

MINUTES
EAGLE MOUNTAIN CITY COUNCIL MEETING

March 4, 2014

Work Session 5:00 p.m. Policy Session 7:00 p.m.

Eagle Mountain City Council Chambers, 1650 East Stagecoach Run, Eagle Mountain, Utah 84005

*** This meeting may be held telephonically to allow a member of the City Council to participate ***

5:00 P.M. WORK SESSION – COUNCIL CHAMBERS

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

CITY STAFF PRESENT: Ifo Pili, City Administrator; Jason Walker, Assistant City Administrator; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Deputy City Recorder; Paul Jerome, Finance Director; Rand Andrus, Fire Chief; Chris Trusty, Public Works Director; Steve Mumford, Planning Director; Adam Ferre, Energy Director; Kent Partridge, Building Official; Linda Peterson, Public Information Director; Eric McDowell, Sheriff's Deputy.

Mayor Pengra called the meeting to order at 5:03 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 and do not require action by the City Council.

- A. Pony Express Days / Rodeo

An agreement with the Rodeo Committee will be ready for the City Council meeting on March 18. Mr. Pili introduced Jared Gray, the president of the Rodeo Committee and Wendy Lojik, committee member. The committee has filed its IRS paperwork, they have a draft one-year lease agreement for the facility and the paperwork is ready to send in to the sanctioning organization. Because the rodeo grounds can be used for other events than rodeos, they consider themselves a community improvement committee.

Mayor Pengra asked if the committee was asking for additional funds for bleachers. Ms. Lojik stated that they are looking for answers the committee and the City can work on together. She said that the bleachers are a separate issue from the rodeo.

Mr. Gray said that renting bleachers is a waste. If bleachers are purchased, they're an improvement to City facilities. The committee would like to consider options for buying the bleachers, such as grants or loans. One option is for the City to purchase the bleachers and allow the committee time to pay the money back. Another is to get donations from developers or other interested parties.

There are bleachers available for purchase at half the cost the committee expected. The seller's agent said the bleachers can be purchased from Heber City for less than \$90,000, including transportation and installation.

Councilmember Ireland asked what the legal requirements are for some entity to put improvements on public grounds and certify them as safe.

City Attorney Jeremy Cook said he thought that the City would have to purchase them, after checking with its insurance carrier to determine what issues would need to be addressed.

Councilmember Burnham asked if the City could buy the bleachers and rent them to the committee for a number of years. Mr. Cook said that would probably work, but there's no guarantee that a new, non-profit entity would stay in business for long enough to pay off the contract.

Councilmember Ireland asked if Powder River has reviewed the contract and approved the terms. Mayor Pengra said that they have.

Mr. Gray stated that the contract requires the committee to provide power. The committee can't do that, so they hope the City will cooperate.

Councilmember Burnham hoped that the City will consider what it can do towards purchasing the bleachers. The price is less than two years' rental and the bleachers will add to the City's event facility for more than just the rodeo.

Councilmember Bradley agreed with Councilmember Burnham. He itemized the expenses that the committee is asking for from the City. Jared responded that they are \$61,400 for the stock contract, \$14,000 for half the purse, \$300 for WPRA dues and up to \$1,800 for PRCA dues.

Councilmember Bradley asked what the contingency plan is. Mr. Gray said the contribution from the City is all the committee needs to put on the rodeo, except for their half of the purse. Ticket sales and sponsorships will be extra.

Mayor Pengra was concerned that the plans for the rodeo are getting larger. They've gone from a dirt berm to bleachers and from a small rodeo to a community improvement committee. Ms. Lojik said that she thought she'd explained the scope of her vision earlier.

Mr. Gray said that the larger plans are separate from the rodeo. The rodeo can be held with the City's contribution. Councilmember Bradley asked how the rodeo could be held without bleachers. Ms. Lojik said that the committee can get sponsors for the bleacher rental.

