MINUTES
EAGLE MOUNTAIN CITY COUNCIL MEETING
March 1, 2016
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 – CITY COUNCIL CHAMBERS

ELECTED OFFICIALS PRESENT: Mayor Chris Pengra, Councilmembers Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves 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; Ikani Taumoepeau, Economic Development Director/Sr. Project Manager; Steve Mumford, Planning Director; Tayler Jensen, City Planner; Jessica Alvarez, Human Resources Director; Chris Trusty, City Engineer; Jeff Weber, Facilities and Operations Director; Linda Peterson, Public Information Director; Aaron Sanborn, Management Analyst; Eric McDowell, Sheriff's Deputy.

Mayor Pengra called the meeting to order at 4:03 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.

   None.

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

   11. AGREEMENT – Consideration of Addendum #2 to the Agreement between Eagle Mountain City and Ace Disposal, Inc. for Solid Waste Disposal and Recycling Services.

   This item was discussed prior to item 10.

   Assistant City Administrator/Finance Director Paul Jerome explained that Eagle Mountain's contract with Ace Disposal allows cost-based increases in the rates Ace charges the City. Ace's costs for providing recycling services have increased dramatically, so the company plans to raise the rate it charges the City.

   Management Analyst Aaron Sanborn gave a presentation on the City's recycling program. It is a single-stream process, in which residents place all recycled materials in one container. The materials are separated at a recycling center. This method encourages participation because it's simple. There is controversy over whether recycling programs are economically or environmentally effective. The effectiveness tends to vary based on participation rates and the condition of the recycling commodities market. National data indicates there is some overall benefit.

   Mayor Pengra asked what impact suspending the recycling program would have on the City's agreement with Ace. Mr. Markham said Ace could make various proposals. For instance,

recycling bins could be used as additional trash containers until the prices for recycled materials increase.

Councilmember Bradley asked what Ace or the City can do to educate residents about proper recycling. Mr. Markham suggested putting information on the City website and the local newspaper. The most effective method is to provide information to the schools. When children want to recycle, they influence their parents. Ms. Beagley said Ace has a brief video and written information they can provide to the City.

10. First Amendment to the Evans Ranch Master Development Agreement and Master Development Plan.

City Planner Tayler Jensen described the proposal, which includes the following:

1. Moving the school site to the east of the project and decreasing the size to 8.51 acres.
2. Moving the townhome pod to the west of the project and decreasing the size to 12.42 acres.
3. Decreasing the number of townhomes from 166 units to 149 units.
4. Adding 30 single-family cottage lots to the west side of the project between Porter's Crossing Parkway and the townhomes.
5. Amending Exhibit 3 of the Master Development Agreement to provide setbacks for the cottage homes.
6. Amending Exhibit 4 of the Master Development Agreement to show a more detailed park plan. The developer plans to provide more improved open space than is required by City standards, as well as placing community improvement funds in escrow for park improvements.
7. Amending Exhibit 5 of the Master Development Agreement regarding fencing, which removes the requirement for 6' privacy fences for properties that back onto internal open space, and includes a provision to install a 6' privacy fence between the cottage lots and Porter's Crossing Parkway. The developer has agreed to provide the 6' privacy fence for all previously approved phases in accordance with the fencing exhibit approved at the time. If the homeowners do not want the fence, they can tear it down after the fact. Fencing required for open space shall be installed at the time that the public infrastructure and improvements are constructed.

Councilmember Gricius asked if the townhomes would be built before their surrounding open space improvements are installed. Mr. Mumford said improved open space is incorporated into the design and will be built along with the townhomes.

Councilmember Gricius asked if the City will reimburse the developer for the right-of-way on Golden Eagle Road. Mr. Cook responded that the City and the developer have negotiated responsibility and payment for road improvements with the help of the State Ombudsman's Office. The City will pay for the road improvements on the south end of Porter's Crossing Parkway. He wasn't sure what the time line would be.

