

**MINUTES OF TOWN COUNCIL MEETING  
TOWN OF EAGLE MOUNTAIN, UTAH  
Eagle Mountain Community Center  
1668 East Heritage Dr  
Eagle Mountain, UT 84043  
May 4, 1999**

**WORK SESSION – No Action or Minutes Taken – 4:30 to 6:30 p.m. – 2218 E. Valley Dr, Eagle Mtn.**

1. Warrant Register/Jeri Wilson
2. Class II Preliminary Plat Approvals/Ken Leetham
  - A. Ruby Valley & Ash Point (R-5 N-1 through 4)
  - B. Jacob's Well (R-6 N-3)
  - C. Town Center South & Business Park
  - D. Jake Garn Airport, Phase 1 Subdivision
  - E. Cedar Trail Villages
3. Class II Final Plat Approval/Ken Leetham
  - A. Liberty Farm (R-6 N-2)
  - B. Eagle Point, Plate D – Revised
  - C. Sage Valley, Plat B
4. Eagle Mountain Wastewater Treatment System Alternative
5. Eagle Mountain Fire Station Claims
6. Proposal to Revise the Eagle Mountain Development Code

**INTERMISSION – Change of Venue**

**POLICY SESSION – 7:00 TO 10:30 P.M. Eagle Mountain Community Center**

1. **Roll Call:**

The Town Council Meeting was called to order at 7:13 p.m. by Mayor Robert E. Bateman.

Council Members present: Mayor Robert E. Bateman  
Dan Valentine, Diane Bradshaw  
Bill Chipman excused  
Cyril Watt arrived late

**Town Staff:**

Town Administrator: John Newman  
Town Attorney: Jerry Kinghorn  
Town Engineer: Korey Walker  
Recording Secretary: Vada Hunter

Others present: Brigham & Jennifer Morgan, residents; Wes & Brandi Patton, residents; Lance & Roxie Raven, future residents; Marc Edminster, Lewis & Young; Charles & Fawn Jenkins; Joshua & Jenny Elledge, residents; Mark Lofgren, resident; Rich Morley, Eagle Town Center; Jeff & Alison Love, residents; Colin & Hilary Riley, future residents; Darrin & Ruth Brandt, residents; Alan & Kimberly Anderson, future residents; Devin & Mandi Winn; Dale Berg, Sage Valley; Paul Bond, resident; Bert & Rebecca Ankrom, residents; Rick Pierce, resident; Scott

Kirkland, The Ranches; Bob Lynds, The Ranches; Rondo Fehlberg, Orem; Mike Wren, MCM Engineering; Ross Hansen, MCM Engineering; Juanita Christiansen, resident; Kole & Krista Black; Carolyn Royce, resident

2. **Pledge of Allegiance:**

John Newman led the Town in the Pledge of Allegiance.

3. **Approval of Agenda:**

4. **Approval of Minutes March 30, 1999 and April 20, 1999:**

March 30<sup>th</sup>:

**MOTION** *Diane Bradshaw moved to approve the minutes of March 30, 1999, as amended. Dan Valentine seconded. Ayes: 3, Nays: 0. Cyril Watt had not arrived as yet. Motion passed.*

**MOTION** *Diane Bradshaw moved to approve the minutes of April 20, 1999, as amended. Dan Valentine seconded. Ayes: 3, Nays: 0. Cyril Watt had not arrived as yet. Motion passed.*

5. **General Discussion/Questions/Announcements:**

Diane Bradshaw announced that the final landscaping meeting would be held on Thursday, May 13<sup>th</sup> at 7:00 p.m. and it would be on xeriscaping.

Carolyn Royce, resident, asked when the light at the eagle entrance would be fixed. Jim Peterson said they were waiting for parts.

It was asked exactly where does Eagle Mountain begin. Mayor Bateman responded that it was ½ mile before Cedar Pass Ranch. The sign is missing, but will be replaced by the Utah Department of Transportation (UDOT).

Mayor Bateman announced that Pony Express Days would be on June 18<sup>th</sup> and 19<sup>th</sup>.

