



# EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

**October 17, 2017**

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 John Painter, Councilmembers Adam Bradley, Colby Curtis, Stephanie Gricius and Tom Westmoreland. Benjamin Reaves was excused.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Chief Deputy City Recorder; Aaron Sanborn, Economic Development Manager; Evan Berrett, Management Analyst; Linda Peterson, Communications and Community Relations Director; Steve Mumford, Community Development Director; Mike Hadley, Planning Manager; Chris Trusty, City Engineer; Brad Hickman, Parks and Recreation Director; Jeff Weber, Facilities/Operations Director; Mack Straw, Public Utilities Manager; Zac Hilton, Streets and Storm Drain Manager; Ross Fowlks, Fire Chief; Eric McDowell, Chief Sheriff's Deputy.

Mayor Painter called the meeting to order at 4:04 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. PRESENTATION – Aquatic Center / VCBO

City Administrator Ifo Pili reviewed the history of attempts to build a recreation center in Eagle Mountain. The latest was a proposal from the YMCA, in partnership with the City and SK Hart Management; however, the YMCA has been unable to raise its portion of the funds needed to build the center.

City staff looked for another partner to avoid having to bond for the center and subsidize its annual operating expenses. SK Hart Management has agreed to partner with the City on this small, phasable proposal.

Economic Development Manager Aaron Sanborn stated City staff had reviewed a number of preliminary ideas with VCBO Architects. The first phase would include a warm recreation pool with a few lap lanes, an office, equipment room, lobby, locker rooms and an outdoor pool deck. The next phase would include a competition pool, two-level fitness/exercise area and gymnasium. Once an outside entity, possibly the YMCA, took over operation of the center, it would be responsible for additional expansion.

The cost of the initial phase would be just over \$5.1M. SK Hart would donate approximately half of the cost.

B. UPDATE – Well #5 Repairs

Public Utilities Manager Mack Straw said staff noticed a decrease in gallons per minute from Well #5 last September. They called Kyle Widdison, a Utah well repair expert, who determined the pump was faulty, but said it could continue in use through this summer. In August sand appeared in the pump, which indicated it needed to be repaired quickly. The Water Department had already reserved funds in the budget for the repair.

C. UPDATE – Fencing at Cory Wride Memorial Park

Melissa Clark, a member of the Parks and Recreation Advisory Board, presented fencing options for Wride Memorial Park. The first was to fence each playground pod individually. That would address the need for children’s safety, but would interfere with the open flow of park activities. The second option was not to fence Wride Park, and possibly fence another park in the City. This would leave Wride Park inaccessible to residents who needed a barrier for children inclined to run out of the park. The third option, which the board favored, was to fence the perimeter of the playground area, which would allow for flow between activities.

Parks and Recreation Director Brad Hickman reviewed fencing prices. Specific linear-foot prices would vary depending on what kind of surface each section of fencing was installed on. The Parks and Recreation Board hadn’t come up with a final, recommended style of fencing, but it would be similar in scale and price to what was shown to the Council.

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

10. MINUTES

A. October 3, 2017 – Regular City Council Meeting

Councilmember Gricius requested a correction to page 8. Travis Taylor was referred to as “Mr. Travis” instead of “Mr. Taylor.”

11. CHANGE ORDER

A. Cory Wride Memorial Park, Phase 1A

No comment.

12. BOND RELEASE – Into Warranty

A. Hidden Hollow Phase A, Plat 2

No comment.

13. BOND RESOLUTIONS

A. Resolution of Eagle Mountain City, Utah (The “Issuer”), Authorizing the Issuance and Sale of Not More Than \$5,000,000 Aggregate Principal Amount of Water and Sewer Revenue Refunding Bonds, Series 2017A; and Related Matters.

David Robertson of Lewis Young Robertson & Burningham explained that bond refunding was similar to mortgage refinancing. The bond market moved much lower

than it was ten years previously when the bonds were first issued, creating an opportunity to issue the 2017 bonds at a lower 1.9% interest rate. The refunding would save the City approximately \$50,000 per year.

This resolution was a parameters resolution, allowing designated City officials to accept, sign and close on bids.

