

**MINUTES**  
**EAGLE MOUNTAIN CITY COUNCIL MEETING**

**July 15, 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, Ryan Ireland, Richard Steinkopf and Tom Westmoreland.

**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; David Mortensen, City Treasurer; Dave Norman, Public Works Director; Steve Mumford, Planning Director; Adam Ferre, Energy Dept. Director; Linda Peterson, Public Information Director; Rand Andrus, Fire Chief; Eric McDowell, Sheriff's Deputy.

Mayor Pengra called the meeting to order at 4:09 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. **Pony Express Days**

Pony Express Days sponsorships for 2014 totaled \$7,300. Ticket and fee revenue totaled \$20,121.73. Total revenue, including sponsorships, tickets, and fees was \$27,421.73. Expenses totaled \$87,753.08. Included in the expenses total is \$2,384.63 of 2013 rodeo and derby expenses that weren't paid until fiscal year 2014. The expense total also includes \$63,400 that was paid for the rodeo by agreement with the Rodeo Committee. The net income/(loss) on the general ledger is -\$60,331.35. The adjusted net income/(loss), which includes \$29,799.96 of employee wages and benefits expense and removes the 2013 expenses, is -\$87,746.68). If the \$63,400 that was paid in behalf of the Rodeo Committee is not included in the calculation, the adjusted net income/(loss) would be -\$24,346.68.

Discussion ensued clarifying employee costs for Pony Express Days.

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

12. Valley View Plat C Bond Release

Councilmember Bradley asked why the Council approves bond releases if they have no input into the content. City Recorder Fionnuala Kofoed explained that the minutes of the vote create an official record of when subdivisions enter and exit if confirmation is needed in the future.

Public Works Director David Norman pointed out that a formal inspection is required before each bond release.

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.

**MOTION:** *Councilmember Burnham moved to 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. Councilmember Steinkopf 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 meeting was adjourned at 5:31 p.m.

## **POLICY SESSION – CITY COUNCIL CHAMBERS**

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

**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; David Mortensen, City Treasurer; Dave Norman, Public Works Director; Steve Mumford, Planning Director; Adam Ferre, Energy Dept. Director; Linda Peterson, Public Information Director; Rand Andrus, Fire Chief; Eric McDowell, Sheriff's Deputy.

### **4. CALL TO ORDER**

Mayor Pengra called the meeting to order at 7:05 p.m.

### **5. PLEDGE OF ALLEGIANCE**

Mayor Pengra led the Pledge of Allegiance.

### **6. INFORMATION ITEMS/UPCOMING EVENTS**

- **Fireworks Restrictions** – Please be aware that fireworks are restricted in several areas within Eagle Mountain City. Information on restricted areas is available on the City website, News section. These restrictions are in place for the safety of residents. Residents who choose to light fireworks in these areas are at risk of financial liability for any fires caused by fireworks. For the Pioneer Day holiday, discharge of fireworks is allowed July 21 – July 27. Acceptable hours are 11 a.m. to 11 p.m. with the curfew extended to midnight on July 24. Illegal fireworks are never allowed and may be confiscated by the Fire or Sheriff's Departments, with the potential of the users being cited.
- **Pioneer Crossing Extension Project** – UDOT has started work on a road extension of Pioneer Crossing to Cory B. Wride Memorial Hwy (formerly known as SR-73). Regular project updates will be posted on the City website, News section and shared via Twitter, Facebook, and email. Lane restrictions begin tonight on Redwood Road and will continue throughout the project.
- **TSSD Rate Increase** – The Timpanogos Special Service District, who provides wastewater service to the City's North Service Area (The Ranches), approved a rate increase of 13.8% recently. Because of this increase, the City Council on June 17 approved a change to the City's wastewater rate for The Ranches from a total of \$38 per month to \$41.14. Notices about this

change will be sent to residents in the next utility bill newsletter and shared via social media and email.

- **City Offices Closed** – The City offices and library will be closed Thursday, July 24 and Friday, July 25 for the Pioneer Day holiday. The library will also be closed on Saturday, July 26.
- **Seniors BBQ** – The Seniors will hold a Barbeque at the Nolan Park pavilion on Monday, July 28 at 5 p.m. Please bring a side dish to share.