6. **Appointments:**

Mayor Bateman announced the appointments of the following people to the Eagle Mountain Council to the Arts:

Jennifer Morgan, Chair  
Carolyn Royce  
Darrin Brandt  
Ruth Brandt  
Ken Nusz  
Fawn Jenkins

6. **Public Comment:**

Ruth Brandt handed out a summary report: **Petition in Support of an Elementary School in Eagle Mountain, Utah, Survey of School-Age Children in Eagle Mountain, Summary Report of Facts and Findings.**

Ruth then spoke briefly about the procedures she followed to come up with this information.

Mayor Bateman responded and thanked Ruth Brandt for her work. He said he was working closely the Alpine School District to have some action taken on this situation. He said Eagle Mountain Properties was making a proposal to the Alpine School District.

Allison Lund, resident, asked why Eagle Mountain couldn't have their own school district.

John Newman, Town Administrator, said that the State Law prohibits a Town from forming their own school district.

Chuck Jenkins, resident, asked about the light on the eagle where you turn into the Town. Mayor Bateman responded that it is being worked on.

There were some questions about whether or not the sod was going to be laid on Saturday. The response was that it would be happening, weather permitting.

Janet Valentine announced that the petition for annexation presented by White Ranch was being withdrawn. She said they have found another way to develop their property. She said she requested them to send an official letter to the Town announcing their withdrawal.

7. **Report to Town Council regarding the Eagle Mountain Arts Council:**

Darrin Brandt spoke to the Town about the goals and desires of the Arts Council. He said the Council wanted to reach the young and the old. He wants a safe place for people of all ages to come and develop some kind of talent. There are no winners or losers. There are only winners. He said this would bring a togetherness for the Town. He asked that there be some representation from The Ranches.

Jennifer Morgan commented about the responses they had from Eagle Mountain online. This was a survey about what kind of interests they would like to see from the Arts Council. There were requests for arts and crafts for children, talent and art show, writing contest, etc. They asked that people in the Town volunteer their time to any area they might have some knowledge of.

Carol Guthrie commented that none of the staff of the Arts Council was being paid. It is strictly volunteer.

Janet Valentine asked how they should report to the Mayor. Mayor Bateman asked Janet to give a report to him once a month

8. **Patterson's request for a waiver of the minimum porch size requirements for certain homes in their project:**

Wayne Patterson spoke to the Town Council on behalf of the people who had a contract with Patterson Construction for homes that did not meet the requirement on porch sizes with regard to the Town Code. He said there was a total of twenty-eight (28) homes.

Wayne said there was never an intention to go against the code. He said they were never notified of the issue until several weeks ago.

Mayor Bateman asked Dave Conine, former Town Planner, to talk about the basic guidelines that were drawn up in the Development Code.

Dave Conine said the present guidelines for the porch requirements are a minimum of 100 square feet with a depth of 8 feet. The reason for 8 feet is so that the porch is usable to sit out on the porch with chairs and table and be able to visit with your neighborhoods on your porch.

Several people in the audience commented. Some were people who are from the 28 homes that are in question and others were homeowners already established in the Town.

Dave Conine said there was a way for developers to have all of their building plans pre-approved so that they don't come up against this situation.

Those commenting were Jody Bazel, Ruth Brandt, Brigham Morgan, Rita Christiansen, Devin, and Chuck Jenkins.

Mayor Bateman said that last September there was some concern on the Town Council and the Planning Commission on the exceptions being given regarding garages and porches. Mayor Bateman said they instructed Dave Conine to send a letter to the builders that from that time forward there would be no exceptions to the Town Code. Dave said that letter did go out. Wayne Patterson said he never received that letter.

Wayne Patterson responded to their remarks. He stated once again that he never received notice of the September letter that they had to follow the porch size. He said they were meeting the intent of the law. He said the Planning Commission had been approving these all along. He said he would have the 18 homes comply with the code and see what he could do on the other 10 homes.

Dan Valentine, Town Council, said he felt like the Town Council was caught in the middle. He felt like he should vote no because Patterson's should have known about the Town Code and followed it.

