

MINUTES  
EAGLE MOUNTAIN CITY COUNCIL MEETING

April 7, 2015

Site Visit 3:00 P.M.

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

**3:00 P.M SITE VISIT TO VARIOUS OPEN SPACE AREAS WITHIN THE CITY – no action will be taken**

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

ELECTED OFFICIALS PRESENT: Mayor Chris Pengra, Councilmembers Donna Burnham, Ryan Ireland and Tom Westmoreland. Adam Bradley and Richard Steinkopf were excused.

CITY STAFF PRESENT: Paul Jerome, Assistant City Administrator/Finance Director; David Mortensen, City Treasurer; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Chief Deputy Recorder; Linda Peterson, Public Information Director; Ikani Taumoepeau, Economic Development Director; Chris Trusty, City Engineer; 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 only and do not require action by the City Council.
  - A. Discussion – FY 2015-2016 Preliminary Budget

Assistant City Administrator/Finance Director Paul Jerome presented the estimated changes in revenues for the FY 2016 preliminary budget compared to the previous fiscal year. City Treasurer David Mortensen went through the proposed expenditures.

**EXPENDITURES**

41% General Fund	(\$7.94M)
41% Enterprise Funds	(\$7.8M)
11% Capital Projects	(\$2.1M)
3% Debt Service Funds	(\$600,000)
3% Impact Fee Funds	(\$600,000)

Expenditures per resident work out to approximately \$293.00 per person, which is comparable to the last two budget years.

Property and sales tax revenues are expected to increase to \$5M. Building and growth-related revenues are expected to be close to \$1.2M. Fines are expected to decrease due to the elimination of two Enterprise Funds.

Departmental budget changes from FY 2015 are as follows:

Salaries: The City has changed its salary policy. It now contracts with a private firm for an annual salary analysis. Funds are budgeted to bring employees who are at the low end of

their salary range up to the midpoint. The budgeted funds are expended on an as-needed basis.

Recorder's Office: The election budget will be increased to \$17,000 due to the municipal election, which will be held in 2015.

City Attorney: The budget was reduced from \$100,000 to \$75,000. Due to the sale of the electric and gas utilities, the City expects to need fewer attorney services.

Executive: The salary budget will decrease due to attrition and reassignments. Travel and Training will be increased due to increased costs of training.

Finance: The auditing and accounting budget will increase by \$3,000 to bring it in line with expected auditing costs.

Engineering: The salary budget will increase due to the City Engineer's compensation being assigned entirely to the Engineering Department, as well as hiring a full-time employee for Blue Stakes with supplies and a vehicle provided.

Planning: The Dues, Subscriptions and Memberships budget and the Travel and Training budget will increase because both City Planners will be IACP certified, as well as to cover the cost of ICMA training. A vehicle for the Planning Department is also proposed.

Recreation: \$5000 will be budgeted for Equipment, Supplies and Maintenance (field striping, etc.), and Adult Softball will be reduced by \$900 due to lower-than-expected costs.

Special Events: Dues, Subscriptions and Memberships will be increased for higher music licensing costs for events. Pony Express Days will increase from \$28,880 to \$30,000 to allow for growth.

Library: Dues, Subscriptions and Memberships will increase due to a new audio book subscription. Travel and Training will increase to allow two employees to attend a conference in St. George. Computer Network and Data Processing will increase to \$16,300 for software renewal. Materials and Books will increase for ebooks and downloads. Some of these amounts will be offset by donations. Capital Outlay will be \$2,000 to replace four patron computers which were purchased through a grant in 2009. The grant requires that the computers be replaced on a regular schedule.

IT: Telephone and Cell Phone line items will decrease due to the loss of the Energy Department employees. Professional and Technical Services will decrease because of projects planned for FY 2015 that were canceled. \$7,200 will be budgeted for a SAN Server to run Springbrook, the City's financial software.

Human Resources: Travel and Training will be increased to \$1,000 to allow the HR Coordinator to attend a conference. Educational assistance will be increased to \$2,500 per person per year for a maximum of five people per year, to encourage employees to further their educations. Professional and Technical Services will have \$3,000 budgeted, primarily for background checks and drug tests for new employees.

Insurance and Surety Bond: Because of the utility sale, this line item will be reduced to \$100,000.

Public Information: Printing and Mailing for the newsletter will move from Non-departmental to Public Information and will be increased slightly due to growth. Special Projects will increase to fund advertising and promotion for the City's 20<sup>th</sup> anniversary in 2016.

