

AGENDA
EAGLE MOUNTAIN CITY COUNCIL MEETING

May 5, 2009

Work Session at 4:00 p.m. - Policy Session at 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 ***

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

1. AGENDA REVIEW – The City Council will review items on the Consent Agenda and Policy Session Agenda.
2. 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. Update on the Sewer Treatment Facility (*Presented by Chris Trusty*)
 - B. Park and Trails Master Plan Update (*Presented by Steve Mumford*)
 - C. Update on City Wide Computer System (*Presented by Canon Business Solutions*)
 - D. Update on Purchase of F7500 Brush Truck (*Presented by Chief Andrus*)
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 acquisition of real property pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

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

4. CALL TO ORDER
5. PLEDGE OF ALLEGIANCE
6. INFORMATION ITEMS/UPCOMING EVENTS
7. 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.*)
8. 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.*)
 - A. Report from North Ranch Gas Special Assessment Area Board of Equalization Hearings.
9. PROCLAMATION
 - A. Military Appreciation Week May 18, 2009

**THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.
If you need a special accommodation to participate in the City Council Meetings and Work Sessions,
please call the City Recorder’s Office at least 3 working days prior to the meeting at 789-6611.**

CONSENT AGENDA

10. MINUTES

A. April 21, 2009 – Regular City Council Meeting

SCHEDULED ITEMS

11. MOTION – Consideration of Impact and Building Fee Waiver for Dr. Bart Gardiner for a Medical Building.

BACKGROUND: *(Presented by Ifo Pili)* Dr. Bart Gardiner has requested that the impact and building fees for his new medical building, which will be located in the Eagle Mountain Business Campus, be waived.

12. AGREEMENT – Consideration and Approval of an Interlocal Cooperation Agreement for Water Supply Purchase Funds Between Eagle Mountain City Redevelopment Agency and Eagle Mountain City.

BACKGROUND: *(Presented by Jerry Kinghorn)* Eagle Mountain City issued its Water and Sewer Bonds (2006 Series) to fund the purchase of interests in water to benefit the City and to fund the construction and improvement of water infrastructure. It is proposed to use \$250,000.00 of the bond proceeds to acquire banked water entitlements for the use of economic development of the Gateway Project to meet water standards for the commercial projects in the Community Development Area.

13. AGREEMENT – Consideration and Approval of an Agreement for Water Supply Purchase and Dedication and Funding Escrow for Certain Onsite Improvements Between Eagle Mountain City Redevelopment Agency, Eagle Mountain City S.L.6, LLC and Eagle Mountain Marketplace, LLC.

BACKGROUND: *(Presented by Jerry Kinghorn)* This Agreement allows the Eagle Mountain City Redevelopment Agency to acquire 34-acre feet of Eagle Mountain City banked water entitlements to meet development standards for businesses to encourage the economic development of the Coop's Market Site. Funds from the purchase will be used to benefit the construction of the onsite improvements at the Site by the placement of the funds paid by the Eagle Mountain City Redevelopment Agency in an Escrow with the City to provide part of the funds necessary to complete the onsite improvements at the site. The City will inspect and approve the release of the funds from the Escrow as improvements are completed.

14. ORDINANCE – Consideration and Adoption of an Ordinance Confirming the Assessment List and Levying an Assessment Against Certain Properties in Eagle Mountain, Utah, North Ranch Special Assessment Area No. 2008-2 (“the Assessment Area”), for the Purpose of Financing the Cost of Certain Improvements Consisting of the Extension of Natural Gas Lines, and the Installation of Connection Laterals as Well as Other Miscellaneous Work Necessary to Complete the Improvements; (Collectively, the “Improvements”); Providing for Certain Remedies Upon Default in the Payment of Assessments; Establishing the Effective Date of this Ordinance; and Related Matters.

BACKGROUND: *(Presented by Jerry Kinghorn)* This formal action legally sets monetary obligations and assesses the individual properties in the North Ranch Natural Gas Special

Assessment Area for benefitted properties as proposed in the Assessment list heard by the Board of Equalization and authorizes all actions necessary to proceed as provided by law to levy and collect the proposed assessments.

