

MINUTES
EAGLE MOUNTAIN CITY COUNCIL MEETING

December 4, 2012

Work Session 5:30 p.m. Policy Session 7:00 p.m.

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

*** This meeting may be held telephonically to allow a member of the City Council to participate ***

ELECTED OFFICIALS PRESENT: Donna Burnham, Ryan Ireland, Nathan Ochsenhirt, John Painter and Richard Steinkopf. Mayor Jackson was excused.

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

Mayor Pro Tem Ochsenhirt called the meeting to order at 5:37 p.m.

5:30 P.M. WORK SESSION – CITY COUNCIL CHAMBERS

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. Audit Report Update

Finance Director Paul Jerome reported that the City's auditor is behind due to computer issues at his office. He expects to have the audit available next week. He will send a copy to each Council member and make himself available for questions through the end of the month. The State requires the audit to be submitted by the end of the year. However, it is allowed to be submitted before City Council approval, which won't be possible until the first meeting in January.

2. 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.

MOTION: *Councilmember Burnham moved to adjourn into a Closed Executive Session for the purpose of discussing reasonably imminent litigation, the purchase, lease or exchange of real property, and the professional competence of an individual pursuant to Section 52-4-205(1) of the Utah Code, Annotated. Councilmember Steinkopf seconded the motion. Those voting aye: Donna Burnham, Ryan Ireland, Nathan Ochsenhirt, John Painter and Richard Steinkopf. The motion passed with a unanimous vote.*

The meeting was adjourned at 5:41 p.m.

POLICY SESSION – CITY COUNCIL CHAMBERS

ELECTED OFFICIALS PRESENT: Donna Burnham, Ryan Ireland, Nathan Ochsenhirt, John Painter and Richard Steinkopf.

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

3. CALL TO ORDER

Mayor Pro Tem Nathan Ochsenhirt called the meeting to order at 7:16 p.m.

4. PLEDGE OF ALLEGIANCE

Ridge Raven led the Pledge of Allegiance.

5. INFORMATION ITEMS/UPCOMING EVENTS

- **Christmas Tree Lighting** – The traditional Christmas tree lighting event will be held on Friday, December 7 at 6:30 p.m. Join us in lighting our tree and City Hall building, with a little help from Santa Claus. Free photo opportunities with Santa will be offered after the ceremony (bring your own camera). Donations are also being accepted that night for the Fraughton family who recently lost their wife and mother after a car accident. Information on donations needed is available on the City website.
- **Santa on the Fire Truck** -- Santa gets a lift from the EM Fire Department to visit neighborhoods in Eagle Mountain and throw candy to the children on Saturday, December 8. Please note, the fire truck will not be attempting to go down dead-end streets, and may not be able to drive down every street in the city due to time restrictions. Listen for sirens and watch in your neighborhood for the fire truck. Proceed safely to the area where the fire truck is.
- Please have your children stay on the sidewalk and wait for Santa to throw the candy. Please do not allow them to run into the street.
- **FrontRunner Free Rides Saturday** – UTA is offering a free roundtrip ticket on their new FrontRunner line this Saturday, December 8 from 10 a.m. to 10 p.m. with a packaged food donation. Information is available in the News section of the City website.
- **Pony Express Days Holiday Sale** – Get Pony Express Days tickets at a great discounted price for the holidays, only \$5 each for the PRCA Rodeo, Demolition Derby, and Chris Cagle Concert & Fireworks. Tickets are available on the City website, Pony Express Days page.
- **City Offices Closed** – The City offices will be closed on December 12 from 11:30-4:30 for staff training, and December 24-26, 31, and January 1 for the holidays.

6. PUBLIC COMMENTS – Time has been set aside for the public to express their ideas, concerns and comments. *(Please limit your comments to three minutes each.)*

None.

7. CITY COUNCIL/MAYOR'S ITEMS – Time has been set aside for the City Council and Mayor to make comments. (*Comments are limited to three minutes each.*)

Councilmember Burnham

Councilmember Burnham thanked everyone for attending, making special mention of the Scouts. She thanked those who will be appointed to boards and commissions this evening for being willing to serve the City.

