# MINUTES
# EAGLE MOUNTAIN CITY COUNCIL MEETING
**March 17, 2015**
**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: Mayor Chris Pengra, Councilmembers Donna Burnham, Ryan Ireland, Richard Steinkopf and Tom Westmoreland. Adam Bradley was excused.

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

Mayor Pengra called the meeting to order at 4:05 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. Discussion – Development along Lake Mountain Road and other gravel roads.

   City Administrator Ifo Pili stated that a developer has presented a proposal to the Development Review Committee for a project along Lake Mountain Road. The committee wanted to know what the Council thought about allowing projects with lots smaller than one acre, allowing development without having the road paved, and what they thought about the City paving the road.

   Planning Director Steve Mumford said that several developments along Lake Mountain Road have been proposed over the years. The City's response has always been that the road would have to be paved all the way to the nearest paved road to provide public safety access. The only development that was completed was Eagle Point I. Because it was constructed right next to Eagle Mountain Blvd., the cost to pave the road was lower.

   For perspective, Mr. Mumford calculated how much traffic would likely be generated by development of five-acre and/or one-acre lots along Lake Mountain Road. The International Traffic Engineering manual states that the existing 12 homes = 115 trips per day, add 1344 trips per day for 5 acre lots, and 6719 trips per day for one acre lots, if all property is developed.

   Another issue to be considered is future land use planning for the area. The General Plan is in the process of being updated right now. Most of the existing lots are five acres or larger. The Council will need to decide what the City wants for the area in the future.

   Chief Rand Andrus stated that the Municipal Code requires a paved road with fire hydrants. Several years ago, the City sought a grant for installation of hydrants, but the

Community Development Block Grant (CDBG) program is based on the median income of the residents, which was too high. There are developers now who are willing to bring in hydrants. It would be possible to allow equivalent solutions rather than strict adherence to Code, such as installing hydrants and requiring sprinklers in all the homes, rather than paving the road. As traffic increases on Lake Mountain Road, however, the road will deteriorate. In winter, snow plows degrade the condition of the road, as well. Chief Andrus said he has never told developers they couldn't develop, but blacktopping the road and bringing in a water line for the hydrants have been prohibitively expensive. The Code allows developers to propose other equivalent options, but none have been able to come up with something truly equivalent. Some have proposed only installing sprinklers in the homes but, lacking hydrants, that's not equivalent. Several years ago, the Dump Fire came very close to Lake Mountain Road.

Mr. Pili said the City has ordered a geotechnical study to determine how much development the road can handle in its current condition.

Councilmember Ireland asked about ownership of the land along Lake Mountain Road. Mr. Mumford stated that some is owned by the Bureau of Land Management (BLM) and the rest is privately owned.

City Engineer Chris Trusty said paving the road is not on the City's Capital Facilities Plan. It's considered a low-density residential road. For the City to pave it, it would have to be reclassified as a collector road so the City could collect impact fees. It would take quite a while to collect enough impact fees to pave the road.

Councilmember Ireland said that he didn't feel the area had to have five-acre lots, but transition from smaller to larger lots needs to be adequate. He didn't see why the City would pave the road for a developer's project, but the road should be paved with any additional development, as is required in the Code.

Mr. Pili asked if Councilmember Ireland thought the Code should be modified. Councilmember Ireland said that if there were more examples to be considered, he would be able to consider it from a larger view. In this single instance, the Code applies.

Mr. Mumford said the only other instance he knows of where there is development along a gravel road is towards the south, near the hog farm and the sod farm. There are a few homes there. A property owner there asked to subdivide a few lots.

Councilmember Burnham said the City wants to work with property owners, but a gravel road is only appropriate for homes spread wide apart, such as in farming communities. Subdivisions require paved roads that meet the Code.