Councilmember Curtis asked why staff was requesting \$5M in bonds if the amount being refinanced was \$3.8M. Mr. Robertson explained it was to give LYRB some leeway to work through transactions without having to return to City Council for a slightly higher amount.

Councilmember Curtis asked if a lower cushion would be acceptable. Mr. Robertson said \$4.5M would be an adequate total amount.

Assistant City Administrator/Finance Director Paul Jerome stated a parameters resolution didn't commit the City to acquiring additional debt. It gave clear bounds under which a transaction could take place.

Mr. Robertson said the net present value savings, after all costs, would be \$435,000, or 11.5%. By contrast, in the bond market, 3% savings was considered a good transaction.

B. Resolution of Eagle Mountain City, Utah (The "Issuer"), Authorizing the Issuance and Sale of Not More Than \$1,500,000 Aggregate Principal Amount of Water and Sewer Revenue Bonds, Series 2017B; and Related Matters.

Mr. Robertson stated this was also a parameters resolution and didn't commit the City to acquiring additional debt. It did allow Eagle Mountain to accept a loan from the State at a 1% interest rate to correct deficiencies in the White Hills sewer system.

Councilmember Curtis asked why the City was funding this project, rather than the Pole Canyon developers. City Attorney Jeremy Cook stated there was disagreement between the parties as to who was responsible for the improvements to the sewer system. The developers felt they had committed to cure some of the problems, not to fix the system entirely. Much of the City's cost would be covered by a State grant and sewer impact fees.

Mayor Painter noted White Hills was annexed eight years ago, and the sewer system had still not been repaired.

Mr. Pili said the goal was to have a solution that didn't cost the White Hills residents who were on the system before the annexation. The solution was a mixture of grant money, impact fees and user fees.

Mr. Cook stated the Pole Canyon Investment Group was obligated to purchase the sewer pond property for \$218,000. With that money and the commitment to pay a certain amount of impact fees annually for five years, the City would be protected for thirteen years even if no lots were sold.

14. MOTION – SilverLake 17 Preliminary Plat.

City Planner Tayler Jensen stated this project was 10.25 acres with 52 units, located south of the Tickville Wash. Some of the traffic impact would be mitigated by the Pony Express widening project, a separate project being constructed in the same general area as Plat 17. Plat 17 would provide a link through the currently open space between SilverLake Plat 16 and Evans Ranch Plat G-1. The link would be important to facilitate access to the elementary school planned for the area.

Because there was no park plan, the Planning Department recommended requiring a 150% pro rata park cash escrow.

Mayor Painter felt the traffic study, dated in May of 2015, was too old to accurately reflect the current traffic situation. City Engineer Chris Trusty noted that the traffic study extrapolated data from 2013-2015 to get approximate 2017 numbers and then added the project data.

Councilmember Curtis asked about the parks that Rockcross Development has left incomplete. Mr. Mumford stated he had spoken with the developers about parks, transportation and the Tickville Wash. Landscaping along Pony Express Parkway was just completed. A trail section and some trail landscaping were just completed, as well as landscaping in the powerline corridor along Woodhaven Blvd. The building permit has been issued for the clubhouse for Plats 14-15.

Councilmember Curtis stated the developers' permits for some of the landscaping projects were expired. He'd been trying to have these projects completed for two years and he felt they were past due.

Nate Hutchinson of Rockcross Development stated his landscape crews had been unable to keep up with the number of outstanding projects in Eagle Mountain and other cities. He apologized for the City's and the residents' frustration. He thought the City should feel reassured because all of the projects had been bonded. Mr. Hutchinson expected to have the landscaping for Plats 14 and 15 done this year and for Plat 13 done in the spring. Plat 17 would create a second traffic access point. He said the amended traffic study showed all of the interior roads were performing as they should, but Woodhaven turning left onto Pony Express Parkway was failing.

Mr. Hutchinson pointed out Rockcross cooperated with the City a couple of years previously to allow a lift station to be constructed on the site of Plat 17. This limited Rockcross' choices as to the design of the plat.