Diane Bradshaw, Town Council, asked when the 28 contracts were signed. John Newman, Town Administrator, said they were from October 1998, to April of 1999.

Wayne Patterson said once again he did not know of the letter. He said he did know of the Town Code.

Nick Berg, Eagle Mountain Properties, responded at the request of Dan Valentine. Nick said there were still exceptions being approved after Ken Leetham came in as the new Town Planner.

Jerry Kinghorn, Town Attorney, said Ken Leetham told him he had never approved a plan knowing that the plan was the exception to the Town Code.

Nick Berg said there were no winners in this situation. He said Wayne could do some special things in order to have these approved.

Mayor Bateman said Ken Leetham told him he had not knowingly approved any homes with 6-foot porches since he came.

Debbie Hooge, The Ranches, said they were allowing some 6-foot porches in The Ranches because it was in their design guidelines for their Master Development Plan.

Wayne Patterson responded again about how he wanted to work with the Town. He felt like there were a lot of things he could do for the Town.

Mayor Bateman said the Planning Commission recommended to the Town Council to approve 12 homes with the exception of having a square footage of 156 feet and a 6-foot depth.

**MOTION**

*Diane Bradshaw moved to approve a request for a waiver for minimum porch requirements of 6 feet and 156 square feet for 12 designated homes upon Wayne Patterson's choosing.*

*Dan Valentine seconded. Ayes: 2, Nays: 1. Mayor Bateman voted nay. Motion failed.*

*Diane Bradshaw rescinded he motion and moved to deny a waiver of porch requirements for Wayne Patterson Construction. Dan Valentine seconded. Ayes: 3, Nays: 0. Motion passed.*

Wayne Patterson asked what this meant. He was told he had to comply with the Town Code for all of his homes.

Mayor Bateman talked about design guidelines.

Wayne Patterson asked what he could do to have his own design guidelines.

Debbie Hooge commented about The Ranches design guidelines. Her comments were barely audible to transcribe.

Scott Kirkland, The Ranches, said you need to go through the public process. He said it would take at least 60 days.

10. **Motion to approve Consent Agenda Items as follows:**

- A. Warrant Register
- B. Consideration to Approve Eagle Mountain Fire Station Claims

MOTION

*Dan Valentine moved to approve the Consent Agenda and pay the customary bills; that the first item under the Fire Station Claims, Western Rental v. Town of Eagle Mountain, the amount be changed from \$1,010.16 to \$1,389.69. Diane Bradshaw seconded. Ayes: 3, Nays: 0. Motion passed.*

11. **Consideration of a Resolution revising the Notice of Intention adopted on June 30, 1998, in connection with the creation of Eagle Mountain, Utah, Special Improvement District No. 98-1 in order to make certain changes with respect to (1) the improvements to be constructed, (ii) the properties proposed to be assessed, (iii) the method of assessing properties, and (iv) the period of time over which assessments may be levied; and related matters.**

Jerry Kinghorn, Town Attorney, asked Blaine Carlton to speak briefly about this resolution. Jerry said these had been carefully prepared.

Mayor Bateman said this would be Resolution 02-99.

Blaine Carlton spoke briefly about this resolution. He said that in June 1998, a Special Improvement District was formed. He said there had been a number of changes and revisions since the original resolution. This is a revision of the resolution. He said he had all waivers and acknowledges from property owners for this resolution. He said these needed to be signed tonight and then adopted.

MOTION

*Dan Valentine moved to approve Resolution 02-99, a Resolution revising the Notice of Intention adopted by the Town Council of Eagle Mountain, Utah, in connection with the creation of Eagle Mountain, Utah, Special Improvement District No. 98-1 and related matters. Diane Bradshaw seconded. Ayes: 3, Nays: 0. Motion passed.*

**MOTION**

*Dan Valentine moved to approve Resolution 03-99, A Resolution revising Resolution 15-98 to create Eagle Mountain, Utah, Special Improvement District No. 98-1 and related matters. Diane Bradshaw seconded. Ayes: 3, Nays: 0. Motion passed.*

12. Consideration of an Ordinance confirming the assessment rolls and levying an assessment against properties in Special Improvement District 98-1 for the purpose of paying costs of constructing, acquiring and installing improvements as set forth in the Notice of Intention and Revised Notice of Intention; and related matters.