Councilmember Westmoreland asked how an assessment area would work. Mr. Pili explained that it would depend on the funding mechanism. The assessment on each property would be very high. Mr. Trusty said the road base may be good enough to pave over, but storm drainage and infrastructure needs to be brought in.

Councilmember Westmoreland asked what density of development would be required to make an assessment area feasible. Mr. Mumford said there would probably need to be 70 five-acre lots or 350-400 one-acre lots.

Mr. Pili pointed out that the City would incur some financial risk by creating an assessment area. He didn't believe it would be a good investment for the City.

Councilmember Burnham felt that allowing development without requiring the road to be paved would be unfair to other developers who are required to pave.

Chief Andrus pointed out that the paved area would have to include turn-outs every 150 feet.

Councilmember Steinkopf asked what the City would do when future residents ask the City to pave the road.

City Engineer Chris Trusty stated that he calculated the cost of paving the road. If the drainage swales were retained instead of adding curb and gutter, it would be about $2M.

Mr. Mumford said the Fire Marshal told him that, as fire safety goes, a few homes could be built on individual lots without paving the road, if the homes had sprinkler systems installed, but there is still the question of whether the City wants to allow any building at all without a paved road.

Councilmember Ireland said there's a significant difference between the impact of one home on a five-acre lot versus a subdivision. He would support building a few individual homes without paving the road.

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

11. Lakeview Estates Rezone

Mr. Mumford explained that the property is about sixty acres south of Meadow Ranch Plat 7. The existing zoning is Agricultural. It's surrounded by lots from one-half to five acres, which are zoned Rural Residential. It can be developed with drainage swales along the roads, or the City can require curb and gutter with trails.

Rezoning must comply with the City's land use plan. Proposed uses and densities must be compatible with surrounding uses and densities. Incompatible uses must be buffered from others according to City transitioning standards.

Residents attending Planning Commission meetings expressed concerns about lots smaller than ½ acre. The minimum lot size has since been increased to half an acre. Residents were also concerned about traffic on Sunset Drive. The City has required the developers to have a traffic study completed by the time the subdivision plat is brought for final review. The Cedar Pass Ranch HOA wanted its horse trails preserved.

Councilmembers Westmoreland and Ireland asked about the 300-foot right of way that should be conserved for UDOT. Mr. Mumford said UDOT doesn't expect to require all of the 300 feet. It's a conservative estimate. It wouldn't cut into the slope enough to be a hazard for houses nearby. The lots have to have a 50-foot rear setback.

Councilmember Burnham said the detention basin will be used as a replacement for the lot size buffering, but she didn't see how that would work for the lots at the end of the project. Mr. Mumford said there were a few possibilities. He thought those lots would need to be at least three-quarters of an acre. Councilmember Burnham pointed out that that wouldn't meet the requirements of the Code. Mr. Mumford said the road could be considered part of the buffering.

Councilmember Steinkopf brought up the detention pond and park in Stonebridge, which allows for transition but isn't used much as a park.

Mayor Pengra pointed out that the item on the agenda is only a rezone, not a preliminary plat.

12. Municipal Code Amendments

The proposed amendments redefine "group home" to eliminate the distinction between large and small group homes, which is mentioned in the definitions section, but not in the rest of the chapter. Councilmember Burnham asked if the City can limit group homes to no more than eight residents. City Attorney Jeremy Cook said a group home operator could request a reasonable accommodation for more residents, but they would have to prove that the accommodation was reasonable.

Councilmember Steinkopf asked about minimum parking at homes for elderly residents. He didn't feel that one parking space per four beds was enough. Mr. Mumford explained that the expectation was that the residents were expected to be people who weren't likely to drive. He said he could check with other cities on their standards. Councilmember Steinkopf asked that the definition be clarified to indicate that the facilities are care centers.

Councilmember Burnham asked Mr. Mumford why condominiums had to have garages, but apartments didn't. Mr. Mumford said that the original proposal was to treat them the same, but the Planning Commission recommended the change.