Mayor Painter took issue with the idea that a 2.7% linear traffic increase matched the explosive growth in the area. Mr. Hutchinson agreed growth in the area was high, but it wasn't caused by the Rockcross project. He felt Rockcross had helped the City by deeding acreage and parks to the City at no charge, at a faster rate than required by the development agreement.

15. MOTION – Request to Resubmit a Rezone/MDP Application for Sunset Flats.

Councilmember Gricius thanked the developers for complying with everything the Council requested. Councilmember Curtis agreed.

16. AGREEMENT – Reimbursement Agreement between Eagle Mountain City and Porter Ranch Town Homes, LLC, for St. Andrews Drive.

City Attorney Jeremy Cook said one of the conditions of approval for the Porter's Crossing Master Development Agreement was that the developers extend St. Andrews beyond their development area, which was a system improvement. The City agreed to reimburse Porter Ranch Town Homes through transportation impact fees. This agreement set the criteria for that reimbursement.

17. AGREEMENT – Interlocal Cooperative Purchase Agreement between Eagle Mountain City and the Houston-Galveston Area Council.

Public Utilities Manager Mack Straw stated this agreement would give Eagle Mountain the ability to purchase large and specialty equipment not available through the Utah State purchasing contract. The H-GAC had no membership fee or minimum purchase requirement, although there might be a small administrative fee. Its membership included jurisdictions from all over the country.

Councilmember Curtis asked why an agreement was necessary.

Mr. Cook said entering into an interlocal agreement with H-GAC, which had vetted the item(s) being purchased, allowed the City to comply with H-GAC's bid procedures. Contracting with H-GAC would also allow the City to get the best possible price due to H-GAC's large purchasing power, similar to the Utah State purchasing contract. If the H-GAC agreement wasn't useful, the City could invoke the 30-day termination clause.

Councilmember Curtis asked if this agreement made H-GAC an exclusive supplier for certain items. Mr. Cook said it did not.

18. RESOLUTION – Resolution of Eagle Mountain City, Utah, Amending the Consolidated Fee Schedule for a Construction Water Hydrant Rental Deposit.

Mr. Straw stated the City's refundable deposit for water hydrant meter rentals was \$900. The cost of a meter was \$1500. The Water Department wanted to raise the deposit to \$1500. The amount would be fully refundable once the builder returned the meter in good condition.

Councilmember Curtis asked if the Water Department always used the same supplier for the meters. Mr. Straw stated they normally used the same supplier because they consistently had the lowest price.

19. BID AWARD – Award of Bid to PEC Engineers for the Construction Management of the Pony Express Widening Project.

City Engineer Chris Trusty said UDOT selected PEC Engineers for construction management of the Pony Express Widening Project. The project has since been converted to local government management rather than State management. City staff recommended retaining PEC as construction manager. Doing so would allow the staff to have PEC complete a constructability review as part of the design process before the project was put out for bid in November.

Councilmember Westmoreland asked if this agreement would affect the City's matching funds. Mr. Trusty said it wouldn't affect the matching funds.

Councilmember Gricius asked if MAG had obtained the funds from UDOT for reimbursements to Eagle Mountain. Mr. Trusty said MAG was expected to receive the funds this month.

20. BID AWARD – Award of Bid to Black Forest Paving for the Community Development Building Parking Lot Extension Project.

Facilities/Operations Director Jeff Weber explained the Community Development Building parking lot was too small to accommodate parking for the employees working there, much less for contractors who came to the building for meetings. This agreement would add 24 parking stalls. The agreement excluded asphalt paving. Doing the paving in-house would save nearly \$10,000.

Councilmember Curtis asked if the General Capital Fund balance would be able to cover this expense. Mr. Jerome said funds would be transferred from the General Fund to the Capital Projects Fund. A budget amendment would be presented to the Council in the near future, authorizing the transfer.

21. BID AWARD – Award of Bid to Advanced Civil Engineering for the Design of High School Road.

Mr. Trusty stated Alpine School District would construct a road for the high school from its western property boundary to Pony Express Parkway. To improve traffic flow, the City planned to construct a road from the school district's property boundary to the east boundary of Sage Park, a subdivision under construction adjacent to Eagle Mountain Blvd.