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

Marianne Smith expressed concern over large fields near her property that have been plowed and are growing large tumbleweeds. She asked if there is any regulation to control this. She thanked the Council for all the road work that's been done lately and hoped to see more. She requested reflectors on the ends of road medians.

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

Councilmember Steinkopf

Councilmember Steinkopf was happy for the safe 4<sup>th</sup> of July and encouraged residents to celebrate Pioneer Day safely.

Councilmember Burnham

Councilmember Burnham asked people not to use dangerous fireworks.

Councilmember Ireland

No comment.

Councilmember Bradley

No comment.

Councilmember Westmoreland

No comment.

Mayor Pengra

Mayor Pengra said that things are moving forward with the proposed sale of the electric and gas utilities to Questar and SESD. Residents can get information from the Mayor's blog and Twitter account as it becomes available.

## **CONSENT AGENDA**

9. MINUTES

- A. June 17, 2014 – Regular City Council Meeting
- B. June 19, 2014 – Town Hall Special Meeting

10. CHANGE ORDER

- A. Pony Express Rotomill & Overlay – Morgan Asphalt

11. FINAL PAYMENT

- A. 2013 Electric Main Feeders and Gas Line – Niels Fugal Sons Company, LLC

12. BOND RELEASE – Into Warranty  
A. Valley View Ranch South, Plat C

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

## SCHEDULED ITEMS

### PUBLIC HEARING

13. ORDINANCE – Consideration of an Ordinance of Eagle Mountain City, Utah, Amending the Oquirrh Mountain Master Development Plan.

This item was presented by Planning Director Steve Mumford. The proposed amendment to the Oquirrh Mountain Master Development Plan reduces the number of dwelling units from 417 to 346. The densities for the project range from 3.2 to 15 dwelling units per acre which was previously 3.7 to 13.7 dwelling units per acre. Tier IV development has been reduced from 3.5 to 2 acres. Tier III development has been reduced from 26.2 to 17 acres, and Tier II development has been increased to 45.1 acres from 36.2 acres. There is a minor reduction in open space from 54.5 to 53 acres.

*Mayor Pengra opened the public hearing at 7:23 p.m.*

Elise Erler, representing SITLA, stated that SITLA has sorted out some boundary issues with the applicant for Oquirrh Mountain. She felt it was wisely planned and encouraged the Council to approve the plan.

*Mayor Pengra closed the public hearing at 7:25 p.m.*

Councilmember Westmoreland appreciated the reduction in the density. Mayor Pengra said that the master development plan was previously approved. This action approves the master development agreement associated with the plan.

Councilmember Ireland pointed out that the items for approval at this meeting are the density in the bubble map.

**MOTION:** *Councilmember Ireland moved to adopt an ordinance of Eagle Mountain City, Utah amending the Oquirrh Mountain Master Development Plan, with the conditions of approval specified 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.*

### Public Works & Fire

1. Maximum cul-de-sac length is 500 feet. Make sure that the cul-de-sac in PA-11 is not too long.
2. UNIMPROVED OPEN SPACE. Unimproved open space shall not be dedicated/deeded to the City.
3. OPEN SPACE ACCESS. Access to the open space area on the hill shall be provided for

emergency purposes and maintenance.

4. ROAD GRADES. Road grades shall not exceed 10%.
5. OFF-SITE UTILITIES. The applicant shall work with the City Engineer on determining the best solution for the sewer issues. The details shall be included in the Amended Master Development Agreement.

#### **Planning**

6. ARCHITECTURAL DESIGNS/EXAMPLES. Specific pictures/renderings of buildings and architecture must be submitted as guidelines for development of different areas of the project. These designs shall be reviewed by the City Council and included as exhibits to the Amended Master Development Agreement.
  7. COMMUNITY IMPROVEMENTS. \$208,400 must be included in the project as community improvements/amenities. The use of these funds must be designated in the Development Agreement.
  8. BONUS DENSITY. The applicant must specify how they will meet the bonus density requirements.
  9. HOA. Specific documentation for a strong Home Owner's Association must be included in the Amended Master Development Agreement.
  10. SLOPES. Building/construction on slopes in excess of twenty-five (25%) percent is not permitted.
  11. PARKS/OPEN SPACE PLANS. The park and open space plans that were submitted with the original Master Development Agreement must be included with the Amended Master Development Agreement as exhibits and should be substantially met in the actual design/construction.
  12. EXTERNAL COMPATIBILITY. 20-foot setback to be added along the southern boundary. This 20-foot building setback is to include a 10-foot landscaped corridor on the applicant's plans and plats – to be one-half of a 20-foot corridor to be cooperatively planned with SITLA, which will provide both the other 10-foot landscaped portion of the corridor and the trail.
  13. PETROGLYPHS. The petroglyphs shall be protected and preserved.
  14. INTERNAL COMPATIBILITY. P9 to P11 (original plan, now areas PA-11, PA-9a, and PA-11B) compatibility to be resolved to Planning Staff's approval.
14. ORDINANCE – Consideration of an Ordinance of Eagle Mountain City, Utah, Amending Chapter 15.25 of the Eagle Mountain City Municipal Code.