Facilities: The Salary line item will increase due to the addition of a part-time employee, who will replace the contracted services provided by Ranches Housekeeping. Building and Grounds Maintenance will decrease by \$5,000 due to the utility sale, which included some buildings and grounds.

Utilities: A line item will be added for the gas and electric utility costs that will be paid to Rocky Mountain Power and Questar, since the City no longer owns the utility system. Professional and Technical Services will be increased for maintenance to the HVAC systems at City Hall and the Community Development building.

Police: The contract budget will increase by 2% to cover a possible increase in the cost of Utah County Sheriff's Office services. The Utah Valley Dispatch budget will increase compared to last year, because part of last year's cost was paid for by a previous overpayment.

Miscellaneous Services and Supplies: Crossing guard supplies will be budgeted at \$11,000.

Building: An increase is proposed to add an additional part-time office assistant. Dues Subscriptions and Memberships will increase so that each inspector will have a complete set of the code books. Professional and Technical Services will include \$8,000 to outsource plan reviews for large commercial projects.

Streets: An additional full-time employee is proposed. Professional and Technical Services will be reduced to \$8,000 because studies began last year have been completed. Equipment Rental will be increased for various equipment. Unimproved Road Maintenance will increase to enable better annual maintenance. A Sidewalk Maintenance line item will be added.

Parks: The Parks Department is requesting an additional full-time employee. Equipment Supplies and Maintenance will increase by \$2,000 for additional equipment and supplies. Professional and Technical Services will increase due to the addition of maintenance on White Hills Park and the cemetery.

#### INTERNAL FUNDS

Fleet: Transfers from other funds are expected to exceed \$449,000. Expenditures for purchase and maintenance are expected to be approximately \$407,000 for three new vehicles, (Blue Stakes, Planning, & a sewer truck replacement) as well as maintenance for existing vehicles.

Economic Development Fund: This fund was set up with proceeds from the sale of assets. The fund was expected to be closed when the funds ran out, but the current proposal is to

retain it for a couple more years using money from the General Fund, Incubator Program tentant rentals and golf sponsorships.

Cemetery Fund: Revenues for FY 2016 are expected to be \$15,000 in burial plot sales and \$3,000 in interment fees. Part of Brad Hickman's salary will be paid from this fund in FY 2016. Maintenance, equipment and professional services will also be included in this fund.

#### ENTERPRISE FUNDS

Ikani Taumoepeau, Economic Development Director, reviewed the Enterprise Funds. The Water Fund will have a 5% increase in personnel for three part-time positions. One meter reader will transfer from another department, another will be hired. A third employee will transfer from Utility Billing to handle new water account requests. Materials, Supplies and Services will increase dramatically because the City will now have to pay for the electricity to run the pumps, and because the SCADA system is obsolete and needs to be replaced.

The Sewer Fund will increase Materials, Supplies and Services to pay for the energy that runs the system, as well as a part of the SCADA maintenance fees.

The Storm Water Fund will increase Professional and Technical Services for better design in certain areas of the storm drain system. The funds for street sweeping will also increase for rental of street sweeping machines.

Mr. Jerome stated that the Ace Disposal solid waste agreement includes an increase for growth in the number of households.

The Utility Billing office meter readers will be transferred to the Water Department.

#### CAPITAL PROJECTS FUND

Mr. Jerome stated that the fiscal year 2016 capital projects will not be funded by proceeds from the utility sale. They will be paid for by balances from the Capital Projects Fund and the General Fund. Specific projects will be determined throughout the year and funded by budget amendments.

Approximately \$680,000 is budgeted for road projects, primarily for repaving part of Pony Express Parkway and a small section of Ranches Parkway. Sunset Drive and Cedar Trails Way will also be repaved.

Projects in Wride Memorial Park and other parks are also planned.

The General Plan rewrite is budgeted in Capital Projects, as is the HVAC rebuild for City Hall and the purchase of a new snowplow and spreader. A Skidsteer will be purchased for the cemetery. A solids handling project for the sewer system will be completed, possibly using impact fees. The reimbursement agreement for the Evans Ranch sewer line will be paid for from Capital Projects, as well.

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

### 15. FY 2015 Budget Amendments

The Public Information Office will add a part-time intern beginning during the 2015 fiscal year and continuing into the 2016 fiscal year. A full-time employee will be hired in the Parks Department to help with the cemetery and the increase in park property that needs to be maintained. The landscape maintenance agreement with Elite Grounds will also be increased.

The CWP pipeline project has created additional engineering costs. The cemetery needs a sod cutter and a rammer to manage grave openings.