Councilmember Westmoreland asked if the road would have a median. Mr. Trusty said it wasn't in the plan, but it might be a good idea to include a median in the final design.

Community Development Director Steve Mumford said Mid Valley Rd. was in the master transportation plan as an arterial. High School Rd. was planned as a minor collector.

### 3. ADJOURN TO A CLOSED EXECUTIVE SESSION

No Closed Executive Session was held.

The meeting was adjourned at 6:07 p.m.

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

ELECTED OFFICIALS PRESENT: Mayor John Painter, Councilmembers Adam Bradley, Colby Curtis, Stephanie Gricius and Tom Westmoreland. Benjamin Reaves was excused.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Chief Deputy City Recorder; Aaron Sanborn, Economic Development Manager; Linda Peterson, Communications and Community Relations Director; Steve Mumford, Community Development Director; Mike Hadley, Planning Manager; Chris Trusty, City Engineer; Brad Hickman, Parks and Recreation Director; Jeff Weber, Facilities/Operations Director; Mack Straw, Public Utilities Manager; Ross Fowlks, Fire Chief; Eric McDowell, Chief Sheriff's Deputy.

### 4. CALL TO ORDER

Mayor Painter called the meeting to order at 7:07 p.m.

5. PLEDGE OF ALLEGIANCE

Justin Beckstead led the Pledge of Allegiance.

6. INFORMATION ITEMS/UPCOMING EVENTS

- **Bag the Leaf Service** – The City is once again providing the Bag the Leaf service. Free leaf bags are available for residents to pick up at City Hall or the Community Development Building through November 24. Once leaves are bagged at residences, please place on top of curb and contact Larry Diamond at [ldiamond@emcity.org](mailto:ldiamond@emcity.org) for pick up. More details are available at [emcity.org/news](http://emcity.org/news).
- **Jr. Jazz Basketball** – Registration is open through November 6 for Jr. Jazz basketball for grades kindergarten through 6th. Visit [emcity.org/sports](http://emcity.org/sports) for more information and to register.
- **Immunization Clinic** – The Utah County Health Department will hold an immunization clinic at Eagle Mountain City Hall in the Council Chambers on Wednesday, October 25 from 3:00 p.m. to 5:00 p.m. You can pre-register online at [www.utahcountyonline.org/Dept/Health/flushots](http://www.utahcountyonline.org/Dept/Health/flushots).
- **Trick or Treat Village** – The Trick or Treat Village event will be held on Saturday, October 28 from 10:00 a.m. to 1:00 p.m. at Nolen Park. Information and vendor registration can be found at [emcity.org/events](http://emcity.org/events).
- **General Election** – In the 2017 Municipal General Election, Eagle Mountain voters will elect a Mayor and two Councilmembers. Terms will run from 2018 through 2022. Eagle Mountain City will conduct Vote by Mail for the 2017 municipal election. Ballots should start arriving in mailboxes this week for the Nov. 7 election. The deadline to register to vote in person or online is October 31.

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

Garion Hall introduced his Eagle Scout project. He and a group of volunteers planned to install a base radio and antenna in City Hall to assist with communications during emergencies. After the installation was completed, Garion and his group planned to teach a class on emergency communications.

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

Councilmember Curtis

Councilmember Curtis invited youth ages 14 – 18 to participate in Youth Council on the 2<sup>nd</sup> and 4<sup>th</sup> Wednesday of each month.

Councilmember Bradley

Councilmember Bradley welcomed everyone to the meeting, especially the Scouts. He was excited about the ham radio class.

Councilmember Westmoreland

Councilmember Westmoreland said October 17, 1781 was the date General Cornwallis asked General Washington for terms of surrender. The Revolutionary War officially ended two days later.

Councilmember Gricius

Councilmember Gricius thanked everyone for attending the meeting and told Garion Hall she was looking forward to attending the emergency communications class. She reported there was a vacancy on the Economic Development Board and invited those interested in serving on the board to send a letter of interest to the Mayor.