Councilmember Westmoreland asked how drainage issues would be handled. City Engineer Chris Trusty explained the function of the detention pond and the alternatives for handling drainage as the property is developed. His preference would be to convert an unused well on the property into a deep-ground infiltration system, returning excess storm water to the ground water and re-stabilizing the ground water.

Councilmember Curtis asked how traffic congestion on Porter's Crossing Parkway could be relieved. Mr. Trusty said completing Golden Eagle Road would be the best choice. Eventually it will connect to Woodhaven Blvd. and create another exit to Pony Express Parkway. Mr. Mumford stated the City has received development applications for land all along Golden Eagle Road. Golden Eagle Road could be completed to Woodhaven Blvd. in a couple of years if the development process goes quickly.

Councilmember Curtis asked about improvements in the open space. Mr. Jensen answered that trees will be planted and benches will be installed. Other than that, it will be native vegetation. Mr. Mumford said none of the land in Tickville Wash is included in the required open space.

Councilmember Bradley asked how snow plowing would be managed in the cottage homes. Nate Shipp, the developer, said the townhomes have been designed with space for snow storage at the end of each shared driveway. He built a similar townhome development in Bluffdale, which has been successful in snow removal and management.

Councilmember Bradley discussed traffic. He wanted to be sure Porter's Crossing Parkway will be adequate to handle the increased school and residential traffic.

Mr. Mumford said some of the existing intersections in the area are at an "F" service level, meaning motorists have to wait longer than a minute to get through the intersection. The traffic study made three recommendations that Mr. Mumford felt should be implemented: a traffic signal at Pony Express and Porter's Crossing Parkways, adding a right turn lane from Porter's Crossing Parkway onto Pony Express Parkway, and extending the left turn lane from Pony Express Parkway to Porter's Crossing Parkway. These changes would raise the service level to "C." He questioned the usefulness of the other recommendation, removing the four-way stop at Smith Ranch Road and Porter's Crossing Parkway.

Mr. Shipp said he received a call from Rob Smith of Alpine School District to discuss the purchase of the school site. Mr. Smith asked if Mr. Shipp would be willing to move the school site to the east and reduce its size. The new location will reduce traffic, as it will be within walking distance for more students. Alpine District is changing its school planning from single-story schools on 12 acres to two-story schools on 8.5 acres. That will also change the traffic requirements. The reduction in the number of townhomes, replaced by single-family homes, affected the traffic projections, as well. As a result, Porter's Crossing Parkway will be between 10.5 and 14 feet wider.

Mayor Pengra noted that a minor collector road will be built from Golden Eagle Road to the SilverLake subdivision, which will relieve traffic on Pony Express Parkway.

Councilmember Reaves felt the success of Evans Ranch depended on the developments to the south and east. He asked if Mr. Shipp has written road agreements with those developers. Mr. Shipp said he did not, however, the $800,000 upgrade he plans on making to Porter's Crossing Parkway will make all the developments in the area more feasible and will enhance the area. At peak traffic times, only 75 more cars will be traveling on the road.

Councilmember Bradley asked what fencing requirements were changed. Mr. Jensen said 6' vinyl fencing was originally required behind all home lots adjacent to open space. Some homebuyers in a previous phase preferred not to have the fences. The amendment makes those fences optional, but requires consistent design along fences that are installed.

12. RESOLUTION – Consideration of a Resolution of Eagle Mountain City, Utah, Amending the Eagle Mountain City Consolidated Fee Schedule for Recycling Fees.

The Council will approve the increased recycling fee if Addendum #2 to the Ace Disposal agreement is approved in Policy Session.

13. RESOLUTION – Consideration of a Resolution of Eagle Mountain City, Utah, Approving the First Amendment to the Valley View Master Development Agreement.