The City needs to make \$270,000 in park improvements right away, because the growing season is starting. Projects are planned for Overland Trails Park, Pioneer Park, Walden Park, SilverLake Amphitheater, Eagle Point C Park and Corey B. Wride Memorial Park, as well as a trail section at Half Mile Road. The skate park needs maintenance and improvements.

A parade float will be built for the Miss Eagle Mountain royalty. Mayor Pengra noted that a parade float is not normally something he would like to spend money on. However, part of Miss Eagle Mountain's purpose is to represent the City in other cities' parades. City Recorder Fionnuala Kofoed said that the girls have been using an old float that finally wore out. Eagle Mountain resorted to renting cars last summer for various parades. Ms. Kofoed stated that she didn't feel it was safe for the girls to ride in cars in the parades. Additionally, renting cars or a float every year is not cost effective.

Councilmember Ireland asked if Mr. Hickman felt his team could realistically complete all these projects this year. Mr. Hickman said he has developed the list carefully to be sure the projects can be completed.

### 16 & 17. SilverLake 14 & 15 Preliminary Plat and Site Plan

The Planning Commission recommended approval of this project, with conditions. The conditions are as follows:

1. Stucco shall not exceed 25% of any front elevation and elevation facing a public street.
2. Developer shall improve the side elevations with more architectural variations.
3. The clubhouse shall be a minimum of 1,200 sq ft & \$1,000 per unit cost.
4. The clubhouse elevations must be reviewed for approval by City Council & be consistent in style and color with the townhomes or homes.
5. All lighting must comply with the City's "dark sky" lighting standards in EMMC Chapter 17.56.
6. The plans must be reviewed by the Fire Marshal for approval.

Councilmember Ireland asked how "more architectural variations" in condition 2 could be quantified. Mr. Mumford read the requirements in the Municipal Code aloud. Discussion ensued on what should specifically be required for this project. Mayor Pengra invited the developer's representative, Bronson Tatton, to describe the plans for meeting this requirement. Mr. Tatton did so. Mr. Mumford recommended that the rear elevations be approved with varied elements rather than plain walls.

There will be a 100-foot buffer between the development and the power line corridor. The clubhouse will be similar in style and color to the townhomes. A pool won't be required, due to the number of units.

Councilmember Burnham asked what common space the cluster homes are sharing. Mr. Tatton said that the north-south corridor is 32 feet wide, the east-west corridor is 19 feet wide. There's also clubhouse open space, the power line corridor and a 12-acre park.

Councilmember Ireland asked which roads will be private and how they'll be maintained. Mr. Tatton said that the only public roads will be Woodhaven Blvd. and the loop road. City Attorney Jeremy Cook said the City has no obligation to maintain the private roads. Mr. Tatton said the HOA's obligation to maintain the roads is written into its CC&Rs.

Mr. Cook asked if the lots along the south edge of the development front onto any private roads. Mr. Tatton said they front a public road. Mr. Cook requested that the all the common areas to be maintained by the HOA be designated on the plat map.

Mr. Mumford stated that the Planning Department recommends some additional conditions of approval. One is an August 31 deadline for the construction of an entrance monument. Mr. Tatton agreed to that condition, to be enforced by suspension of building permits.

Mr. Tatton discussed how the developer plans to meet the conditions of approval.

Councilmember Westmoreland asked if there were any concerns about the wash. Mr. Mumford said that the applicants are only required to grade the wash to work for detention and to alleviate the steep slopes. Mr. Tatton noted that all the residential construction is located well away from the wash. Mr. Mumford acknowledged that having a park near a wash can create safety issues. These can be alleviated by installing a fence along the edge of the park closest to the wash. The City could consider using impact fees to construct a fence in the future.

Mr. Mumford stated that the Planning Commissioner who voted against the approval felt that there should be more usable open space within the townhome and cluster home development. He said the garages are still the dominant feature of the front elevations of most of the townhomes, which doesn't comply with the City's Multi-Family Design Standards. He also felt that the townhomes should have been interspersed with several of the cluster homes to provide a better neighborhood feel. He didn't feel that the developer responded adequately to the concerns that had been raised.

Residents who spoke at the Planning Commission public hearing wanted a traffic study, because they felt the streets in and around the project are inadequate to handle the traffic that will be generated. They were concerned about fencing and about safety considerations around the wash. City Engineer Chris Trusty agreed that a traffic study is warranted.

#### 19. Meadows Storage

Mr. Mumford explained that the developers of Meadows Storage have requested removal of a condition of approval for the project. Since the project was approved, Alpine School District built Black Ridge Elementary School. The school project included a trail along Sunset Road. The developers contend that building trails on both sides of Sunset Road will be more dangerous for schoolchildren than having only one trail. They also said that ownership of the property has changed. They no longer own the land on which the trail would be built.