Councilmember Burnham stated that there are apartments in Saratoga Springs with rear garages. Some of the residents park their cars in front of their garages, blocking other drivers. She wanted to be sure that Eagle Mountain requires enough space to keep residents from parking in the way of others.

Councilmember Westmoreland asked why the amendments include a maximum parking allowance for retail spaces. Mr. Mumford explained that the idea is to encourage walkable areas without large parking lots.

The Code amendments regarding building permits remove the requirements for utility inspections, since the electric and gas utilities have been sold to private companies. They also give the Development Review Committee more flexibility in approving large commercial or multi-family projects.

13. Second Addendum to the Rodeo Grounds Agreement

City Attorney Jeremy Cook explained that the rodeo grounds lease agreement requires the Rodeo Committee to seek approval from the City for events that will have a total attendance of 250 people or more. The addendum designates the City Administrator or his/her designee as the approval authority. It also reduces the comprehensive public liability and property damage insurance requirement from $3,000,000 aggregate to $2,000,000 and clarifies the operational costs associated with events at the rodeo grounds.

Councilmember Burnham asked how much fire and police protection cost the City last year for the rodeo. City Recorder Fionnuala Kofoed responded that there were no actual costs to the City. Councilmember Burnham asked if the City would consider being a co-sponsor of the rodeo, which would save the Rodeo Committee the cost of fire and police protection.

Mr. Pili said that it had been discussed and the Mayor and staff had no objection. Councilmember Ireland asked if co-sponsorship would create liability for the City. Ms. Kofoed said that the City would only be liable if it was shown to be negligent. She recommended having the City's insurance agency, the Utah Local Governments Trust (ULGT), inspect the facility every year and follow through on ULGT's recommendations.

Mayor Pengra asked what level of participation the City would have with the Rodeo Committee. Ms. Kofoed said the City's Public Information Director would promote the event as time permitted.

Chief Andrus stated that the Unified Fire Authority is Eagle Mountain's fire department, so it won't charge for special events co-sponsored by the City, except for normal charges for ambulance transportation.

The other change covered by the addendum refers to costs of operation. With the recent sale of the utilities, meters have been installed at the rodeo grounds and as such, there will be hard costs associated with the use of the facility which may be passed on to the tenant.

Rodeo Committee President Jared Gray asked how the committee would get official approval for events, so they can start selling tickets. Councilmember Ireland told him that if the addendum passes tonight, he can get permission from Mr. Pili tomorrow.

14. Water and Sewer Revenue Bonds

Mr. Cook stated that the installation of a sewer line to White Hills has come before the Council several times. This Parameters Resolution sets the maximum amount and interest rate for the bonds and the timeline for approval.

15. Consolidated Fee Schedule

Building Official Kent Partridge explained that previous versions of the Consolidated Fee Schedule referred to a table in the 1997 Uniform Building Code, which is now obsolete. The current Uniform Building Code allows each jurisdiction to establish fees. This fee table has been Eagle Mountain's regular fee calculation tool and the rates have not increased.

16. Federal Aid Agreement for the Pony Express Parkway Widening

Eagle Mountain City was awarded $3,589,000 in State-administered Federal funds for the widening of Pony Express Parkway from Porter's Crossing to 800 West in Saratoga Springs. This is a continuation of another project which will widen Pony Express Parkway from Redwood Road to 800 West. Federally funded projects require a 6.7% match from the sponsoring agency, which in this case amounts to $242,975. The federal funds total $3,346,025, providing for a total amount of $3,589,000.

Because of funding mechanisms created by the Mountainland Association of Governments (MAG) to accommodate multiple projects, Provo City will reimburse Eagle Mountain for the matching funds.

Councilmember Ireland asked why the Council is being asked to approve this agreement before Provo City approves the interlocal agreement approving the reimbursement. Mr. Trusty stated that it allows Eagle Mountain to move forward with identifying rights-of-way, which requires a long lead time.