Councilmember Steinkopf

Councilmember Steinkopf thanked everyone who participates with the City, both staff and volunteers. He wished everyone a merry Christmas and happy new year. The Christmas Tree Lighting will be held on December 7, which is Pearl Harbor Day. He hoped everyone would remember the importance of that day.

Councilmember Painter

No comment.

Councilmember Ireland

Councilmember Ireland said that next Saturday is Free Fare Day for the new Frontrunner light rail system. Starting on the following Monday, the express bus from Eagle Mountain to Salt Lake will be discontinued and replaced by a bus route from Eagle Mountain to the American Fork Frontrunner station. It will run three times in the morning and three times in the evening.

Councilmember Ochsenhirt

Councilmember Ochsenhirt thanked everyone attending the meeting, especially the Scouts. He wished everyone merry Christmas and happy new year.

8. APPOINTMENTS

- A. Library Board – Debora Bond, 2-year term
- B. Parks & Recreation Board – Adonna Geddes and David Benight, 3-year terms
- C. Public Works Board – Robert Clegg and Branden Reall, 4-year terms
- D. Youth Council Advisory Board – Robert and Alicia Hill, 1-year terms
- E. Senior Council Advisory Board – Joyce Hauber, 4-year term
- F. Yellow Ribbon Committee – Marie Frandsen, 1-year term

MOTION: *Councilmember Ireland moved to approve the appointments as indicated. Councilmember Steinkopf seconded the motion. Those voting aye: Donna Burnham, Ryan Ireland, Nathan Ochsenhirt, John Painter and Richard Steinkopf. The motion passed with a unanimous vote.*

The oath of office was administered to Mr. & Mrs. Hill and Mr. Clegg by City Recorder Fionnuala Kofoed. The others were unable to attend the meeting and will receive the oath of office at another time.

CONSENT AGENDA

9. MINUTES

- A. November 20, 2012 – Regular City Council Meeting

The wording on the impact fee item was corrected in the November 20 City Council minutes and any reference to a SITLA reimbursement agreement was changed to the master development agreement.

10. 2013 CITY COUNCIL MEETING SCHEDULE

The Council discussed cancelling the April 2 meeting because the Alpine School District spring break was scheduled that week, but decided to leave it on the schedule and cancel it, if desired, in March.

MOTION: *Councilmember Ireland moved to approve the Consent Agenda, with the minutes as amended. Councilmember Burnham seconded the motion. Those voting aye: Donna Burnham, Ryan Ireland, Nathan Ochsenhirt, John Painter and Richard Steinkopf. The motion passed with a unanimous vote.*

SCHEDULED ITEMS

PUBLIC HEARING

11. RESOLUTION – Consideration and Adoption of a Resolution of Eagle Mountain City, Utah, Authorizing the Amendment of the Second Supplemental Indenture of Trust to Change the Description of the 2011 Project; Authorizing the Execution by the City of Other Documents Required in Connection Therewith; Ratifying the Publication of a Notice of Public Hearing on the Amendment to the Project Description; and Related Matters.

This item was presented by City Administrator Ifo Pili. The proposed resolution amends the project list stipulated in the original 2011 Gas and Electric Revenue bond. There has been a shift in gas and electric project priorities due to the changes in growth patterns in certain parts of the City. The acquisition of previously owned Rocky Mountain Power facilities, economic development projects and the construction of the Energy Building have also contributed to the amendment to the list of proposed projects. Different funds are being used for various projects, placing the debt burden appropriately on existing residents or new residents.

Mayor Pro Tem Ochsenhirt opened the public hearing at 7:38 p.m. As there were no comments, he closed the hearing.

Councilmember Painter asked Mr. Pili what kind of bond was used for building City Hall. Mr. Pili said it came from the original gas and electric bond. Councilmember Painter asked if that bond is still being paid off. Mr. Pili said it is. Councilmember Painter was concerned that the City might end up constructing too many buildings.

Councilmember Ireland asked if the resolution should reflect the actual amount of the bond, \$11.5M, not the originally-proposed amount.