The Planning Department recommends that the request be denied. The trail has been required since 2001 and the requirements for the trail were already decreased recently by eliminating the

landscaping requirement. The principal of Black Ridge and several other people contacted Mr. Mumford asking that the request be denied.

Scott Weber and Dave Hall, the applicants, described their concern that, with trails on both sides of Sunset Drive, schoolchildren will jaywalk at any point on Sunset Road rather than crossing at the crosswalks. In addition, they no longer own the property on which the trail would be constructed.

Discussion ensued on who owns the land and on the location of crosswalks. City Engineer Chris Trusty pointed out that UDOT's concern is not only schoolchildren, but connectivity with other trails, as well.

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.

Mayor Pengra adjourned the meeting at 6:18 p.m.

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

ELECTED OFFICIALS PRESENT: Mayor Chris Pengra, Councilmembers Donna Burnham, Ryan Ireland and Tom Westmoreland. Adam Bradley participated by telephone. Richard Steinkopf was excused.

CITY STAFF PRESENT: Paul Jerome, Assistant City Administrator/Finance Director; David Mortensen, City Treasurer; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Chief Deputy Recorder; Linda Peterson, Public Information Director; Ikani Taumoepeau, Economic Development Director; Chris Trusty, City Engineer; Steve Mumford, Planning 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 7:08 p.m.

5. PLEDGE OF ALLEGIANCE

Ryan Ireland 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.
- **Household Hazardous Waste Collection Day** – The 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](http://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.
- **Bicycle & Pedestrian Plan** – On Tuesday, April 28 from 5:00-7:00 p.m., an open house will be held during the food truck roundup at the Eagle Mountain Business Park in The Ranches to offer information about a proposed bicycle & pedestrian plan for the city. Residents are invited to visit the information booth in the food truck area.
- **Miss Eagle Mountain Pageant** – The 2015 Miss Eagle Mountain Pageant will be held on Saturday, May 2 at 7:00 p.m. at Frontier Middle School. Tickets are \$6 and will be available at the door or soon on the City website, Calendar.

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

Fire Chief Rand Andrus stated that he has been transferred to the southeast area of Salt Lake County. He introduced Battalion Chief Ross Fowlks of the Unified Fire Authority, who will be the liaison for Eagle Mountain. Chief Kelsey will be the Assistant Chief for the area including Eagle Mountain. Chief Fowlks said that he's worked for UFA for 25 years. He's looking forward to working with Eagle Mountain. Mayor Pengra thanked Chief Andrus for everything he's done for the City.

Adonna Geddes stated that she's a resident of SilverLake and a former member of the Parks and Recreation Advisory Board. She felt that townhomes would not be an attractive sight at one of the entrances to the City, especially with the possible relocation of the prison to Eagle Mountain. She thanked the Mayor and Council for their time and their service.

Marianne Smith said that she read the Mayor's blog and was happy that he was making inroads in opposing the prison. She asked if there were bumper stickers available. She stated that she spoke to Public Works Director Dave Norman, who told her that the new chipped road surface would not be extended to her end of Lake Mountain Road until next year. Mrs. Smith said she would prefer not to have it graded, because it makes the road worse. She hoped there would be a way to smooth the road surface. She asked when the site for the prison relocation would be finalized.

Mayor Pengra said the Prison Relocation Commission has to make a recommendation to the Governor and the Legislature by August 1 of this year.

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

Councilmember Burnham

No comment.

Councilmember Ireland

Councilmember Ireland thanked the staff for all the effort they put into the preliminary budget that was presented during Work Session.

Councilmember Westmoreland

No comment.

Councilmember Bradley

Councilmember Bradley, speaking by phone, apologized for not being present at the meeting. He thanked Chief Andrus for his hard work for the City, and welcomed the new Chief. He echoed Councilmember Ireland's comment on the budget.

Mayor Pengra

No comment.

9. PRESENTATION – Recognition of Service for the Eagle Mountain City Energy Department.

Mayor Pengra said that the City wanted to recognize the Energy Department for what it has done from 1997 to the present to bring the City from a small place to its current size. He read a plaque that will be hung in City Hall, expressing appreciation and listing the names of the department's employees at the time the gas and electric utilities were sold. Steve Olsen and Adam Ferre accepted the award in behalf of the department.