Jeff Scott, the developer of the Lake Mountain Road project, asked for a few moments to explain the project that the Council had discussed earlier in the Work Session. He said that the proposed development is an all energy-efficient project on one-acre lots. Each house will have to use half or less of the utility use of an average home. It's being overseen by a group of retired contractors from all over the country. He felt it would be a very good thing for the City. He felt the road could be surfaced with an alternative to pavement which would meet the City's requirements. Geneva Rock gave him a price for under $1,000,000 for the whole road. An assessment on each new home would allow for additional improvements to the road.

3. ADJOURN TO A CLOSED EXECUTIVE SESSION

No Closed Executive Session was held.

Mayor Pengra adjourned the meeting at 6:01 p.m.

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

ELECTED OFFICIALS PRESENT: Mayor Chris Pengra, Councilmembers 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; David Mortensen, City Treasurer; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Deputy City Recorder; Dave Norman, Public Works Director; Steve Mumford, Planning Director; Kent Partridge, Building Official; 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 7:03 p.m.

5. PLEDGE OF ALLEGIANCE

Mayor Pengra led the Pledge of Allegiance.

6. INFORMATION ITEMS/UPCOMING EVENTS

- **Spring Clean-Up/Dump Passes** – Eagle Mountain City will not be offering spring clean-up dumpsters this year as we have typically done in April, due to demands on staff time. The City offers two free dump passes per household per year. For the month of April we will provide an additional dump pass if needed. Passes are available at the reception desk or utility billing office at City Hall. The Ranches HOA also offers two dump passes per year.
- **Balance Your Life (Seniors Activity)** - The Seniors (ages 55+) will host a presentation, "Balance Your Life," on Monday, March 23 from 5:00 to 6:30 p.m. Dinner is included. Admission is free.

- **Easter Egg Hunt** – The annual Easter Egg Hunt will be held at Nolan Park on Saturday, April 4. Start time is 10:30 a.m. SHARP. Please be advised that this event is usually over in less than five minutes. There are three age divisions: 3-5, 6-9, and 10-12. Admission is free. There are over 24,000 eggs. Bring your own basket. Parents are not allowed in the egg hunt area for safety reasons.
- **Household Hazardous Waste Collection Day** – Utah County Health Department is offering a drop off of household hazardous waste such as paint, pesticides, medications, and electronics on Saturday, April 11 from 9:00 a.m. to 3:00 p.m. at Provo Towne Center Mall's west parking lot. For a complete list of acceptable items and more information, please visit www.utahcountyhealth.org/hhw.
- **United for Adoption Fun Run** – Join Miss Eagle Mountain Alyssa Diaz for a Fun Run to benefit an adoptive family on Saturday, April 25 from 10:00 a.m. to noon. More information and registration is available on the City website, Calendar.

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

D.J. King, a resident of Westview Heights, felt that all the lots along the perimeter of Lakeview Estates should be one acre in size, to mirror the lots in Westview Heights. He said the detention pond and open space could be counted in the perimeter lot space, but the lots adjacent to the highway should be one acre each.

Mayor Pengra noted that the lot layout presented during Work Session was an example only. It is not under consideration at this meeting. The only decision being made is whether to rezone the land to Residential rather than Agricultural.

Nate Brusick, a resident of Westview Heights, said that he spoke for several of his neighbors, as well as friends in Cedar Pass Ranch. They supported development, but they it to be held to the same standards as Westview Heights. They felt that keeping larger lots next to Wride Memorial Highway should be required in case any land needed to be purchased by eminent domain for widening the road.

Mayor Pengra reiterated that there will be a public hearing for the rezone later in the meeting.

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

Councilmember Steinkopf
Councilmember Steinkopf welcomed everyone to the meeting. Happy St. Patrick's Day!

Councilmember Burnham
Councilmember Burnham also welcomed everyone. She wished her husband and Mayor Pengra's wife happy birthday.