Mayor Painter

Mayor Painter mentioned his article in this month's newsletter was about emergency preparedness, which went along nicely with Mr. Hall's Eagle Scout project. He noted that Golden Eagle Road was completed last Saturday. He expressed appreciation to Goldsworth Real Estate for completing the road, which went above what they were required to do.

9. RECOGNITION

- A. Chris Pengra, Mayor of Eagle Mountain City

**CONSENT AGENDA**

10. MINUTES

- A. October 3, 2017 – Regular City Council Meeting

During Work Session, Councilmember Gricius requested a correction to a developer's name. The correction was made by the Recorder's Office.

11. CHANGE ORDER

- A. Cory Wride Memorial Park, Phase 1A

12. BOND RELEASE – Into Warranty

- A. Hidden Hollow Phase A, Plat 2

**MOTION:**

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

**SCHEDULED ITEMS**

13. BOND RESOLUTIONS

*This item was discussed after item 15.*

- A. Resolution of Eagle Mountain City, Utah (The "Issuer"), Authorizing the Issuance and Sale of Not More Than \$5,000,000 Aggregate Principal Amount of Water and Sewer Revenue Refunding Bonds, Series 2017A; and Related Matters.

This item was presented by Assistant City Administrator/Finance Director Paul Jerome. This bond issue, called Series 2017A, was for the refunding of the City's 2007 Water and Sewer Revenue Bonds at a reduced rate. The term of the bonds would not increase, but a lower interest rate would lower the annual payments. The money saved would be used to shorten the term of the bonds by one year. This action was a parameters resolution, stating a "not more than" amount for the bond issue and allowing designated City officials to make a bond offer. It did not incur debt for the City.

Councilmember Bradley pointed out that refunding a bond was the same as refinancing other financial products.

**MOTION:**

*Councilmember Curtis moved to adopt a resolution of Eagle Mountain City, Utah (the "Issuer"), authorizing the issuance and sale of not more than \$5,000,000 aggregate principal amount of Water and Sewer Revenue Refunding Bonds, Series 2017A, and related matters, with the expectation that all attempts will be made to ensure the money saved will be used to shorten the term of the bonds.*

*Councilmember Bradley seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Tom Westmoreland. The motion passed with a unanimous vote.*

- B. Resolution of Eagle Mountain City, Utah (The "Issuer"), Authorizing the Issuance and Sale of Not More Than \$1,500,000 Aggregate Principal Amount of Water and Sewer Revenue Bonds, Series 2017B; and Related Matters.

This item was presented by Assistant City Administrator/Finance Director Paul Jerome. This bond issue, called Series 2017B, was for the authorization and issuance of Water and Sewer Revenue Bonds for the construction of a sewer pipeline and pump station and repairs to the existing sewer system for the White Hills subdivision. The bonds would have a 32-year term and be paid back primarily by a 1% State loan and a State grant. The pipeline would connect the White Hills sewer system to Eagle Mountain's wastewater plant.

Councilmember Gricius asked what the total cost of the project would be. Mr. Cook said it would be approximately \$1.7M.

Councilmember Westmoreland asked Mr. Cook to explain the revenue sources that would be used to pay off the bonds.

Mr. Cook stated the existing White Hills sewer system was operated by the White Hills Special Service District. It was a lagoon system, and the lagoons failed. They needed to be replaced by a pipeline to the wastewater plant. User rates for the new system would normally be over \$50/month; however, the City had promised the residents of White Hills essentially the same user rate as the South Service Area. Because these fees would be inadequate to operate the sewer system, other revenue for payments was necessary. These bonds would make up part of that revenue.

Councilmember Bradley asked what the developer's responsibility was for the sewer system. Mr. Cook said the tentative arrangement was for the developers to pay enough impact fees to cover any shortfall in the debt service payment for the first five years.

The City would also receive funds from the sale of the lagoon property. The combination would provide enough to cover the debt service payments for the first ten years.

Councilmember Bradley asked if the developers were making any progress in developing the property. Mr. Cook said construction wasn't being permitted until the sewer system was functional. Mr. Mumford stated there were about twenty lots which had been improved with the original White Hills subdivisions.