10. PROCLAMATION – Declaring April 19, 2015 a Day of Congenital Diaphragmatic Hernia Awareness.

Mayor Pengra read a letter and proclamation he received from Josh Hendley, a resident of Saratoga Springs, requesting that Eagle Mountain declares April 19 a day for awareness of congenital diaphragmatic hernia.

Councilmember Bradley expressed his support for those suffering from this birth defect, and to their families.

**MOTION:** *Councilmember Westmoreland moved to approve a proclamation declaring April 19, 2015 a day of congenital diaphragmatic hernia awareness. Councilmember Bradley seconded the motion. Those voting yes: Adam Bradley, Donna Burnham, Ryan Ireland and Tom Westmoreland. The motion passed with a unanimous vote.*

**CONSENT AGENDA**

11. MINUTES

- A. March 17, 2015 – Regular City Council Meeting

Councilmember Westmoreland corrected the record of his vote on item 12. The “no” vote was his, not Councilmember Bradley's.

12. BOND RELEASE – Out of Warranty

- A. Sweetwater, Plat 3

13. BOND RELEASE – Into Warranty

- A. Sweetwater, Plat 4

**MOTION:** *Councilmember Ireland moved to approve the Consent Agenda, with the vote on item 12 corrected. Councilmember Westmoreland seconded the motion. Those voting yes: Adam Bradley, Donna Burnham, Ryan Ireland and Tom Westmoreland. The motion passed with a unanimous vote.*

## SCHEDULED ITEMS

14. **PUBLIC HEARING – Regarding the Issuance of Not More Than \$600,000 Aggregate Principal Amount of Water and Sewer Revenue Bonds, Series 2015 and to Receive Input from the Public with Respect to any Potential Economic Impact that the Project Described Herein to be Financed with the Proceeds of the Series 2015 Bonds May Have on the Private Sector and Related Matters.**

This item was presented by City Attorney Jeremy Cook. The City Council previously approved a parameters resolution authorizing the sale of sewer and revenue bonds at the March 17, 2015 City Council meeting and set a public hearing for April 7, 2015. The public hearing allows the public to comment on the issuance of the bonds.

These bonds will be funded by a loan from the State of Utah. The funds will be used to construct a sewer line from White Hills to the City wastewater treatment plant.

*Mayor Pengra opened the public hearing at 7:34 p.m. As there were no comments, he closed the hearing.*

Councilmember Bradley asked if the City had considered using the proceeds of the utility sale to pay for the project, rather than bonding for it. Mayor Pengra responded that the State requires the City to manage the loan funds in the form of bonds. This format also allows the developer to participate in the cost.

This item was a public hearing only. No action was taken by the City Council.

### **PUBLIC HEARING**

15. **ORDINANCE – Adoption of an Ordinance of Eagle Mountain City, Utah, Amending the Fiscal Year 2014-2015 Budget.**

This item was presented by Assistant City Administrator/Finance Director Paul Jerome. The proposed amendments to the fiscal year 2014-2015 budget include an increase to the landscape maintenance agreement and funds for capital projects for the completion of specific parcels of open space within the City.

Mr. Jerome explained the amendments.

- A college student intern position for the Public Information Office. The intern will assist the Public Information Director and will learn how a municipal public information office functions.
- A full-time employee for the Parks Department to help with the increased open space being maintained by the Parks Department.
- An increase in the landscape maintenance agreement with Elite Grounds, to cover cemetery maintenance and additional park space.
- Engineering costs for the CWP pipeline.
- Completion of improvements in several parks.

Councilmember Bradley said he couldn't support spending \$10,000 on a parade float for Miss Eagle Mountain and her attendants. He felt it would be a frivolous expense. Mayor Pengra stated

that, while this expenditure is difficult for him to accept, one of Miss Eagle Mountain's duties is to represent the City in other cities' parades. He has consulted with the Special Events Director, who believed that the City will receive value from it.

City Recorder Fionnuala Kofoed said that the City used an old, refurbished float for several years. Last year, after that float wore out, the Special Events Department had to rent cars for Miss Eagle Mountain and her attendants to ride in during each parade. The City could rent a float, but renting a car or a float isn't cost-effective. Ms. Kofoed stated that Eagle Mountain has supported the Miss Eagle Mountain program for years, and one of the winner's duties is to be an ambassador for the City. Participating in the parades is good advertising for the City.