Councilmember Ireland
Councilmember Ireland expressed appreciation for everyone who supported his "family holiday."

Councilmember Westmoreland
Councilmember Westmoreland encouraged everyone to take their trash home if they had an event at the parks and not overload the trash cans preventing regular use.

Councilmember Bradley

Councilmember Bradley welcomed everyone and apologized for missing Work Session. He was disappointed that the City won't be offering spring clean-up dumpsters this year.

Mayor Pengra

No comment.

## CONSENT AGENDA

9. MINUTES
   A. March 3, 2015 – Regular City Council Meeting

10. BOND RELEASE – Out of Warranty
   A. Meadow Ranch V, Plat 1

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

## SCHEDULED ITEMS

### PUBLIC HEARING

11. ORDINANCE – Consideration of an Ordinance of Eagle Mountain City, Utah, Rezoning Lakeview Estates.

This item was presented by Planning Director Steve Mumford. The proposed ordinance is in response to a request by the developer to rezone approximately 67 acres of land from Agricultural to Residential. The property is located southeast of the Sunset Drive and Wride Memorial Highway (SR 73) intersection. The developer will have to bring a subdivision plat before the Council that meets City Code requirements for lot size transitioning, road access, park space and park improvements.

The current zone is Agricultural, which is the default zoning until another type of zoning is requested. To the west is Westview Heights, which has half-acre and one-acre lots. To the south and east is Cedar Pass Ranch, which has primarily five-acre lots. To the north is Meadow Ranch, which has one-acre or larger lots in most of the development. Most of the areas surrounding the property are zoned Rural Residential.

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

Lou Carroll, a resident of Cedar Pass Ranch, had been worried about buffering, but most of his concerns were addressed by Mr. Mumford's presentation. He appreciated the work that was done to ensure that the project would be properly buffered from larger properties like his.

Susan Hubbard, a resident of Cedar Pass Ranch, moved to Eagle Mountain to live in a rural atmosphere. Regarding traffic, she wanted the new project to have its own entrance to Wride Memorial Highway. She walked over and saw what is buffering the project from the highway, and

it's a big dirt hill. She wondered if the developer would have to remove that to build what he's planning on.

Mayor Pengra stated that this rezone is like a box that is being changed from Agricultural zoning to Residential.

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

Councilmember Bradley asked what zoning was in Cedar Pass Ranch. Mr. Mumford responded that it is Residential with base density. The lot sizes are almost Agricultural. Councilmember Bradley didn't think the hill made much of a buffer. He felt the project's zoning should be Rural Residential. He commented that he was in favor of the rezone, but not of the concept plan.

Councilmember Ireland asked Mr. Mumford to explain the development process. Mr. Mumford stated that, after a rezone, a developer submits a preliminary plat. The plat is reviewed by City staff, including the Development Review Committee, with the developers for lot and road layout, parks, trails and amenities. The Fire Marshal reviews it for road access. The City has required a traffic study for this project, as well, to see what improvements may be needed for Sunset Drive and whether the project needs additional access to the highway.

After the staff review, the Planning Department mails out notices to all property owners within 600 feet of the property about ten days before the Planning Commission meeting in which recommendations are made for the City Council. Once the preliminary plat is approved by the City Council, the developer submits a final plat for final staff approval, which includes construction drawings for roads and utilities. After the roads and utilities have been constructed and approved, the developer can begin building homes.

Councilmember Ireland explained to the audience that the lot layout on the projector screen was not being voted on, just the change from Agricultural to Residential zoning. There will be two more public hearings before the project has final approval.

**MOTION:** ***Councilmember Ireland moved to adopt an Ordinance of Eagle Mountain City, Utah, rezoning Lakeview Estates, with the condition stated 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 listed in the staff report is as follows:

The applicant shall work with UDOT and the City to resolve UDOT's request for right-of-way preservation prior to receiving approval for a preliminary plat.