Mr. Cook said the issue leading to the amendment was the requirement that a park be built at the 150th building permit. Because two property owners are building in the master development area, clarification was needed as to who is responsible to pay for park improvements. The City has collected a park fee on each lot in the project. The City and the developers have agreed a smaller park with better amenities will serve the residents better than the original plan. The City will own and maintain the park because there will be no active homeowners' association. It would be difficult to have an active homeowners' association when its only function would be to maintain the park. The remaining park land will be deeded back to one of the developers. In return, the developer will contribute an additional $158,000 for park improvements.

Councilmember Gricius asked who will be responsible for completing Hummer Drive. Mr. Mumford said the City and the National Guard will work together to complete it.

14. MOTION- Consideration of a Site Plan for a Holiday Oil Convenience Store, Gas Station and Car Wash.

Economic Development Director Ikani Taumoepeau presented this item, which will be the first gas station, convenience store and cash wash in City Center. No specifications were submitted with the design, but City staff feel they can work through the issues as they go through the approval process. The developers are anxious to move ahead, as this approval is required before the property purchase from John Walden can be finalized.

Councilmember Bradley asked how many pumps the gas station will have. Mr. Taumoepeau said there will be ten pumps.

Councilmember Curtis asked why parking will be located in the back. Mr. Taumoepeau said the design is similar to the Holiday Oil station in The Ranches. The same owners will operate the new station.

Councilmember Westmoreland asked if landscaping was going to be sacrificed for construction of the trail. Mr. Taumoepeau said some trees may be sacrificed.

15. MOTION – Consideration of a Site Plan Fee Waiver for a Dental Office.

Mr. Taumoepeau explained that the dentists who are building this project have requested a waiver of the site plan fees. They may request a waiver of impact fees, as well. The project will be built in two phases; first the dental building, then a building for pediatric dentistry and orthodontic practices.

Mr. Taumoepeau felt the City should provide enough of an incentive to encourage the project, but not necessarily as much as has been requested. Any commercial construction in City Center will benefit Eagle Mountain by encouraging additional commercial development. Retailers considering building in City Center will perceive any commercial buildings as reducing the risk of locating there.

Mayor Pengra asked if waiving the fees will have a perceptible impact on the City's budget. Mr. Taumoepeau said it wouldn't.

Councilmember Gricius asked if this will set a precedent of waiving fees for the first of every kind of business in City Center. Mayor Pengra said this doesn't set a precedent. However, the Council could amend the Municipal Code to specify a level of waivers. Mayor Pengra suggested discussing that during Policy Session.

Councilmember Curtis asked if site plan fees have been waived in the past. Mr. Pili said the City waived fees for the two dental offices in The Ranches. The ordinance allowing a waiver for the first business of each kind in the City has since been repealed. However, the Council can choose to waive fees. There are also other incentives the City can offer.

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 6:16 p.m.

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

ELECTED OFFICIALS PRESENT: Mayor Chris Pengra, Councilmembers Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves 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; David Mortensen, City Treasurer; Steve Mumford, Planning Director; Tayler Jensen, City Planner; Chris Trusty, City Engineer; Linda Peterson, Public Information Director; Aaron Sanborn, Management Analyst; Ross Fowlks, Fire Chief; Eric McDowell, Sheriff's Deputy.

4. CALL TO ORDER

Mayor Pengra called the meeting to order at 7:09 p.m.

5. PLEDGE OF ALLEGIANCE

Boy Scout Troop 1250 presented a flag ceremony.

6. INFORMATION ITEMS/UPCOMING EVENTS

- **Traffic Alert** – The new traffic signal on Wride Highway at Mt. Airey Dr. is now operational.