*Mayor Pengra opened the public hearing at 7:52 p.m. As there were no comments, he closed the hearing.*

**MOTION:** *Councilmember Burnham moved to adopt an Ordinance of Eagle Mountain City, Utah, amending the fiscal year 2014-2015 budget. Councilmember Westmoreland seconded the motion. Those voting yes: Donna Burnham, Ryan Ireland and Tom Westmoreland. Those voting no: Adam Bradley. The motion passed with a vote of 3:1.*

16. MOTION – Approval of SilverLake, Plats 14 & 15, Preliminary Plat.

This item was presented by Planning Director Steve Mumford. This subdivision is located on the east side of Woodhaven Boulevard, east of the roundabout at the end of SilverLake Parkway, just north of the Tickville Wash. It includes 96 townhome units, 24 cottage lots (small-lot single-family), 30 single-family lots, a future community park property, a small clubhouse and common open space.

Mr. Mumford described the proposed project and the conditions of approval. The Planning Commission recommended approval, with conditions. There was one dissenting vote, and that Commissioner asked Mr. Mumford to express his concerns to the City Council. Mr. Mumford did so. A detailed discussion of the project was held during Work Session and is found earlier in these minutes.

Councilmember Bradley said several residents have called him about this development. Some of them said they were told at the time they bought their homes that there wouldn't be any townhomes in the area. Mr. Mumford stated that the SilverLake master development agreement has been amended several times. It always included mixed residential development until 2011, when multi-family homes were eliminated. In 2013, the property for this section of SilverLake changed hands and the new owners added townhomes.

Councilmember Bradley asked about the definition of "cluster homes." He didn't feel that the cluster homes in this project complied with the definition in the Municipal Code.

Mr. Mumford said that SilverLake 11 through 13 have similar homes, which were approved by the Council at meeting the definition. The Council has the discretion to interpret the definition in the Code.

**MOTION:** *Councilmember Ireland moved to approve the preliminary plat for SilverLake, Plats 14 and 15 with the revised conditions of approval cited in Work Session, changing condition #2 to state that “side variation” means bay windows.*

Nate Hutchinson of Flagship Homes clarified that Flagship is happy to provide a traffic study, as long as they are only expected to improve roads within the subdivision. City Engineer Chris Trusty explained that a traffic signal, for instance, would be included in the Capital Facilities Plan because it benefits more than one subdivision.

*Councilmember Burnham seconded the motion. Those voting yes: Donna Burnham, Ryan Ireland and Tom Westmoreland. Those voting no: Adam Bradley. The motion passed with a vote of 3:1.*

The conditions of approval are as follows:

1. Stucco shall not exceed 25% of any front elevation and elevation facing a public street.
2. Developer shall improve the side elevations with bay windows rather than bumpouts.
3. The clubhouse shall be a minimum of 1,200 sq ft & \$1,000 per unit cost.
4. All lighting must comply with the City’s “dark sky” lighting standards in EMMC Chapter 17.56.
5. The entryway monument sign at Woodhaven Boulevard and Pony Express Parkway shall be constructed prior to August 31, 2015. A plan/design for this monument must be approved by the City prior to construction.
6. Developer shall cause the easement for the Welby Jacob Canal to be vacated prior to recordation of the plat.
7. A traffic study shall be required with the first final plat, and developer shall comply with all traffic study recommendations.
8. The rear elevations for the townhomes fronting Woodhaven Boulevard shall be as approved by the Planning Commission (the same as the front elevations of the private street-facing townhomes in the project).
9. The front elevations of the private street-facing townhomes shall be as approved by the Planning Commission (including the rock/stone wainscot and entryways).
10. The community park area shall be graded to be appropriate for future park development (to the satisfaction of the City Engineer), and dedicated to the City prior to recordation of the first subdivision plat in this project.

17. MOTION – Approval of SilverLake, Plats 14 & 15, Site Plan.

This item was presented by Planning Director Steve Mumford. This subdivision is located on the east side of Woodhaven Boulevard, east of the roundabout at the end of SilverLake Parkway, just north of the Tickville Wash. It includes 96 townhome units, 24 cottage lots (small-lot single-family), 30 single-family lots, a future community park property, and a small development clubhouse and common open space.

**MOTION:** *Councilmember Ireland moved to approve the site plan for SilverLake, Plats 14 and 15, with the same conditions of approval as the preliminary plat. Councilmember Burnham seconded the motion. Those voting yes: Donna Burnham, Ryan Ireland and Tom Westmoreland. Those voting no: Adam Bradley. The motion passed with a vote of 3:1.*

18. AGREEMENT – Approval of the 1<sup>st</sup> Addendum to the 2014 Elite Grounds, Inc. Agreement for Landscape Maintenance.