Councilmember Ireland told the residents who made public comments that he appreciated their concerns and comments and encouraged them to continue being involved in the next couple of steps.

Councilmember Bradley said that designs rarely get better after the concept plan. He encouraged residents to stay involved.

Mayor Pengra was uncomfortable with Councilmember Bradley's characterization. The concept plan has already been improved from its original design.

**PUBLIC HEARING**

12. ORDINANCE – Consideration of an Ordinance of Eagle Mountain City, Utah, Amending Chapters 15, 16 and 17 of the Eagle Mountain City Municipal Code.

This item was presented by Planning Director Steve Mumford. The proposed ordinance amends Sections 17.10.030 and 17.75.060 of the Eagle Mountain Municipal Code to eliminate the references to large and small group homes, which are mentioned in the definitions section, but not in the text. There are also amendments to Sections 15.10.230 and 16.60.050, updating the building permit approval process because of the sale of the City's power and gas utilities. The last amendment clarifies and improves off-street parking standards to be more in line with regional and national practices in Table 17.55.120(c). The amendments are detailed in the Work Session section of these minutes.

Councilmember Westmoreland suggested that the Code use consistent language when referring to similar projects, such as the requirements in the parking table. He also suggested removing the redundant reference to farm industry.

*Mayor Pengra opened the public hearing at 7:50 p.m.*

Nate Brusick said that City employees should go to the group home in Westview Heights and correct the violations that exist such as, including more residents than are allowed and residents going off-property. He felt the permit should be revoked. He also said that he used to live in the Highlands neighborhood, which had five-foot side setbacks. He had two parking spaces and three cars. He thought that there should be more parking space required.

Lou Carroll asked if these are the minimum parking requirements. Mayor Pengra said they were. He asked the Council to make sure there is adequate parking at elderly care centers for visitors.

*Mayor Pengra closed the public hearing at 7:53 p.m.*

Councilmember Burnham asked why the Code makes a distinction between condominiums and apartments. She didn't think either one needed an enclosed garage.

Councilmember Bradley suggested changing the requirement from enclosed parking to covered parking.

Discussion ensued on apartments vs. condominiums and other parking issues. Mr. Mumford said the Planning Department could review the parking amendments and bring them back to the Council.

**MOTION:** ***Councilmember Burnham moved to adopt an Ordinance of Eagle Mountain City, Utah, amending Chapters 15, 16 and 17 of the Eagle Mountain Municipal Code, striking out the section of Table 17.55.120c that says "Apartments," striking the phrase in the section above that says "other than apartments" and striking "one space per unit to be within a fully enclosed garage."***

Mr. Mumford asked if Councilmember Burnham would approve requiring garages for townhouses. She said she would. She didn't think there should be a distinction between apartments, multi-family dwellings and condominiums, and she didn't think any of them should be required to have a garage.

Councilmember Ireland asked Mr. Mumford to define "townhouse" and "condominium." Mr. Mumford responded that ownership of a townhouse includes a small yard. Ownership of a condominium only includes what's inside the building. He said he could adjust the language to make it clear that stacked units would not require garages.

**AMENDED MOTION:** ***Councilmember Burnham moved to adopt an Ordinance of Eagle Mountain City, Utah, amending Chapters 15, 16 and 17 of the Eagle Mountain Municipal Code, labeling the third section of Table 17.55.120c "Townhouses", labeling the fourth section "Condominiums and Multi-family Dwellings", striking out the phrase "other than apartments", and striking the section labeled "Apartments." Councilmember Ireland seconded the motion.***

Councilmember Ireland asked Mr. Mumford if the table, as changed, was sufficiently clear from a code enforcement standpoint. Mr. Mumford said that it was.

Mayor Pengra asked if there was any benefit in having a line item for apartments. The word is used in other sections of the Code and has a specific meaning to developers. Councilmember Burnham agreed to withdraw her motion.