This item was presented by City Attorney Jeremy Cook. The proposed ordinance amends Chapter 15.25 of the Eagle Mountain City Municipal Code adding a permit requirement for earth products processing and storage.

The City allows developers to use material excavated on-site. There has never been a permit process. This permit formalizes the procedure and allows the City greater control over how developers use the excavated material.

**MOTION:** *Councilmember Burnham moved to adopt an ordinance of Eagle Mountain City, Utah amending Chapter 15.25 of the Eagle Mountain City Municipal Code Councilmember Steinkopf seconded the motion. Those voting aye: Adam Bradley, Donna Burnham, Ryan Ireland, Richard Steinkopf and Tom Westmoreland. The motion passed with a unanimous vote.*

15. RESOLUTION – Consideration of a Resolution of Eagle Mountain City, Utah, Adopting the Pony Express Memorial Cemetery Rules and Regulations.

This item was presented by Recreation Director Brad Hickman. The proposed resolution adopts Rules and Regulations for the Pony Express Memorial Cemetery.

Mr. Hickman stated that the proposed rules and regulations represented the best practices City employees found while studying the rules and regulations governing other city cemeteries.

Councilmember Westmoreland said we was very impressed with how quickly and efficiently City staff and the Cemetery Board put this project together.

Ms. Kofoed stated that the City plans to obtain cemetery management software to record all burial records.

**MOTION:** *Councilmember Steinkopf moved to adopt a resolution of Eagle Mountain City, Utah, adopting the cemetery rules and regulations. 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.*

16. AGREEMENT – Consideration of an Interlocal Cooperation Agreement with the Utah County Sheriff's Office for Law Enforcement Services.

This item was presented by City Attorney Jeremy Cook. The City has been receiving law enforcement services from the Utah County Sheriff's Office under a 2008 contract which expired on June 30, 2014. The City and the County have adjusted the terms of the 2008 contract to add an additional deputy.

Councilmember Bradley felt that Eagle Mountain is a very safe community and commended Lt. McDowell for doing an excellent job with a staff that hasn't increased in seven years. He attended the memorial service for Sgt. Wride and was impressed with the sense of community among law enforcement professionals.

**MOTION:** *Councilmember Bradley moved to approve an Interlocal Cooperation Agreement with the Utah County Sheriff's Office for law enforcement services. Councilmember Steinkopf 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. CITY COUNCIL/MAYOR'S BUSINESS – This time is set aside for the City Council's and Mayor's comments on City business.

Councilmember Steinkopf  
No comment.

Councilmember Burnham  
Councilmember Burnham said that the Youth City Council will hold a meeting on Thursday at 4:30 p.m. to provide information on the upcoming Youth City Council election. She encouraged youth to get involved with the Council.

Councilmember Ireland

No comment.

Councilmember Westmoreland

No comment.

Councilmember Bradley

Councilmember Bradley expressed appreciation for community involvement. As liaison to the Planning Commission, he appreciated their service to the community.

Mayor Pengra

Mayor Pengra noted that the Youth City Council election will be held on August 12. For the benefit of members of the public who didn't attend Work Session, he invited Asst. City Administrator Paul Jerome to briefly recap the analysis of Pony Express Days presented by Mr. Mortensen at Work Session.

**MOTION:**        *Councilmember Burnham moved to adjourn the meeting at 7:43 p.m. Councilmember Ireland 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 AUGUST 5, 2014.



\_\_\_\_\_  
Fionnuala B. Kofoed, CMC  
City Recorder