This item was presented by City Attorney Jeremy Cook. The proposed amendment for landscape maintenance increases the scope of work to include property that has recently been improved or future dedication of property to the City that will need to be maintained. The fee will be increased by 2.5%

**MOTION:** *Councilmember Ireland moved to approve the 1<sup>st</sup> addendum to the 2014 Elite Grounds, Inc. agreement for landscape maintenance. Councilmember Burnham seconded the motion. Those voting yes: Adam Bradley, Donna Burnham, Ryan Ireland and Tom Westmoreland. The motion passed with a unanimous vote.*

19. MOTION – Approval of a Request to Remove a Condition of Approval for the Meadow Ranch Storage Subdivision.

This item was presented by Planning Director Steve Mumford. This is a developer request to remove a condition of approval for the Meadow Ranch Storage subdivision, requiring the extension of an eight-foot asphalt trail along the west side of Sunset Drive. The developer's opinion is that the request to install the trail is redundant, as the Alpine School District recently installed a trail along the east side of Sunset Drive with the construction of Black Ridge Elementary School.

Councilmember Bradley asked if the trail the developers want eliminated was part of the original plan when they purchased the property. Mr. Mumford said it was part of the original approval and part of the site plan. Councilmember Bradley stated that the more walking paths are available, the better.

Councilmember Burnham didn't think the developers should be excused from building the trail. They already have a "free" trail because of the trail built by an adjoining developer.

*Councilmember Ireland was excused at 8:30 p.m.*

Scott Weber, one of the applicants, said this is the first he's heard that trails were required on both sides of the road. He felt the students would be less safe if they could easily cross the street at any point along the road. He was also unaware that they could be required to build a trail on property they didn't own.

Mayor Pengra stated that Eagle Mountain is about to approve a budget amendment for improving property that doesn't belong to the City. It will have to construct trails to provide connectivity, only because there are trails that aren't connected. If it's a safety issue, that's fine. He didn't think safety was as much of an issue in this case.

Councilmember Westmoreland asked Mr. Cook if the City could reassign responsibility for the trail to another owner. Mr. Cook said that normally, when property owners divide a property previously owned by one party, they work out responsibility through an internal reimbursement agreement. On the other hand, the project was approved with the trail, and they can be expected to fulfill the requirements of the original agreement.

Mr. Trusty stated that UDOT will expect the trail to be completed before the traffic light is installed. If it's not installed by a developer, it will have to be installed by the City.

Councilmember Burnham wanted to know why UDOT wants the City to connect trails across Wride Highway. Mr. Trusty agreed that it's unsafe to encourage people to cross the highway.

**MOTION:** *Councilmember Bradley moved to deny a request to remove a condition of approval for the Meadow Ranch Storage subdivision. Councilmember Westmoreland seconded the motion. Those voting yes: Adam Bradley and Tom Westmoreland. Those voting no: Donna Burnham The motion passed with a vote of 2:1.*

Councilmember Bradley appreciated the applicants attending the meeting and putting significant effort into explaining their position. He wanted developers to be concerned about children's safety. If a safety concern develops, it will be the responsibility of the school and the parents. The developers won't be held accountable for that.

20. MOTION – Approval of the Utah County 2015 Municipal Recreation Grant Project.

This item was presented by City Recorder Fionnuala Kofoed. Utah County provides an annual recreation grant to cities, funded by the restaurant tax. The Commission has determined the funding for the 2015 Municipal Recreation Grant Program. This year's grant is \$13,292.38. Funding is based on the 2012 Official Census Data population estimates. The proposed project is for the completion of the improvements to property located on the southwest corner of the intersection of Bobby Wren Boulevard and Pony Express Parkway, also referred to as Wren's Roost. The funds will be used to purchase fitness equipment for that park. All County funds are available on a reimbursement basis, meaning the City will purchase the equipment and be reimbursed by the County.

Councilmember Bradley asked where the idea of Wren's Roost park came from. Mayor Pengra said two residents asked about getting fitness equipment for the park. Councilmember Burnham, who lives in Eagle Park, asked her neighbors what they thought. Ms. Kofoed said it was discussed several years ago. Mr. Hickman said five to six exercise stations can fit into the park comfortably.

**MOTION:** *Councilmember Burnham moved to approve the Utah County 2015 municipal recreation grant project. Councilmember Westmoreland seconded the motion. Those voting yes: Adam Bradley, Donna Burnham and Tom Westmoreland. The motion passed with a unanimous vote.*

21. RESOLUTION – Adoption of a Resolution of Eagle Mountain City, Utah, Approving an Interlocal Cooperation Agreement for Road Project Funding.