**SUBSTITUTED MOTION:** ***Councilmember Burnham moved to adopt an Ordinance of Eagle Mountain City, Utah, amending Chapters 15, 16 and 17 of the Eagle Mountain Municipal Code, moving "Townhouses" to its own section of Table 17.55.120c and attaching the description now attached to "Townhouses, Condominiums and Multi-family Dwellings" to "Townhouses", moving "Condominiums and Multi-family Dwellings" to the section now labeled "Apartments"; on the line where it says "Multi-family Dwellings", changing "other than apartments" to "other than townhouses" and adding "Apartments" to "Multi-family Dwellings."***

After a brief discussion, she added the following:

***Change "Multi-family Dwelling" to "Apartment" and get rid of "Other Than Townhouses." Councilmember Ireland seconded the motion. Those voting aye: Adam Bradley, Donna Burnham, Ryan Ireland and Richard Steinkopf. Those voting no: Tom Westmoreland. The motion passed with a vote of 4:1.***

13. AGREEMENT – Consideration of the 2nd Addendum to the Eagle Mountain City Rodeo Grounds Operation, Management and Lease Agreement.

This item was presented by City Attorney Jeremy Cook. The proposed amendment to the Rodeo Lease Agreement reduces the comprehensive public liability and property damage insurance requirement from $3,000,000 aggregate to $2,000,000 and delegates the City Administrator or

designee as the approval authority for events that will have a total attendance of 250 people or more.

It also clarifies that the Rodeo Committee is responsible for all expenses incurred in holding events, such as water, power, lighting, police, ambulance service, crowd control, etc. It doesn't prohibit the City from sponsoring events and paying expenses, but the default is that the committee is responsible.

Mayor Pengra asked Jared Gray, President of the Rodeo Committee, if he was comfortable with the 250 attendance threshold for City approval. Mr. Gray said he was. It was a matter of finding a number that generally reflected an amount of spectators that was large enough for the City to be aware of.

Councilmember Burnham said she had heard that the committee was planning to change its name. She wanted to know if a name change would require another addendum to the agreement. Mr. Gray said the committee planned to change its name to Pony Express Events doing business as Pony Express Rodeo. Mr. Cook suggested keeping the committee's name the same, doing business as whatever new name they wanted to use, to avoid having to amend the agreement.

**MOTION:** ***Councilmember Ireland moved to approve the 2nd addendum to the Eagle Mountain City rodeo grounds operation, management and lease agreement. 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.***

Mr. Gray announced that the rodeo will be held on May 22, 23 and 25, Memorial Day Weekend. The demolition derby will be held on June 6 and the motocross event in the third week of July.

14. RESOLUTION – Consideration of a Resolution of Eagle Mountain City, Utah, Authorizing the Issuance and Sale of Not More Than $600,000 Aggregate Principal Amount of Sewer Revenue Bonds, Series 2015: Fixing the Maximum Aggregate Principal Amount of the Bonds, the Maximum Number of Years Over which the Bonds May Mature, the Maximum Interest Rate which the Bonds May Bear, the Maximum Discount from Par at which the Bonds May be Sold; Providing for the Publication of a Notice of Public Hearing and Bonds to be Issued; Providing for the Running of a Contest Period; Authorizing the Execution by the Issuer of a Supplemental Indenture of Trust, and Other Documents Necessary for the Issuance of the Series 2015 Bonds; Authorizing the Taking of All Other Actions Necessary to the Consummation of the Transactions Contemplated by this Resolution; and Related Matters.

This item was presented by City Attorney Jeremy Cook. The proposed resolution sets the parameters for sewer revenue bonds that will be issued by the City to fund the construction of a pump station and sewer line from White Hills to the City's existing sewer treatment facility to remedy the failing White Hills sewer system. This is a procedural step required by the bonding process.