15. BID AWARD – Consideration and Award of Bid to Geneva Rock for Appaloosa Way Rotomill and Overlay.

BACKGROUND: *(Presented by Chris Trusty)* Appaloosa Way, located in the Friday's Station subdivision, is in very poor condition. There have been several instances of sub-base failure and curb and gutter have been replaced by the City in several areas. With that work complete, the remaining road is to be rotomilled and an overlay is to be placed. This will restore the structural integrity of the road.

16. BID AWARD – Consideration and Award Bid to Staker Parson for Eagle Mountain Boulevard Slurry Seal.

BACKGROUND: *(Presented by Chris Trusty)* In conjunction with the City's road maintenance program, Eagle Mountain Boulevard from Sweetwater Road to Lake Mountain Road is scheduled for a type III slurry seal.

17. BID AWARD – Consideration and Award Bid to Staker Parson for the Construction of Eagle Point Park Trail.

BACKGROUND: *(Presented by Chris Trusty)* Last year, the City bid out improvements to the Eagle Point Park. Initially, a trail around the park was included in the bid but because of the escalation of asphalt prices, the City removed the trail from the bid packet with the intent that it could be bid in the spring or delayed indefinitely. There has been a significant reduction in asphalt prices and therefore the trail project was bid out.

18. BID AWARD – Consideration and Award Bid to Staker Parson for the Construction of the Walden Park Parking Lot.

BACKGROUND: *(Presented by Chris Trusty)* Walden Park, located south of Pioneer Addition and north of The Landing, was constructed based on the Master Park Plan for the Pioneer Addition Master Park Plans. These improvements included a seeded soccer field and a pavilion. Currently, the pavilion is accessed by a dirt and gravel parking lot. This project includes the grading and paving of the existing parking facility, as well as the associated storm drainage system.

19. BID AWARD – Consideration and Award Bid to Geneva Rock for the Mt. Airey Pavement Repair.

BACKGROUND: *(Presented by Chris Trusty)* Last fall Eagle Mountain City contracted with Kilgore Paving for a rotomill and overlay for the western portion of Mt. Airey Drive. Because of the added costs of rotomilling the portion of the road between the islands, that area was removed from the contract with Kilgore with the understanding that the City would go out to bid to replace the failed pavement in the island areas at a later time.

20. MOTION – Consideration and Approval of a Protected Record Classification and Ratification of Settlement Agreement.

BACKGROUND: *(Presented by Jerry Kinghorn)* The City has reached a Settlement Agreement with one of the parcel owners involved the 138 kV line property acquisition. The Agreement is intended to be a protected record under the Government Records Act to prevent information regarding the settlement payment from becoming public information. As long as we are in the process of acquiring properties from property owners, we need to protect the settlement payments from becoming public information to prevent the use of the payment amounts in mediation, arbitration or litigation proceedings. Each property is evaluated independently and the basis for settlement with one party should not be used as evidence in other proceedings. We recommend that the Council approve the Settlement Agreement discussed in the closed executive session as a protected record and ratify the Settlement Agreement executed by the Mayor under prior authorization from the Council.

21. RESOLUTION - Consideration and Adoption of a Resolution Accepting the FY2009-2010 Tentative Budget, Setting the Budget Public Hearing for June 16, 2009, and Directing such Notice to be Published.

BACKGROUND: *(Presentation by Jason Walker)* The State Code requires that the City Council review and tentatively adopt a budget by the first regularly scheduled meeting in May; additionally, the City Council needs to establish the time and place of the public hearing before the final budget is adopted.

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

CERTIFICATE OF POSTING

The undersigned duly appointed recorder or deputy recorder does hereby certify that the above agenda notice was posted in four public places within Eagle Mountain City limits on this 30th day of **April, 2009**. These public places being bulletin boards located inside the City offices and located in the Eagle Mountain City Library, 1650 E. Stagecoach Run, Eagle Mtn., UT; and the bulletin board located inside the Prairie Gate professional office building, 3688 E. Campus Dr., Eagle Mountain, Utah. On this 30th day of **April, 2009**, the above agenda notice was posted to the Utah State public notice website at <http://www.utah.gov/pmn/index.html>.

Fionnuala B. Kofoed, City Recorder