MOTION: *Councilmember Painter moved to adopt a Resolution of Eagle Mountain City, Utah, authorizing the amendment of the Second Supplemental Indenture of Trust to change the description of the 2011 project; authorizing the execution by the City of other documents required in connection therewith; ratifying the publication of a notice of public hearing on the amendment to the project description; and related matters; and verifying and updating the total bond amount in the resolution from \$12.8M to the actual amount of \$11.5M. Councilmember Burnham seconded the*

motion. Those voting aye: Donna Burnham, Ryan Ireland, Nathan Ochsenhirt, John Painter and Richard Steinkopf. The motion passed with a unanimous vote.

12. RESOLUTION – Consideration and Adoption of a Resolution of Eagle Mountain City, Utah, Amending the Consolidated Fee Schedule.

This item was presented by City Administrator Ifo Pili. The proposed resolution amends the Consolidated Fee Schedule, increasing the processing fee and fines for overdue and damaged library books, audio books and DVDs to reflect the actual costs to the library.

Councilmember Burnham, who volunteers at the library, asked if the money is now going to the library instead of to the General Fund. It doesn't make sense to raise the fees to reflect the costs to the library if the money isn't going there. Mr. Pili said that the library is funded by the General Fund. All of the revenues for General Fund departments go to that Fund, which is subsidizing the difference between the revenues generated by the library and the costs to operate it.

Councilmember Burnham said that most cities allow their libraries to keep their fines and fees. That's something the City should consider.

Councilmember Ireland asked what the administrative fee for a lost book is for, if the loss is being processed by a volunteer. Councilmember Burnham responded that it is usually done by an employee. The code has to be transferred, the new book has to be ordered and covered and the RFID tag has to be replaced.

Councilmember Steinkopf pointed out that the increased fines are still very low. Councilmember Burnham mentioned that the biggest change is that the DVD fine has increased significantly and they can only be checked out for a week instead of three weeks. Fines for late items will never exceed the value of the item.

Councilmember Steinkopf stated that the library director has brought the library's collection to over 50,000 items and made it possible for Eagle Mountain patrons to use several other libraries in the county.

MOTION: *Councilmember Painter moved to adopt a Resolution of Eagle Mountain City, Utah, amending the Consolidated Fee Schedule to reflect the changes to the library fees as amended in the staff report. Councilmember Steinkopf seconded the motion. Those voting aye: Donna Burnham, Ryan Ireland, Nathan Ochsenhirt, John Painter and Richard Steinkopf. The motion passed with a unanimous vote.*

The changes to the library fees are as follows:

1. Change to CFS # 1.2.3.1: Books increase to .10 per day/per item
2. Change to CFS # 1.2.3.2: DVD's increase to .50 per day/per item
3. Add to CFS – Audio books .50 per day/per item
4. Change to CFS # 1.2.4.5 Processing fee increase to \$5.00 per item + cost

13. 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 again wished everyone a merry Christmas and a happy new year.

Councilmember Painter

Councilmember Painter congratulated Councilmember Ochsenhirt on doing a great job as Mayor Pro Tem. He thanked everyone in the audience for staying through the end of the meeting, saying it probably helped that the meeting was short.

Councilmember Ireland

Councilmember Ireland echoed Councilmember Painter's comment.

Councilmember Burnham

No comment.

Councilmember Ochsenhirt

Councilmember Ochsenhirt thanked everyone who attended.

14. 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.

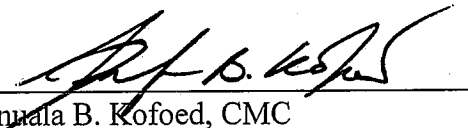
None.

15. COMMUNICATION ITEMS
A. Upcoming Agenda Items

16. ADJOURNMENT

MOTION: *Mayor Pro Tem Ochsenhirt moved to adjourn the meeting at 7:55 p.m. Councilmember Steinkopf seconded the motion. Those voting aye: Donna Burnham, Ryan Ireland, Nathan Ochsenhirt, John Painter and Richard Steinkopf. The motion passed with a unanimous vote.*

APPROVED BY THE CITY COUNCIL ON JANUARY 15, 2013.



Fionnuala B. Kofoed, CMC
City Recorder