Blaine Carlton explained this ordinance also.

Cyril Watt arrived at 8:55 p.m.

**MOTION**

*Diane Bradshaw moved to approve Resolution 99-06, An Ordinance confirming the assessment rolls and levying an assessment against certain properties in Eagle Mountain, Utah Special Improvement District No. 98-1, Utah County, Utah for the purpose of paying the costs of constructing roads, acquiring easements and installing sewer, water, telecommunications, electrical and gas utility improvements, constructing park and landscaping improvements, replacing above ground electric transmission lines with underground electric transmission lines, and completing any miscellaneous work necessary to complete the improvements in a proper and workmanlike manner; establishing a Reserve Fund; establishing the effective date of this Ordinance; and related matters. Dan Valentine seconded. Ayes: 3, Nays: 0. Cyril Watt abstained. Motion passed.*

13. Consideration of a Bond Resolution authorizing the issuance and sale of Special Assessment Bonds with regard to Special Improvement District No. 98-1; fixing the maximum interest rates to be borne thereby; and related matters:

Blaine Carlton explained this resolution. He said the underwriter was A. G. Edwards & Son, Inc., Denver, Colorado. This is a bond in the amount of \$12,885,000.

Jerry Kinghorn, Town Attorney, commented.

**MOTION**

*Dan Valentine moved to approve Resolution No. 04-99, A Resolution authorizing the issuance and providing for the sale of \$12,105,000 Town of Eagle Mountain, Utah Special Assessment Bonds, Series 1999 Eagle Mountain, Utah Special Improvement District No. 98-1 (The "Bonds"), fixing the maximum interest rates to be borne thereby, prescribing the form of bonds, maturity and denomination of said bonds; creating a reserve fund as provided by statute and a stabilization reserve fund, a bond fund, and a construction fund; and related matters. Diane Bradshaw seconded. Ayes: 3, Nays: 0. Cyril Watt abstained. Motion passed.*

14. Consideration to approve an Eagle Mountain Wastewater Treatment System Concept Level Facilities Plan:

Korey Walker presented the plan in a handout given to the Town Council. He then explained the plan.

**MOTION**

*Diane Bradshaw moved to approve a consideration to approve an Eagle Mountain Wastewater Treatment System Concept Level Facilities Plan. Dan Valentine seconded. Ayes: 4, Nays: 0. Motion passed.*

15. Class II Preliminary Plat Approvals:

A. **Ruby Valley & Ash Point (R-5 N-1 through 4):**

**Town Staff Recommendations:**

1. **Developers and lot owners/builders should sign an agreement acknowledging potential utility capacity problem.**
2. **The Public Works Board has recommended that all new subdivisions should install conduit for future fiber optic installation.**

**Planning Commission Recommendations/April 27, 1999:**

1. **Compliance with items 1a-f of the Town Engineer's letter dated Thursday, April 22, 1999 (this item is complete).**
2. **Approval of an ordinance change regarding intersection grades (there is a recommendation from the Town Engineer attached for this item).**
3. **A slight revision in the alleyway adjacent to Lot 44 be made (this item has been revised).**
4. **Lots 65-69 shall contain a provision that requires the homes to face the public street (Pony Express Road).**

**Town Engineer Recommendations/April 29, 1999:**

1. **Changes and updates to the preliminary plans:**
  - a. **Intersection grades exceed the present code requirements. The Planning Commission requested the Town Staff create an acceptable recommendation to be adopted into the Town's Development Code and will come before the Town Council on the second meeting in May regarding this issue.**
2. **Water right documentation is in the process for approval of application by the State of Utah.**

Bob Lynds didn't have any kind of presentation.