City Recorder Fionnuala Kofoed said the developers had completed the park in White Hills.

Councilmember Westmoreland asked if the financial agreement with the developers had any exit clause for them.

Mr. Cook said the developer's obligations would be tied to their master development agreement. A violation of the financial agreement would be a violation of the development agreement.

Councilmember Curtis asked about the Pole Canyon Local District. Mr. Cook said it was an assessment district for financing infrastructure, separate from the White Hills Special Service District which operated the sewer system.

Mr. Cook noted this agreement was a compromise, due to ongoing disputes between the parties. While it was not ideal, it was usable and gave Eagle Mountain access to the State grant and loan funds.

Councilmember Westmoreland asked if this agreement covered water also. Mr. Cook said the City had a separate agreement with the water company. The water system would be transferred once its deficiencies were corrected.

**MOTION:**        *Councilmember Bradley moved to adopt a resolution of Eagle Mountain City, Utah (the "Issuer"), authorizing the issuance and sale of not more than \$1,500,000 aggregate principal amount of Water and Sewer Revenue Bonds, Series 2017B; and Related Matters. Councilmember Westmoreland seconded the motion. Those voting aye: Adam Bradley, Stephanie Gricius and Tom Westmoreland. Those voting no: Colby Curtis. The motion passed with a vote of 3:1.*

14. MOTION – SilverLake 17 Preliminary Plat.

This item was presented by City Planner Tayler Jensen. The proposed 10.25 acre, 52 unit, preliminary plat was located in the SilverLake subdivision, south of the Tickville Wash. The project would connect Evans Ranch to SilverLake Plat 16 and provide a secondary access for the SilverLake subdivision south of the wash.

Mr. Jensen said City staff recommended the developer post a park escrow bond, which would be refunded as parks were developed in the project. Staff also requested a context plan with the next plat, SilverLake 18, showing how the developer will meet the mix of housing types called for in the master development plan.

Councilmember Westmoreland asked about the timing of adjacent plats. Mr. Jensen said Evans Ranch F-1 was already recorded. Evans Ranch G-1 had a pre-construction meeting with City staff and would be recorded shortly.

Councilmember Bradley asked about the park shown on the plat. Mr. Jensen said it was a pedestrian walk-through, which will connect to a future trail. The walk-through allowed street blocks to be 800' long rather than the usual limit of 600'.

Councilmember Bradley referred to the assistance Rockcress gave the City two years earlier when a failed lift station created a need for a lift station in the SilverLake 17 area.

Councilmember Curtis stated Rockcress left a long list of promised projects, such as parks, unfinished. Withholding building permits and certificates of occupancy hadn't solved the problems. He was reluctant to approve another plat until those projects were completed.

City Attorney Jeremy Cook said the master development agreement specified time limits for completing certain items.

Councilmember Bradley asked if the time limits had been met.

Mr. Hutchinson stated Phases 14 and 15, consisting of townhomes and cluster homes, were the last two major areas needing landscaping. The buildings had to be completed before the landscaping could be planted or the landscaping would be trampled. He met with Mayor Pengra recently and showed that Rockcress was not responsible for many of the incomplete projects in SilverLake. However, Rockcress did agree to pay for some of those improvements. The landscaping along Woodhaven Blvd. was in progress. He expected the landscaping in Plat 15 to be finished in the spring, when the construction was complete.

Discussion continued between Mr. Hutchinson, staff and the Council on the issue of parks and open space.

**MOTION:** *Councilmember Bradley moved to approve the SilverLake 17 preliminary plat, with the conditions stated in the staff report, as well as an emphasis that Rockcress meet its agreement of 40%, except for Phase 15, and that they install the necessary tot lot and landscaping for the pocket park at the intersection of Brookwood and Ainsley, the details of the tot lot to be worked out with staff, and that the clubhouse under construction be completed. Councilmember Gricius seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Tom Westmoreland. The motion passed with a unanimous vote.*

The conditions listed in the staff report were as follows:

1. The SilverLake 17 plat shall not be recorded until a connection is provided to Golden Eagle Road in SilverLake or through Evans Ranch.
2. The applicant shall comply with the mitigation measures recommended by the slope stability study.
3. A context plan for SilverLake south of the Tickville Wash shall be provided with Plat 18, showing that a mixture of lot sizes will be utilized south of the Tickville Wash.
5. The applicant shall pay a park cash escrow of \$2,810.40 per lot (total escrow: \$146,140.90) prior to recording this plat.

