with a vote of 4:1.

21. CITY COUNCIL/MAYOR'S BUSINESS – This time is set aside for the City Council's and Mayor's comments on City business.

Councilmember Steinkopf

Councilmember Steinkopf wished everyone a happy Thanksgiving.

Councilmember Burnham

See board report.

Councilmember Ireland

Councilmember Ireland thanked the Mayor and Council for allowing him to join the meeting late.

Councilmember Westmoreland

See board report.

Councilmember Bradley

Mayor Pengra

Mayor Pengra thanked everyone for coming to the meeting.

22. CITY COUNCIL BOARD LIAISON REPORTS – This time is set aside for Councilmembers to report on the boards they are assigned to as liaisons to the City Council.

Councilmember Burnham said the Youth Council will be helping with the Turkey Trot and Santa on the Fire Truck.

Councilmember Westmoreland stated that the Parks and Recreation Board didn't have a quorum at their last meeting, and the Economic Development Board will meet tomorrow night.

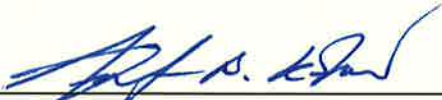
Councilmember Bradley stated that Luke Pannell, Chair of the Military and Veterans Advisory Committee. They're working hard and will be meeting tomorrow. Everyone is welcome to attend.

23. COMMUNICATION ITEMS
- a. Upcoming Agenda Items
 - b. Financial Report

24. ADJOURNMENT

MOTION: *Councilmember Burnham moved to adjourn the meeting at 8:51 p.m. Councilmember Bradley seconded the motion. Those voting aye: Adam Bradley, Donna Burnham, Ryan Ireland, Richard Steinkopf and Tom Westmoreland. The motion passed with a unanimous vote.*

APPROVED BY THE CITY COUNCIL ON DECEMBER 2, 2014.



Fionnuala B. Kofoed, MMC
City Recorder