This item was presented by City Engineer Chris Trusty. Provo and Eagle Mountain are both members of the Mountainland Association of Governments (MAG). Certain funds available through MAG had been designated for the widening of a portion of Pony Express Parkway in Eagle Mountain City. This project is also eligible for federal aid funds, but the federal funds would require Eagle Mountain to provide a match. In order to maximize the availability of all funding sources, Eagle Mountain City has agreed to allow Provo to utilize the MAG funds for a project in Provo that is not eligible for federal funds, and in return, Provo has agreed to pay the Matching Share, required for the federal aid funds, for the Pony Express Project.

Councilmember Burnham asked if the Provo City Council has approved the agreement. Mr. Trusty said they haven't yet, but he wanted to get it approved sooner than later.

**MOTION:** *Councilmember Westmoreland moved to adopt a Resolution of Eagle Mountain City, Utah, approving an interlocal cooperation agreement for road project funding. Councilmember Bradley seconded the motion. Those voting yes: Adam Bradley, Donna Burnham and Tom Westmoreland. The motion passed with a unanimous vote.*

22. BID AWARD – Award of Bid to Black & McDonald for Streetlight Maintenance and Management in Eagle Mountain.

This item was presented by Assistant City Administrator/Finance Director Paul Jerome. The proposed bid award is for the comprehensive streetlight management and maintenance of City streetlights that includes, but is not limited to: routine maintenance, emergency repair service, customer service and dispatch, a comprehensive streetlight database, GIS mapping, and compliance with Rocky Mountain Power requirements.

Mr. Jerome stated that the City went out to bid for this project last month. Only one bid was received.

Councilmember Bradley asked why there was only one response to the bid. Mayor Pengra explained that Black & McDonald is the only local firm capable of providing the service. Other cities have had similar results to requests for bids for streetlight servicing.

Councilmember Bradley asked whether the City has the capacity to do the work in-house. Mayor Pengra said it could be done with another full-time employee and additional equipment; however, Black & McDonald has already inventoried all of the streetlights in the City as part of their work for Rocky Mountain Power. They have the capacity to do streetlight plan reviews for new developments and help write new Municipal Code language if needed. They will come out once per month, look at every streetlight and repair as needed. Their system works faster than any other since they're a contractor for Rocky Mountain Power.

**MOTION:** *Councilmember Westmoreland moved to award a bid to Black & McDonald for streetlight maintenance and management in the amount of \$61,831.00 per year, and authorize the Mayor to execute the agreement. Councilmember Burnham seconded the motion. Those voting yes: Adam Bradley, Donna Burnham and Tom Westmoreland. The motion passed with a unanimous vote.*

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

Councilmember Burnham

Councilmember Burnham reported that the Military and Veteran Advisory Board changed its meeting date to the fourth Wednesday of the month to resolve the schedule conflict between both the boards she's assigned to. She also said that there is confusion between the Cemetery Board and the Military Board about who should design a veterans' memorial for the cemetery.

Mayor Pengra said that there are no specific plans yet for any section of the cemetery. Right now, all that's being considered is an entry monument and a fence. There have been discussions, but

there has been no assignment yet. Ms. Kofoed mentioned that she's had a discussion with Erika Douglas from the Military Board. She explained that there is no funding, at this time, for a memorial. Ms. Douglas said the Board is interested in looking for funding. Ms. Kofoed said that it was ok for the Veterans Board to research funding options.

Mayor Pengra asked all the Councilmembers, as board liaisons, communicate to their boards how much the City appreciates their help. The boards need to be sure, however, that they don't provide information to the public in the City's name.

Marianne Smith, a member of the Cemetery Board, asked if the board could allow people to come to their meetings to discuss design ideas. Ms. Kofoed said they could.

Councilmember Westmoreland

No comment.

Councilmember Bradley

Councilmember Bradley appreciated being able to participate by telephone. He thanked Mr. Mumford and his staff providing such a thorough report on the SilverLake item.

Mayor Pengra

Mayor Pengra said that the latest information on the prison relocation issue can be found on his blog.

24. 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.

25. COMMUNICATION ITEMS

- A. Upcoming Agenda Items
- B. Financial Report

26. ADJOURNMENT

**MOTION:** *Councilmember Burnham moved to adjourn the meeting at 9:15 p.m. Councilmember Westmoreland seconded the motion. Those voting yes: Adam Bradley, Donna Burnham and Tom Westmoreland. The motion passed with a unanimous vote.*

APPROVED BY THE CITY COUNCIL ON MAY 5, 2015.



Fionnuala B. Kofoed, MMC  
City Recorder