- **Easter Egg Hunt --** The annual Easter Egg Hunt will be held at Nolan Park on Saturday, March 26. Start time is 10:30 a.m. SHARP. Please be advised that this event is usually over in a few minutes. There are three age divisions: 3-5, 6-9, and 10-12. Admission is free. Bring your own basket. Parents are not allowed in the egg hunt area for safety reasons.
- **Run for the Fallen** – A 5K/10K/1 Mile Fun Run will be held at 8:45 a.m. on Saturday, March 19 in honor of Sgt. Cory Wride and other law enforcement officers killed in the line of duty. The starting point is at 4506 E. Pony Express Pkwy. Registration information is available on the City Facebook page.
- **Pony Express Days** – Pony Express Days will be held June 2-4. Registration information is now available for carnival vendor booths and parade entries. Visit emcity.org/ped.
- **Sports Registrations** – Registration is currently open for Youth Baseball, Youth Spring Soccer, Women's Volleyball, and British Soccer Camp. Please visit the City website and click on the Recreation button, then Sports Programs.
- **Emergency Alerts and City Notifications** - The City is using a new notification system for alerts in the event of an emergency and also for City news, events, sports, public meetings, jobs, and other items of interest. Go to www.emcity.org/notifyme to register and select your preferred method of contact. Phone, text, and email options are available. You may also register for notifications from other participating cities in the County if you work in one of those cities or have relatives or other interest in what is happening there. This system allows the Utah Valley Dispatch to have access to our database of contacts in the event of a large-scale emergency or if cell/internet access is down in our area.

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

Sonny Clark said he's lived in Eagle Mountain since 2000. He objected to the City's restriction against the security lights on his house. He felt the Mayor personally decided to reject his lights without seeing them. Mayor Pengra said a building inspector showed him a picture of the lights Mr. Clark wanted to use. He spoke with Mr. Clark yesterday and reviewed diagrams with him about what lights are allowed by the ordinance. His lights weren't in compliance. Mayor Pengra offered to come to his house and look at his security lights and help him find some that will comply with the ordinance.

Councilmember Bradley said he realized the dark sky ordinance may create some frustration and potential burdens, but it was enacted to protect the residents' view of the sky at night.

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

Councilmember Curtis

Councilmember Curtis welcomed everyone and thanked the Boy Scouts for the flag ceremony. He complimented the Library staff for how helpful pleasant they are to the Library patrons. He announced that on March 19 at 10:00 a.m., the Pony Express Rodeo Queen competition will be held. He invited the youth in the audience to participate in the Youth City Council.

Councilmember Bradley

Councilmember Bradley welcomed everyone and thanked the Scout leaders for bringing their troop to the meeting. He said the soccer registration process is online at the City website and is working well. He had some problems at first, but he called tech support and they fixed the

problems right away. He was excited about the notification system. He thanked his wife for supporting him in being a City Councilmember, especially since it was her birthday.

Councilmember Reaves
Councilmember Reaves thanked everyone for attending the meeting and thanked the Boy Scouts for the flag ceremony. He appreciated the phone calls, texts and emails residents send him about their concerns. He enjoyed the opportunity to serve.

Councilmember Westmoreland
Councilmember Westmoreland appreciated the attendance at the meeting and the emails he receives from residents.

Councilmember Gricius
Councilmember Gricius welcomed everyone to the meeting. She echoed the comments of the other Councilmembers.

Mayor Pengra
Mayor Pengra said there's no greater job than public service and congratulated the Scouts on the flag ceremony.

CONSENT AGENDA

9. MINUTES
   A. February 16, 2016 – Regular City Council Meeting

MOTION: ***Councilmember Curtis moved to approve the Consent Agenda. Councilmember Bradley seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.***

SCHEDULED ITEMS

PUBLIC HEARING

10. ORDINANCE – Consideration of an Ordinance of Eagle Mountain City, Utah, Approving the First Amendment to the Evans Ranch Master Development Agreement and Master Development Plan.

This item was presented by Planning Director Steve Mumford. Mr. Mumford recapped the presentation made during Work Session. A detailed discussion was held during Work Session, which is reported in pages 2 to 3 of these minutes.

Mayor Pengra opened the public hearing at 7:43 p.m.