**MOTION:** ***Councilmember Burnham moved to adopt a Resolution of Eagle Mountain City, Utah, authorizing the issuance and sale of not more than $600,000 aggregate principal amount of Sewer Revenue Bonds, Series 2015: fixing the maximum aggregate principal amount of the Bonds, the maximum number of years over which the Bonds may mature, the maximum interest***

***rate which the Bonds may bear, the maximum discount from par at which the Bonds may be sold; providing for the publication of a notice of public hearing and bonds to be issued; providing for the running of a contest period; authorizing the execution by the issuer of a supplemental indenture of trust, and other documents necessary for the issuance of the Series 2015 Bonds; authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this Resolution; and related matters. 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.***

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

This item was presented by Building Official Kent Partridge. The Consolidated Fee Schedule is being amended to include a building fee table. The building fees charged by the City are not being changed.

**MOTION:** ***Councilmember Ireland moved to adopt a Resolution of Eagle Mountain City, Utah, amending the Consolidated Fee Schedule. 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.***

16. AGREEMENT – Consideration of a Federal Aid Agreement between Eagle Mountain City and the State of Utah Department of Transportation (UDOT).

This item was presented by City Engineer Chris Trusty. Eagle Mountain City will receive financing from Federal-aid highway funds for the Pony Express Parkway expansion project. The widening project will match and continue the widening project on Pony Express Parkway from Redwood Road to 800 West. The proposed agreement documents the terms of the funding. The funds will actual become available in October. UDOT recommends that Eagle Mountain begins designing the project and acquiring rights-of-way, so that construction can begin as soon as possible.

Mayor Pengra explained that regional transportation planning involves two committees evaluating and funding projects. This year, all the projects were approved, but Provo and Eagle Mountain needed to coordinate their funding to enable both projects to be constructed. That coordination will be set in an interlocal agreement between Provo and Eagle Mountain, which will be signed in the near future.

**MOTION:** ***Councilmember Bradley moved to approve a Federal aid agreement between Eagle Mountain City and the State of Utah Department of Transportation (UDOT). Councilmember Westmoreland 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.***

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
Councilmember Steinkopf suggested that the City website mention the City cemetery. Not very many people seem to know about it.

Mayor Pengra said it hadn't been advertised much because of the wait for the software and plot markers. City Recorder Finn Kofoed said that the grant application is being made for the software and there's been discussion about an entrance monument and an opening event. Plots are already being sold.

Councilmember Burnham
Councilmember Burnham mentioned that the check-out system at the library is taking longer. She said that in order for the library to be certified, it needs to have a certain number of people using it. The counting system at the door is having issues, making it necessary to turn off the security feature on each book before it leaves the library. Library staff is working on the problem.

Councilmember Ireland
Councilmember Ireland asked for volunteers to act as advisors for the Youth City Council.

Councilmember Westmoreland
No comment.

Councilmember Bradley
Councilmember Bradley thanked Ms. Kofoed and her staff for printing the agenda packets in color where it's needed to make the information clear.

Mayor Pengra
Mayor Pengra appreciated everyone who attended the meeting. He noted that this is the first meeting since the utility sale was finalized. There are still follow-up items to be done. He asked Mr. Jerome if he knew what the net proceeds of the sale were.

Paul Jerome, Asst. City Administrator/Finance Director, said it would take additional meetings with the utility companies over a few months to come to a final amount.

Mayor Pengra said the City will create a document showing the fund amounts and how the funds will be used for the benefit of the residents.

18. 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.

19. COMMUNICATION ITEMS
    A. Upcoming Agenda Items

20. ADJOURNMENT

**MOTION:** ***Councilmember Bradley moved to adjourn the meeting at 8:42 p.m. Councilmember Ireland seconded the motion. Those voting yes: Adam Bradley,***

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

APPROVED BY THE CITY COUNCIL ON APRIL 7, 2015.

Fionnuala B. Kofoed, MMC
City Recorder