Mr. Gray said if the bleachers are purchased, the committee will be able to hold the rodeo every year without City help. If not, they'll be requesting more help next year.

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

10. Skyline Ridge 1D Land Exchange Resolution

Planning Director Steve Mumford said that the existing plat leaves very little room for constructing park amenities. Exchanging two lots for City land adjacent to the park will allow more usable park space. Councilmember Bradley asked if this approval will be the final approval for the locations of the amenities, as well. Mr. Mumford said their locations can be changed later.

Councilmember Ireland asked what improvements the detention basin has. Mr. Mumford said that he didn't know how improved the basin is right now, but there are plans to improve it further.

11A. Sunset Ridge, Plat 2

Councilmember Steinkopf noted that when construction happens near a roundabout, the roundabout gets badly damaged. He asked how the City can prevent construction vehicle damage to the Lone Tree roundabout. Mayor Pengra said that's a future discussion, since this is only a plat approval. Mr. Trusty can consider the construction standards for roundabouts.

Councilmember Ireland asked about construction access to Sunset Ridge from Lone Tree. Mr. Trusty stated that he has requested that all access to Sunset Ridge be made from Lonetree Parkway.

Councilmember Westmoreland asked if there is enough banked water left for this project. Mayor Pengra said there was enough. Mr. Cook said he can get an exact amount for Councilmember Westmoreland.

12. Porter's Crossing Town Center Retail Pad A

Trevor Hull of TSquared Consulting said the elevation had been updated to address the Planning Commission's concerns. The designs weren't changed, but the drawing is more detailed than it was. Mr. Hull said that three tenants are ready to go in. The shell is expected to be built by June.

13. Pony Express Memorial Cemetery Plat

Mayor Pengra noted that the final tally of the plots available in this phase of the cemetery is 1256.

Mr. Pili stated that in the past four years, City staff and the Cemetery Board have looked at locations north of SR 73, in City Center, SilverLake and Lone Tree. The location they selected is a section of Pony Express Regional Park. They've spoken to private cemetery operators and to SITLA. This location and the operation plan are the result of extensive research and meetings with other local cities.

At the last meeting, LaVar Thompson's family told the Council he had just passed away that day and asked if he could be buried in the new cemetery. City staff has worked hard to finalize the cemetery and allow Mr. Thompson to be buried there.

Management Analyst Ikani Taumoepeau explained the details of constructing the cemetery and how the responsibilities would be divided among City staff.

3. ADJOURN TO A CLOSED EXECUTIVE SESSION – The City Council will adjourn into a Closed Executive Session for the purpose of discussing reasonably imminent litigation and the purchase, lease or exchange of real property pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

MOTION: *Councilmember Burnham moved to adjourn into a Closed Executive Session for the purpose of discussing reasonably imminent litigation and the purchase, lease or exchange of real property, pursuant to Section 52-4-205(1) of the Utah Code, Annotated. Councilmember Ireland seconded the motion. Those voting aye: Adam Bradley, Donna Burnham, Ryan Ireland, Richard Steinkopf and Tom Westmoreland. The motion passed with a unanimous vote.*

The meeting was adjourned at 6:41 p.m.

POLICY SESSION – CITY COUNCIL CHAMBERS

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

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

4. CALL TO ORDER

Mayor Pengra called the meeting to order at 7:20 p.m.

5. PLEDGE OF ALLEGIANCE

Boy Scout Troop 1250 presented a flag ceremony.