Amy Plott felt the project would add too many people to the neighborhood to allow safe exit in case of an emergency. When the Dump Fire threatened the neighborhood several years ago, it was difficult to evacuate the residents. She wondered if the school site was considered part of the improved open space; if it was, she didn't think there would be enough parks to serve the new residents. She suggested that a retirement community would be a better option than a townhome project.

Donald Plott said the developer has done a great job trying to accommodate everyone's concerns. He said the map doesn't show any road access planned for the cottage homes. He didn't see any fencing planned for the park, which will be adjacent to the gulch. In regard to compliance with the dark sky ordinance, the church in his neighborhood has parking lot lights on all night long. He wondered if churches were exempt from the ordinance or if the lights should be off.

Mayor Pengra said there will be a split-rail fence around the park to protect people from the drop to the gulch.

Melissa Clark said this was a solid plan, but she was concerned about traffic and safety. She lives in Freemont Springs, across from the new development. Large vehicles have gotten stuck turning onto Porter's Crossing Parkway. The turns need to accommodate large vehicles. She said the street is already very congested with parents taking children to and from school, without the additional traffic.

Mayor Pengra noted that the Fire Marshal reviewed the street design and will review the street design of each additional project to ensure the Fire Department can maneuver vehicles through the subdivision.

Sharon Curran mentioned that the intersection of Smith Ranch Road and Porter's Crossing Parkway doesn't have a crosswalk. She would like one added because her son was hit by a car there last year. She would like the unpaved section of Golden Eagle Road completed to control traffic and drainage. The intersection of Porter's Crossing Parkway and Golden Eagle Road is dangerous for pedestrians.

Rod Hess said three of the other elementary schools are on twelve-acre lots. He wondered if the school district is OK with the 8.5 acre site. He recommended the City not require islands in bulb-outs because they create a hazard.

Jennifer Barclay thanked the Councilmembers for their responses to the email she sent earlier today and the visit Councilmember Westmoreland made to her neighborhood. She was concerned about the traffic and drainage issues in the area. She felt the development should be considered more carefully before it is approved.

Kory Kehl said the medians in the bulb-outs prevent the streets from being plowed effectively.

Mayor Pengra closed the public hearing at 8:03 p.m.

Councilmember Westmoreland said the City should be able to take care of some of the safety issues, such as crosswalks and stop signs. He would like to have a drainage plan for Porter's Crossing Parkway before going further into the development process.

Mayor Pengra asked Mr. Trusty approximately how much drainage solutions would cost. Mr. Trusty said storm water could be injected into the unused well east of the detention pond for about $10,000. Drainage to Tickville Wash would cost about $30,000. The deep-well injection process is being encouraged by new Federal standards.

Mr. Cook clarified that the developer is only responsible for water coming off of his property. He already has water draining onto his property from another property. However, the developer can

be required to upsize piping if needed to cure the problem, as long as the City provides reimbursement for the increased cost.

Mayor Pengra asked Mr. Trusty and Mr. Mumford what their biggest traffic concerns will be at full build-out of the project. Mr. Mumford said there were four intersections that are expected to be at service level "F." With the recommended mitigation efforts, the service level would be "C," except for Clark Street, which could be brought up to level "A."

Mr. Trusty recommended applying the three mitigation recommendations. He would like to go back to Hales Engineering to reevaluate the traffic study in regard to Smith Ranch Road.

Mayor Pengra pointed out that the project amendment only increases the original permitted density by seven residential units. That creates only a marginal traffic impact.

Councilmember Reaves said three developments converge in this area. All of them have traffic studies that recommend a traffic signal at Porter's Crossing and Pony Express Parkways. He asked why the developers aren't talking to each other to solve the problem. Mayor Pengra said the developers are not required to identify the City's transportation infrastructure. They are required to provide traffic studies and pay impact fees. The City builds the required infrastructure.