Mr. Cook clarified that the tot lot will be paid for with fees-in-lieu already collected by the City.

15. MOTION – Request to Resubmit a Rezone/MDP Application for Sunset Flats.

This item was presented by Planning Manager Mike Hadley. The City Council recently denied a master development plan (MDP) application for the Sunset Flats development. The applicant has since made significant changes to the proposal and, according to the Municipal Code, requested that the City Council consider a Request to Resubmit a Rezone/MDP Application. If the City Council approves the application, the MDP will be presented to the Planning Commission for recommendation to the City Council.

Councilmember Bradley expressed appreciation for the developers' willingness to comply with the Council's requests. He still had reservations about building more homes in the area until traffic and school capacities were adequate to serve additional residents.

**MOTION:** *Councilmember Gricius moved to approve the rezone/MDP resubmittal application for Sunset Flats. Councilmember Bradley seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Tom Westmoreland. The motion passed with a unanimous vote.*

16. AGREEMENT – Reimbursement Agreement between Eagle Mountain City and Porter Ranch Town Homes, LLC, for St. Andrews Drive.

This item was presented by City Attorney Jeremy Cook. The reimbursement agreement was for the completion of a portion of St. Andrews Drive and relocation of certain park improvements that were City-owned and outside of the developers' project area. As such, they were eligible to be funded by impact fees. The developers agreed to complete the improvements at their expense and be reimbursed by transportation impact fees. The impact fees will be refunded to the developers quarterly, as they are collected.

Councilmember Westmoreland asked if the improvements included sidewalks. Mr. Cook said they did. The improvements also included moving playground equipment and placing sod at the playground's new location.

**MOTION:** *Councilmember Westmoreland moved to approve a reimbursement agreement between Eagle Mountain City and Porter Ranch Town Homes, LLC, for the St. Andrews Drive completion project in the amount of \$192,841.25. Councilmember Bradley seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Tom Westmoreland. The motion passed with a unanimous vote.*

Councilmember Gricius noted that she initially opposed the project, but she acknowledged the Council had agreed to this solution. It wouldn't be fair to expect the developers to pay for improvements outside the scope of their project.

17. AGREEMENT – Interlocal Cooperative Purchase Agreement between Eagle Mountain City and the Houston-Galveston Area Council.

This item was presented by Public Utilities Manager Mack Straw. The proposed agreement was for an interlocal cooperative purchasing program with the Houston-Galveston Area Council (H-GAC) for goods and services with eligible entities.

The agreement would allow the City to purchase large, specialty equipment unavailable through the Utah State purchasing agreement. H-GAC purchasing operated similarly to Utah's.

**MOTION:** *Councilmember Westmoreland moved to approve an interlocal cooperative purchase agreement between Eagle Mountain City and the Houston-Galveston Area Council. Councilmember Bradley seconded the motion.*

Councilmember Bradley asked why Eagle Mountain was contemplating this interlocal agreement when Houston-Galveston was nowhere near Utah. Mr. Straw explained jurisdictions from all over the country, including several from Utah, joined H-GAC to make use of its group purchasing power. There was no obligation to purchase anything.

*Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Tom Westmoreland. The motion passed with a unanimous vote.*

18. RESOLUTION – Resolution of Eagle Mountain City, Utah, Amending the Consolidated Fee Schedule for a Construction Water Hydrant Rental Deposit.

This item was presented by Public Utilities Manager Mack Straw. The proposed increase to the water hydrant rental deposit would raise the deposit to cover the actual replacement cost of a water hydrant meter and/or damage to a hydrant. The current \$900 deposit could leave the City to pay for the difference.