6. INFORMATION ITEMS/UPCOMING EVENTS

- **Planned Power Outage** – There is a planned power outage for a circuit upgrade on Wednesday, March 5 for the SilverLake area. A map of the affected area is posted on the City website, News page. The outage is scheduled for approximately 9:00 a.m. to 12:00 p.m. We appreciate your patience while we complete this necessary upgrade.
- **Run for the Fallen 5K** – An Eagle Mountain resident has organized a 5K run/walk to benefit the family of Sgt. Cory Wride on Saturday, March 15 at 9:00 a.m. in Eagle Mountain. Event details and registration information are available on the City website, Events page.
- **Spring Clean-Up** – The City will offer the annual spring clean-up dumpsters for yard and general waste from April 1-20. Dumpsters will be located near the Public Works building, in front of the wastewater treatment plant. A schedule of when the dumpsters will be emptied and a list of items unacceptable for the dumpsters are available on the City website, News page. The County is offering a household hazardous waste collection day on April 12 at the Provo Towne Centre Mall. Information for this event is also available on our website.
- **Blood Battle Blood Drive** – The third annual Blood Battle blood drive sponsored by Horrocks Engineers and administered by the Red Cross will be held on Tuesday, April 8 in the Council Chambers from 8:00 a.m. to 1:00 p.m. The drive is a friendly competition among northern Utah County cities to provide much needed donations for the blood bank. Eagle Mountain City has been the winner of the battle for the past two years. Employees from Horrocks will donate community service hours to the City with the most donors. Registration is required and is available via the City website, Events page.

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

Diane Thompson thanked the Mayor and Council for opening the new cemetery shortly; soon enough that her husband will be able to be buried there.

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 the residents attending the meeting and thanked them for coming.

Councilmember Burnham

Councilmember Burnham thanked those attending and those who will watch the meeting on video. She appreciated the time and effort the Rodeo Committee has expended on enabling the rodeo to go forward this year. They need some creative thinking to help them put on the event.

Councilmember Ireland

Councilmember Ireland thanked those in attendance, particularly the Scout troop that presented the flag ceremony. He expressed appreciation for the City staff. He asked if they could give more attention to responding in a timely manner to contacts from residents.

Councilmember Westmoreland

Councilmember Westmoreland thanked those attending the meeting and those who send him emails. He encouraged everyone to keep it up.

Councilmember Bradley

Councilmember Bradley commended the Mt. Airey Boy Scouts for the flag ceremony. He said he was excited about the public's excitement about City events, especially the Rodeo Committee's work on the rodeo. He enjoyed the welcome rally at the middle school for Noelle Pikus-Pace, who just returned to Eagle Mountain after winning the silver medal in skeleton at the Olympics. The Mayor, City staff & other volunteers did an impressive job of putting on the event.

Mayor Pengra

Mayor Pengra congratulated the staff for putting on the welcome for Noelle Pikus-Pace on short notice.

CONSENT AGENDA

9. MINUTES

- a. February 18, 2014 – Regular City Council Meeting

10. RESOLUTION

- b. Skyline Ridge 1D Land Exchange Resolution

11. FINAL PLATS

- c. Sunset Ridge, Plat 2
- d. Mid Valley Road Phase 1 Amended (aka Eagle Mountain Jr. Seminary)
- e. Skyline Ridge 1D

12. SITE PLAN

- f. Porter's Crossing Town Center Retail Pad A

MOTION: *Councilmember Ireland moved to approve the consent agenda with the minutes as amended. 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.*

SCHEDULED ITEMS

13. MOTION – Consideration and Approval of the Pony Express Memorial Cemetery Plat.

This item was presented by Economic Development Director Ikani Taumoepeau. The Cemetery Advisory Board has been working for several years on a proposal to develop a cemetery in Eagle Mountain. After considering several locations, the Board recently recommended to the City Council that a portion of Pony Express Park be used for the City cemetery. The proposed plat is the first phase of the cemetery and will contain approximately 1200 plots.

Mr. Taumoepeau spoke to most of the sextons in the county to learn about the most common practices for facilities, regulations and staffing.

Councilmember Bradley commended the staff and the Cemetery Board for their hard work in pursuing this project. He asked Mayor Pengra exactly what the Council is voting on this evening.

Mayor Pengra responded that this is a plat approval. He said the purpose of the detailed presentation was to help the Council understand the overall plans for the cemetery.

City Recorder Fionnuala Kofoed explained that the State requires that the City have a recorded plat before it can go forward with a cemetery. It is possible to amend the plat in the future.