Councilmember Gricius said she couldn't support the City using impact fees to reimburse the developer for the right-of-way. She didn't think the fees should be used for the purchase of land.

Mayor Pengra pointed out the developer is paying about $1.1M for upsizing Golden Eagle Road, beyond what is needed by his development.

Mr. Shipp stated he wasn't required to preserve 106' of right-of-way. As a responsible developer, he is willing to allow the City to buy the right-of-way using the funds generated from the houses he builds.

Mr. Cook pointed out that this is not a precedent. The Council recently approved paying for a right-of-way along Ranches Parkway Extension. Other cities commonly use impact fees to pay for land. He reiterated that the City and Mr. Shipp have gone through mediation with the State Ombudsman's Office and have come up with the best possible agreement. Mr. Shipp has given more than he is required to under the law.

MOTION: ***Councilmember Reaves moved to adopt an Ordinance of Eagle Mountain City, Utah, approving the first amendment to the Evans Ranch Master Development Agreement and Master Development Plan, including an impact fee reimbursement agreement. Councilmember Bradley seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Benjamin Reaves and Tom Westmoreland. Those voting no: Stephanie Gricius. The motion passed with a vote of 4:1.***

Mayor Pengra thanked Mr. Shipp for his efforts to work with the City on resolving the issues with this project. He assured the residents that City staff will continue to address their concerns.

11. AGREEMENT – Consideration of Addendum #2 to the Agreement between Eagle Mountain City and Ace Disposal, Inc. for Solid Waste Disposal and Recycling Services.

This item was presented by Assistant City Administrator/Finance Director Paul Jerome. Because of an increase in the cost associated with recycling, it is necessary for Ace Disposal to adjust the cost that the City will pay for recycling services within the City. Ace Disposal proposed raising the recycling rate to $4.53 per can. City staff proposed raising the rate charged to residents to $5.00 per can. The extra $.47 will cover the City's cost for billing and administration as well as contractual cost increases tied to the Consumer Price Index. The agreement with Ace has already been amended once to change from the North Pointe landfill to the IRL landfill, which decreased costs considerably. The City will use the savings for cleanup projects, open space maintenance and other projects that will facilitate solid waste management.

MOTION: ***Councilmember Bradley moved to approve addendum #2 to the agreement between Eagle Mountain City and Ace Disposal, Inc. for solid waste disposal and recycling services. Councilmember Reaves seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.***

12. RESOLUTION – Consideration of a Resolution of Eagle Mountain City, Utah, Amending the Eagle Mountain City Consolidated Fee Schedule for Recycling Fees.

The proposed resolution implements the increase in the fee for recycling services provided by Ace Disposal, Inc., which was approved by the City Council.

MOTION: ***Councilmember Bradley moved to adopt a Resolution of Eagle Mountain City, Utah, amending the Consolidated Fee Schedule for recycling fees. Councilmember Gricius seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.***

13. RESOLUTION – Consideration of a Resolution of Eagle Mountain City, Utah, Approving the First Amendment for the Valley View Master Development Agreement.

This item was discussed last.

This item was presented by City Attorney Jeremy Cook. The Valley View Master Development Agreement requires that the developers of the project complete a public park prior to issuance of the 150th building permit for the project. The City has determined that a smaller park with better amenities would be more beneficial to residents, and has therefore agreed to convey property for two additional lots adjacent to the park to Edge Land Investments, in exchange for which the company will pay an additional $158,000 towards additional park amenities.

Councilmember Gricius noted that she lives in Valley View. She wanted to know if she was allowed to vote on this item. Mayor Pengra said she was.

Mr. Mumford said Edge Homes has taken the lead on designing this park. They have met multiple times with residents to get their feedback and kept in contact with City staff, as well. The park will be much better quality than was envisioned by the original development agreement.

Councilmember Bradley felt that a detention or retention pond should never be counted towards a development's park requirements. Mayor Pengra said the City is moving away from allowing that.