**MOTION**

*Cyril Watt moved to approve the Class II Preliminary Plat Approval for Ruby Valley & Ash Point, R-5 N-1 through 4, subject to the recommendations of the Town Planner in a memo dated May 4, 1999, and the recommendations of the Town Engineer in a memo dated April 29, 1999. Diane Bradshaw seconded. Ayes: 4, Nays: 0. Motion passed.*

B. **Jacob's Well (R-6 N-3):**

**Town Staff Recommendations/May 4, 1999:**

1. Developers and lot owners/builders should sign an agreement acknowledging potential utility capacity problem.
2. The Public Works Board has recommended that all new subdivisions should install conduit for future fiber optic installation.

**Planning Commission Recommendations/April 27, 1999:**

1. Compliance with the provisions of items 1 a-e on the Town Engineer's letter of Thursday, April 22, 1999 (these revisions have been completed).
2. Approval of an ordinance change regarding intersection grades (there is a recommendation from the Town Engineer attached to the previous staff report relative to intersection grades).

**Town Engineer Recommendations/April 29, 1999:**

1. Changes and updates to the preliminary plans:
  - a. Intersection grades exceed the present code requirements. The Planning Commission requested the Town Staff create an acceptable recommendation to be adopted into the Town's Development Code and will come before the Town Council on the second meeting in May regarding this issue (see attached recommendation).
2. Water right documentation is in the process for approval of application by the State of Utah.
3. Developer and lot owners/builders should sign an agreement acknowledging potential utility capacity problem.
4. The Public Works Board recommends all new subdivision install conduit to each home for future fiber optic installation.

Bob Lynds gave a brief explanation.

Mayor Bateman said the only issue on this application was the grade at the intersections. Korey Walker commented on this issue. He said the Planning Commission recommended this be a Development Code change in the future.

Mayor Bateman asked what advantage this would be. Korey said it would eliminate a lot of mass grading, cut and fill.

Mayor Bateman had a question about flag lot #1.

Diane Bradshaw wanted to know just how the home would be placed on the property.

Bob Lynds responded to their questions. He showed on the map how things would go.

**MOTION**

*Dan Valentine moved to approve the Class II Preliminary Application for Jacob's Well, R-6 N-3, subject to the items on the memo from the Town Planner dated May 4, 1999, and the memo dated April 29, 1999, from the Town Engineer, and subject to the approval of an amendment to the Development Code to allow the grade change on intersections. Cyril Watt seconded. Ayes: 4, Nays: 0. Motion passed.*

**C. Town Center South & Business Park:**

**Town Center South:**

**Town Staff Recommendations/May 4, 1999:**

1. Prior (concurrent with) final approval of this project, a set of architectural design guidelines should be approved that establishes the basis design theme for the buildings and landscaping that will be created in TC South.
2. An open space plan for TC South must be approved prior to (concurrent with) final approval. This plan should address open space within TC South and in the areas between Eagle Mountain Boulevard and the Town Centers.

**Planning Commission Recommendations/April 27, 1999:**

1. Access for large trucks be investigated and addressed if necessary.
2. Bonding is established for improvements along Eagle Mountain Boulevard.
3. A second hard surface access road must be provided so that there are two accesses for phase 1.

**Town Engineer Recommendations/April 29, 1999:**

1. More detail is required for the landscaping and open space.
2. Additional storm water information needs to be provided to show adequate detention basin area for entire 100-year storm.
3. An agreement and plan should be submitted from the developer in conjunction with the master developer for the Eagle Mountain Boulevard buffer area.

Rich Morley gave this presentation.

Mayor Bateman said this needed a set of architectural guidelines to go along with a commercial development.

Rich Morley said these are being worked on.

Mayor Bateman asked about access for large trucks.

Rich Morley responded by showing on the map that there wouldn't be large semi trucks in that particular area.

**MOTION**

*Diane Bradshaw moved to approve the Class II Preliminary Plat Approval for Town Center South subject to items 1 and 2 and then item 2, of the second section referring to bonding be established for improvements along Eagle Mountain Boulevard on the memo from the Town Planner dated May 4, 1999. Dan Valentine seconded.*

There was a discussion about landscaping on the buffer area by Eagle Mountain Boulevard.