The 5' by 10' lot size was discussed in terms of allowing for upright grave markers, giving people room to move around without walking on other graves and landscaping. It also reduces the long-term maintenance cost. After the first 100 graves, the plan will be re-evaluated.

Wendy Lojik of the Cemetery Board discussed the reasons for the location. The cemetery will be located right next to the Pony Express Trail, which seemed appropriate to the history of the area. The Cemetery Board didn't feel that there would be any problem with locating it in the park.

Councilmember Bradley asked Planning Director Steve Mumford asked how this proposed location fit in with the City's master plan. Mr. Mumford said that there is a master plan for the Pony Express Park, in which the cemetery will be located. Future plans for the surrounding area include larger residential lots near the cemetery and smaller lots farther away from it.

Councilmember Bradley asked if the cemetery location will be a good one in fifty years. He's received public comments concerned about park activities being too rowdy to be adjacent to a cemetery. Ms. Kofoed had mentioned to him that the City owns the parks and can close them during burial services. Mr. Mumford said that cemeteries are located in various kinds of locations all over the country.

Councilmember Ireland noted that Saturday is a popular day for burials. It's also a popular day for ball games. He asked how to maintain a quiet atmosphere. Mr. Pili stated that the first area of the cemetery will be the farthest from the baseball fields. It will be decades before any plots are made available near the ball fields. Councilmember Ireland suggested berming that end of the cemetery to block park activity from the cemetery. He also brought up the need for regional parks and asked if taking this piece of land will change Pony Express Park from a regional to a community park.

Mr. Mumford answered that the City could choose another location for a regional park if necessary.

MOTION: *Councilmember Bradley moved to approve the Pony Express Memorial Cemetery plat. 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.*

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

The proposed amendment to the Consolidated Fee Schedule adds fees for cemetery plots and interments.

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.*

15. BID AWARD – Consideration and Approval of a Bid Award for the 2014 Landscape Service and Maintenance Contract.

This item was presented by Public Works Director Chris Trusty. The proposed bid award is for the maintenance of specific open space throughout the City. The City entered into a contract with Elite Grounds in April, 2009, with the initial contract based specifically on routine maintenance. The scope of the contract has grown since then and, as such, it was necessary to re-bid the maintenance contract. Elite Grounds was the low bidder.

MOTION: *Councilmember Ireland moved to approve a bid award for the 2014 landscape service and maintenance agreement to Elite Grounds in the amount of \$279,592.00 and authorize the Mayor to sign the contract. 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.*

16. 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 said that he thought the Council made a great decision in approving the cemetery plat.

Councilmember Burnham

Councilmember Burnham was unable to attend the Youth City Council meeting because the meeting date was changed. She'll bring a report after the next Youth Council meeting.

Councilmember Ireland

Councilmember Ireland asked that City staff ask Elite Grounds what experience they have in cemetery maintenance.

Councilmember Westmoreland

Councilmember Westmoreland said the Economic Develop Board didn't have a quorum at its meeting. He hoped that in the future, members will participate more actively.

Councilmember Bradley

Councilmember Bradley stated that the Planning Commission is doing a great job at seeing that those who want to build in the City comply with the City Code. He noted how the City is developing recently, adding a grocery store and a cemetery.

Mayor Pengra

Mayor Pengra said that he is working at getting more information to more people more efficiently. He invited residents to read his blog, mayorsvoice.com. He appreciated those who attended this 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.

18. COMMUNICATION ITEMS

- a. Upcoming Agenda Items
- b. Draft Cemetery Policies & Procedures

19. ADJOURNMENT

MOTION:

Councilmember Burnham moved to adjourn the meeting at 8:15 p.m. Councilmember Ireland seconded the motion. Those voting aye: Adam Bradley, Donna Burnham, Ryan Ireland, Richard Steinkopf and Tom Westmoreland. The motion passed with a unanimous vote.