Mr. Straw stated that the monthly rental fees were being deducted from the \$900 deposit, which created a billing problem. The Water Dept. planned to change the process, holding the entire deposit instead, and charge the fees monthly in addition to the deposit. The deposit would be returned to the developer upon completion of the construction.

**MOTION:** *Councilmember Bradley moved to adopt a resolution of Eagle Mountain City, Utah, amending the Eagle Mountain City Consolidated Fee Schedule for a construction water hydrant rental deposit, amending Section 1.8.5.5 of the Consolidated Fee Schedule to raise the fire hydrant construction deposit from \$900 to \$1500. Councilmember Westmoreland seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Tom Westmoreland. The motion passed with a unanimous vote.*

19. BID AWARD – Award of Bid to PEC Engineers for Construction Management of the Pony Express Widening Project.

This item was presented by City Engineer Chris Trusty. The bid award was for construction management of the Pony Express widening project. Eagle Mountain City partnered with Saratoga Springs, MAG and UDOT to widen Pony Express Parkway to five lanes. Phases 1 and 2 of the widening project were combined and it was anticipated that the road expansion would be completed in 2018. All funds paid by Eagle Mountain City to PEC for this project would be reimbursed by MAG.

**MOTION:** *Councilmember Curtis moved to award a bid to PEC Engineers for the construction management of the Pony Express widening project from Porter's Crossing in Eagle Mountain to 800 West in Saratoga Springs in the amount of \$415,047.20 and authorize the Mayor to sign the contract. Councilmember Gricius seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Tom Westmoreland. The motion passed with a unanimous vote.*

20. BID AWARD – Award of Bid to Black Forest Paving for the Community Development Building Parking Lot Extension Project.

This item was presented by Facilities/Operations Director Jeff Weber. The proposed bid award was for 24 additional parking stalls in the Community Development Building parking lot. Several departments recently relocated to the building, which created a need for additional parking.

Councilmember Bradley asked how much money would be saved by doing the paving in-house. Mr. Weber said Black Forest would have charged about \$9,000 for that part of the project. Doing the paving in-house would limit the cost to materials, plus the labor of several City employees.

**MOTION:** *Councilmember Gricius moved to award a bid to Black Forest Paving for the Community Development Building parking lot extension project in the amount of \$45,185.00 and authorize the Mayor to sign the contract. Councilmember Westmoreland seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius, Benjamin Reaves and Tom Westmoreland. The motion passed with a unanimous vote.*

21. BID AWARD – Award of Bid to Advanced Civil Engineering for the Design of High School Road.

This item was presented by City Engineer Chris Trusty. The proposed bid was for the design of High School Road, which will access the high school scheduled to open in 2018. It would provide a second access from Pony Express Parkway to Eagle Mountain Boulevard. The opening of the high school will cause considerably more traffic in the area.

Councilmember Bradley asked if the design would extend all the way to Wride Memorial Highway. Mr. Trusty said it would extend from the west side of the high school to the east side of the new Patterson development. Patterson would design the road going through its subdivision to the highway.

Mr. Trusty said the road would be one lane in each direction, with an extra eight feet on each side. Mr. Trusty was considering medians to control left turns.

**MOTION:** *Councilmember Gricius moved to award a bid to Advanced Civil Engineering for the design of High School Road in the amount of \$5,500 and authorize the Mayor to sign the contract. 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.*

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

Councilmember Curtis

Councilmember Curtis stated the Youth Councilmembers would like to shadow City Councilmembers. Councilmember Bradley felt each Youth Councilmember should have the opportunity to do that. The Mayor and Council discussed how the Youth Mayor and Council could successfully shadow them.

Councilmember Bradley

No comment.

Councilmember Westmoreland

No comment.

Councilmember Gricius

No comment.

Mayor Painter

No comment.

23. 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.

24. COMMUNICATION ITEMS  
A. Upcoming Agenda Items  
B. Financial Report

25. ADJOURNMENT

**MOTION:** *Councilmember Gricius moved to adjourn the meeting at 9:24 p.m. Councilmember Curtis seconded the motion. Those voting aye: Adam Bradley, Colby Curtis, Stephanie Gricius and Tom Westmoreland. The motion passed with a unanimous vote.*