*Diane amended the motion that the Town Council wants a map showing the landscaping in the buffer area along Eagle Mountain Boulevard after the developer has worked this out with Eagle Mountain Properties. Dan Valentine accepted the amendment. Ayes: 4, Nays: 0. Motion passed.*

**Business Park Commercial:**

**Town Staff Recommendations/May 4, 1999:**

1. Prior to (concurrent with) final approval of this project, a set of architectural design guidelines should be approved that establishes the basic design theme for the buildings and landscaping that will be created in the Business Park.

**Planning Commission Recommendations/April 27, 1999:**

1. The approval is granted for Phase I of the Contractor Village.

**Town Engineer Recommendations/April 29, 1999:**

1. More detail is required for the landscaping and open space.
2. Additional storm water information needs to be provided to show adequate detention basin area for entire 100-year storm.
3. A fiber optic tap needs to be provided for telecommunication.

Rich Morley then gave a presentation on the Business Park Commercial Project.

Rich Morley said they have some buyers for part of the commercial park. The location is on Sweet Water Road South.

Mayor Bateman said the people would have to come in for a Class I permit.

**MOTION**

*Cyril Watt moved to approve the Class II Preliminary Plat Approval for the Town Business Park, subject to the recommendations of the Town Planner in his memo of May 4, 1999, and the Town Engineer's memo dated April 29, 1999. Dan Valentine seconded. Ayes: 4, Nays: 0. Motion passed.*

**D. Jake Garn Airport Phase I Subdivision:**

**Town Staff Recommendations/May 4, 1999:**

1. Developers and lot owners/builders should sign an agreement acknowledging potential utility capacity problem.
2. The Public Works Board has recommended that all new subdivisions should install conduit for future fiber optic installation.
3. Development agreement and CC&R's to be submitted.
4. Adoption of Design Guidelines for Air Park project.
5. Compliance with the updates to the preliminary plans, items 1 a-f in Town Engineer's letter dated April 29, 1999.

**Town Engineers Recommendations/April 29, 1999:**

1. Changes and updates to the preliminary plans:
  - a. A temporary all weather turnaround needs to be placed at the south end of Rudder Road.
  - b. Concern with the sewer lift station.
  - c. A contract map was provided. A vicinity map should also be included showing all nearby major road names and subdivision names.
  - d. The County book and page number should be shown for Sweetwater Road.

- e. Where are trails to be located with respect to the Master Trail Plan? Show the locations of undulating berms along with these trails.
- f. The average lot size should be included in the provided acreage table.

Nick Berg gave the presentation for this subdivision. He had a map showing the area of the subdivision. He said it was a light industrial area. The area includes campgrounds, residential for single and multi family dwellings. He said the airport area was surrounded by chain link fencing with barbed wire on top.

Nick said they have reservations pending from people who want to utilize this development.

**MOTION**

*Diane Bradshaw moved to approve the Class II Preliminary Application for Jake Garn Airport, Air Park Phase 1, subject to the recommendations of the Town Planner in his memo dated May 4, 1999. Dan Valentine seconded.*

*Diane amended her motion that the Town Engineer and the engineer for Eagle Mountain Properties work together on the road to provide a second access. Dan Valentine accepted the amendment. Ayes: 4, Nays: 0. Motion passed.*

**E. Cedar Trail Villages:**

**Town Staff Recommendations:**

1. The developers and lot owners/builders should sign an agreement acknowledging a potential utility capacity problem.
2. The Public Works Board recommends that all new subdivisions install conduit to each lot for future fiber optic installation.
3. All weather temporary turnarounds need to be placed on all streets that do not connect to an existing or approved roadway.

**Planning Commission Recommendations/April 27, 1999:**

1. A second hard surface access is required and should be worked out with the Town Engineer.
2. That roundabouts be used at the entrance to other neighborhoods and as needed to slow traffic.
3. A trail access should be provided along the east side of the subdivision.
4. The Town Attorney should be consulted as to the possibility of limiting the rental of the row housing units.
5. Adequate project lighting should be provided to insure safety in the row home neighborhoods.
6. There shall be no front loaded garages in the row home neighborhood.
7. The row home architecture shall be compatible with the single-family neighborhood.
8. The Town staff shall review the possibilities of closing the access to the Mountain View subdivision.