Mayor Pengra noted that Edge Homes has taken a plan that predated their involvement with the City and has willingly met with the residents and found solutions to their concerns.

MOTION: ***Councilmember Gricius moved to adopt a Resolution of Eagle Mountain City, Utah, approving the first amendment for the Valley View Master Development Agreement. Councilmember Bradley seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.***

14. MOTION – Consideration of a Site Plan for a Holiday Oil Convenience Store, Gas Station and Car Wash.

This item was discussed before item 13.

This item was presented by Planning Director Steve Mumford. This site plan application is for a Holiday Oil convenience store, gas station and car wash that will be located on the southwest corner of the intersection of Eagle Mountain Boulevard and Pony Express Parkway. The project is owned by the same company that owns the Holiday Oil gas station in The Ranches. The site is already zoned Commercial.

The walking trail will be re-routed around the site. The owner will provide a right-of-way to the City between the road and the edge of the parking lot. City staff is working with the owners to increase the landscaping and move it back to accommodate possible future widening of the road.

Councilmember Westmoreland asked if the project has curb-and-gutter along the edge of the road. Mr. Trusty said it's not in the plan for Pony Express Parkway, but it is for Eagle Mountain Blvd. He said construction is expected to begin in early spring.

Mayor Pengra asked if swales had been considered for managing storm water. Mr. Trusty said that was certainly an option.

MOTION: ***Councilmember Gricius moved to approve a site plan for a Holiday Oil convenience store, gas station and car wash, with the condition that the applicant and staff work together to make sure the right-of-way is deep enough to continue to have the landscaping and the trail right-of-way. Councilmember Curtis seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.***

Councilmember Reaves asked when the gas station will be in operation. Mr. Taumoepeau said the owners hope to have it open for business by early summer.

15. MOTION – Consideration of a Site Plan Fee Waiver for a Dental Office.

This item was presented by Economic Development Director Ikani Taumoepeau. Dr. Joel Featherstone has requested that the site plan fees be waived for Pony Express Dental, which will be located in Eagle Mountain City Center.

Councilmember Curtis felt waiving fees would set a bad precedent. He didn't like choosing who would or would not pay fees, especially if the fees were intended to cover the City's costs for reviewing the project.

Councilmember Reaves believed it was all right to provide concessions, but he wanted the company to choose what they would request. He didn't want them coming back for an impact fee waiver after they've received a site plan fee waiver.

Mr. Cook was more comfortable, from a legal standpoint, with waiving impact fees rather than other fees.

Mayor Pengra said he would like to see the applicants show they're serious about their project by paying the first fee.

MOTION: ***Councilmember Curtis moved to deny a site plan fee waiver for Pony Express Dental. Councilmember Bradley seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, and Tom Westmoreland. Those voting no: Benjamin Reaves. The motion passed with a vote of 4:1.***

The Council invited Mr. Taumoepeau to tell the applicants the City wants to work with them and would be willing to consider waiving some impact fees.

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

Councilmember Curtis
No comment.

Councilmember Bradley
Councilmember Bradley thanked everyone who stayed until the end of the meeting. He invited them to contact the Councilmembers for answers to any additional questions they may have.

Councilmember Reaves
Councilmember Reaves echoed Councilmember Bradley's comments.

Councilmember Westmoreland
No comment.

Councilmember Gricius
No comment.

Mayor Pengra
Mayor Pengra wanted the Council to know that City staff is working on several economic development projects, holding initial conversations with businesses. He appreciated those of the audience who stayed through the whole meeting.

17. 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.

18. COMMUNICATION ITEMS
    A. Upcoming Agenda Items

19. ADJOURNMENT

MOTION: ***Councilmember Curtis moved to adjourn the meeting at 9:51 p.m. Councilmember Bradley seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.***

APPROVED BY THE CITY COUNCIL ON MARCH 15, 2016.

Fionnuala B. Kofoed, MMC
City Recorder