Ross Hansen of MCM Engineering gave a presentation on this project. There are 142 residential lots with approximately 40 row home lots.

Ken Leetham commented on this project. He said this was one of the first projects received with a mixed building plans.

Paul Bond, resident, asked about the school site.

Mark Lofgren asked about the open space and trail system.

Chuck Jenkins asked about the row houses becoming rentals.

Mayor Bateman said he discussed this briefly with the Town Attorney. He said that anyone who owns a home could use it as a rental if he so chooses.

John Newman said they need to remember that these are single-family dwellings and not apartments. The rent would have to be high in order to rent them out so he doesn't see this as a future problem.

Korey Walker talked about having a different access for construction vehicles so that it didn't go through the subdivisions.

The developer will be M & J Developers.

**MOTION**

*Diane Bradshaw moved to approve the Class II Preliminary Application for Cedar Trail Villages, subject to the conditions of the Town Planner in his memo of May 4, 1999, items 1 through 3 and items 1 through 8, and provided for a hard surfaced construction access from Sweet Water Road prior to the beginning of the construction. Dan Valentine moved. Ayes: 4, Nays: 0. Motion passed.*

Diane Bradshaw asked they change the name of Row Houses to single family attached units.

**16. Class II Final Plat Approvals:**

**A. Liberty Farm (R-6 N-2):**

**Town Staff Recommendations:**

1. A digital copy of the final plat and proposed utilities must be provided.
2. The developers and lot owners/builders should sign an agreement acknowledging a potential utility capacity problem.
3. The Public Works Board recommends that all new subdivisions install conduit to each lot for future fiber optic installation.

**Planning Commission Recommendations/February 9, 1999:**

1. Special Improvement District (SID) information including the amount to be paid upon recordation.
2. Water right documentation.

**MOTION**

*Dan Valentine moved to approve the Class II Final Plat Approval for Liberty Farm, R-6 N-2, subject to the conditions of the Town Planner in his memo dated May 4, 1999. Cyril Watt seconded. Ayes: 4, Nays: 0. Motion passed.*

**B. Eagle Point, Plat D – Revised:**

**Town Staff Recommendations/May 4, 1999**

1. Final approval of the CC&R's and development agreement.

2. An agreement relating to open space and parks that states: park equipment shall be installed upon recordation of Plat D for the shared park of Eagle Point Plats A, C, D and E and the park's grass improvements shall be completed no later than December 31, 1999.
3. Although water right information has already been submitted, the Town Engineer has requested further information regarding the use of total water rights previously allocated and excess rights available for future use, together with State assigned water right numbers.
4. Developers and lot owners/builders should sign an agreement acknowledging potential utility capacity problem.
5. The Public Works Board has recommended that all new subdivisions should install conduit for future fiber optic installation.

**Planning Commission Recommendations/April 27, 1999:**

1. The CC&R's should be amended to be consistent with the Town Code requirements.
2. Park equipment and landscaping improvements shall be installed immediately upon recordation of Plat D for the shared neighborhood park in Plats A, C, D, and E and shall be completed by September, 1999.

James Dahl gave this presentation. He said they had received final approval several months ago, but in the meantime the developer has decided to move the plat south 40 feet.

Wayne Patterson said that in talking with Mr. Ault, he is using a prescriptive easement along the south 15 lots and they would like to have a restriction on the south 15 lots until Mr. Ault can come up with another route for his sod trucks to go on.

John Newman asked Wayne Patterson to give them a letter to put in the file.

**MOTION**

*Diane Bradshaw moved to approve the Revised Final Plat for Eagle Point, Plat D, subject to the conditions of the Town Planner in his memo of May 4, 1999, items 1 through 5, with the date on item 2 being changed to September 30, 1999, and also the two conditions from the Planning Commission recommendations of April 27, 1999, and that included in the development agreement, that Mr. Ault continue to have a prescriptive easement across the bottom 15 lots until such time is able to identify to have an alternate access to his property. Cyril Watt seconded. Ayes: 4, Nays: 0. Motion passed.*

**C. Sage Valley, Plat B:**

**Town Staff Recommendations/May 4, 1999:**

1. Electronic file should be submitted to the Town Engineer.
2. Developers and lot owners/builders should sign an agreement acknowledging potential utility capacity problem.
3. The Public Works Board has recommended that all new subdivisions should install conduit for future fiber optic installation.

**Planning Commission Recommendations/April 27, 1999:**

1. That the CC&R's be adjusted to be consistent with the Town Code, particularly relative to roof pitch (6:12 required) and porches (8' depth).

2. The landscaping plan be altered slightly to include a few more trees adjacent to the open space agricultural area.

Dale Berg gave this presentation.

Mayor Bateman asked about the detention pond. Dale said they were having problems getting an easement for the detention pond. He said he was working with Linda Fullmer to see if they could come to an agreement with her.

**MOTION**

*Cyril Watt moved to approve the Class II Final Plat for Sage Valley, Plat B, subject to the conditions of the Town Planner and Planning Commission of memo dated May 4, 1999. Diane Bradshaw seconded. Ayes: 4, Nays: 0. Motion passed.*

**17. Consideration to Give Authorization to Revise the Eagle Mountain Development Code:**

Ken Leetham talked about this item. He sent a letter to the Town on April 29, 1999, to propose revising the Eagle Mountain Development Code. He said the format is in need of change to make it more user-friendly for the Town Staff and for the Town residents. His proposal was as follows:

Proposal to Revise the  
Eagle Mountain Town Code

Town Code Revisions

There are many valuable and important elements in the existing code that should remain and be a part of the revised set of regulations. The main problem that I observe with the code is that it is too difficult to use and implement. There are some areas that are still incomplete; however, the format of the present code is a more serious problem than the content.

I propose that the format problem be resolved through a better organization of the Code. The ideal format would be a main administrative document that could identify the major processes, organizations, and policies that govern land development in the Town. From this main document reference would be made to other "user-friendly manuals" or code sections that would clearly specify distinct elements of land development provisions. Distinct sections would include: land development processes, together with deadlines and descriptions of steps required for approval; zoning districts and designations; urban design and neighborhood design criteria; landscaping standards; technical engineering specifications; master development plan criteria; standards for signs; and code enforcement provisions.

This entire project could be done within a 90 to 120 day period of time and at a cost of approximately \$9,450. The hourly rates for staff for this project break down as follows:

Principal Planner:	60 hours @ \$65/hour = \$3,900
Staff Planner:	105 hours @ \$38/hour = \$3,990
Secretarial:	52 hours @ \$30/hour = \$1,560
Total project cost = \$9,450	

John Newman, Town Administrator, he said the Council needed to know that there was an amount put in the budget in January that would cover this cost. He said this should be a priority issue.

Mayor Bateman said he realized that this was important, but they also needed to take care of some items in the General Plan.

Jerry Kinghorn said they really needed to do the General Plan and then the Development Code.

**MOTION**

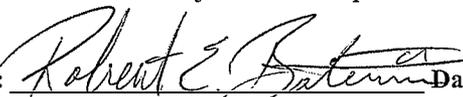
*Diane Bradshaw moved to authorize a group to start updating the General Plan and to authorize Ken Leetham to begin the organization and re-writing of the Development Code. Cyril Watt seconded. Ayes: 4, Nays: 0. Motion passed.*

Mayor Bateman asked Ken Leetham if he had knowingly passed any building permits that had items that did not comply with the Development Code.

Ken Leetham responded that to his knowledge he had not.

Korey Walker handed out an Executive Summary to the Town Council and asked that they meet to discuss this issue.

Diane Bradshaw moved to adjourn at 10:35 p.m.

Approved:  Date: 6/11/99  
Mayor Robert E. Bateman