



EAGLE MOUNTAIN CITY COUNCIL MEETING

September 19, 2023, 3:30 PM

Eagle Mountain City Council Chambers

1650 East Stagecoach Run, Eagle Mountain, Utah 84005

3:30 P.M. BOARD OF CANVASSERS - CITY COUNCIL CHAMBERS

1. CALL TO ORDER

The City Council will convene as the Board of Canvassers to canvas the results of the 2023 Eagle Mountain Primary Election.

2. MOTION

2.A MOTION - Approve the Results of the 2023 Primary Election

BACKGROUND: (Presented by Assistant City Administrator/City Recorder Fionnuala B. Kofoed) The Board of Canvassers will review the report of the Eagle Mountain City Primary Election of September 5, 2023, verifying the results of the election by ratifying the results of the canvass; accepting the report of the Election Official and certifying the election results; and declaring the persons reported by the Election Official as receiving the highest number of votes to be on the ballot and nominated for the General Election on November 21, 2023.

3. ADJOURNMENT

4:00 P.M. WORK SESSION - CITY COUNCIL CHAMBERS

4. 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.

4.A UPDATE - City Administrator Items

4.B DISCUSSION - Solar Panel Protection

4.C DISCUSSION - Wash Setback Distances

4.D DISCUSSION - Water Conservation Code & Water Conservation Plan

5. AGENDA REVIEW

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

6. ADJOURN TO A CLOSED EXECUTIVE SESSION

The City Council will adjourn into a Closed Executive Session for the purpose of discussion reasonably imminent litigation; the character, professional competence, or physical or mental health of an individual; and/or the purchase, lease, or exchange of real property, pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

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

7. CALL TO ORDER

8. PLEDGE OF ALLEGIANCE

9. INFORMATION ITEMS/UPCOMING EVENTS

10. PUBLIC COMMENTS

Time has been set aside for the public to express their ideas, concerns and comments. (Please limit your comments to three minutes each.)

11. CITY COUNCIL/MAYOR'S ITEMS

Time has been set aside for the City Council and Mayor to make comments.

CONSENT AGENDA

12. AGREEMENTS

12.A 926M Caterpillar Loader - Wheeler Machinery Company (State Contract)

12.B CDBG Management Agreement - Mountainland Association of Governments

12.C Partial Bond Release Agreement - ROC Fund Landfill Holdings, LLC

12.D Professional Services Agreement (Permitting and Licensing Software) - OpenGov

12.E Wildlife Migration Corridor Fence Phase 1 Cooperative Agreement - Utah Division of Wildlife Resources

13. BOND RELEASES

13.A Deer Haven - Into Warranty

13.B Simpson Hollow Plat 5 - Into Warranty

13.C Antelope Meadows Phase B Plat 1 - Out of Warranty

13.D SilverLake Plat 20 - Out of Warranty

13.E Smith Property, Cedar View Lane - Out of Warranty

14. CHANGE ORDERS

14.A Wastewater Treatment Plant Headworks Facility Change Order #3 - VanCon, Inc.

15. MINUTES

15.A August 15, 2023 Minutes - Regular City Council Meeting

16. PRELIMINARY PLATS & SITE PLANS

16.A PRELIMINARY PLAT - Firefly NPA 8 Phase A

16.B SITE PLAN - A to Z Building Blocks Addition

16.C [SITE PLAN - Eagle Mountain Pet Care](#)

17. RESOLUTIONS

17.A [RESOLUTION - A Resolution of Eagle Mountain City, Utah, Amending the Eagle Mountain City Consolidated Fee Schedule for Water Rates.](#)

17.B [RESOLUTION - A Resolution of Eagle Mountain City, Utah, Appointing Brandon Larsen as the Eagle Mountain City Planning Director.](#)

SCHEDULED ITEMS

18. ORDINANCES/PUBLIC HEARINGS

18.A [ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Amending Eagle Mountain Municipal Code Chapter 17.48 Regional Technology and Industry Overlay Zone to Remove the Repeal Date of the Overlay Zone's Sunset Provision.](#)

BACKGROUND: *(Presented by City Attorney Marcus Draper)* The proposed amendment removes EMMC Section 17.48.110 Repeal Date of the Regional Technology and Industry Overlay Zone.

18.B [ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Amending Eagle Mountain Municipal Code Chapter 17.60.140 General Fencing Provisions.](#)

BACKGROUND: *(Presented by Senior Planner David Stroud)* The proposed ordinance amends EMMC to establish standards regarding safety netting on property adjacent to a golf course.

18.C [ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Amending Eagle Mountain Municipal Code Title 16 Subdivisions and Title 17 Zoning, Regarding Land Use Authority, Noticing Requirements, and Approval Processes.](#)

BACKGROUND: *(Presented by Senior Planner David Stroud)* The proposed ordinance amends various sections of Title 16 and Title 17 regarding land use authority, noticing requirements, and approval processes. The amendment brings Eagle Mountain Municipal Code into compliance with recent Utah State Code changes as detailed in SB 174 from the 2023 Utah Legislative Session.

18.D [ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Approving the Amended and Restated Marketplace at Eagle Mountain Town Center Development Agreement.](#)

BACKGROUND: *(Presented by Planner Steven Lehmitz)* The proposed ordinance approves the amended and restated Development Agreement for the Marketplace at Eagle Mountain Town Center to change phasing, road construction, fencing, and landscaping.

18.E [ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Adopting the First Amendment to the Fiscal Year 2023-2024 Annual Budget and includes increases to the General, Special Revenue, Enterprise, and Capital Project Funds.](#)

BACKGROUND: *(Presented by Finance Director Kimberly Ruesch)* State statute requires the City to amend its budget to appropriate funds for increased expenses. The proposed ordinance is the first budget amendment for Fiscal Year 2023-2024.

19. HARMONY SUBDIVISION

19.A ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Approving a Vacation of Public Right-of-Way in the Harmony Phase A, Plat 5 Subdivision.

BACKGROUND: *(Presented by Senior Planner David Stroud)* The proposed amendment to the Harmony Phase A, Plat 5 recorded plat vacates a portion of the Delta Street/Daniel Street right-of-way to allow for site plan approval of the Harmony Phase A, Plat MF1 multifamily development with 226 units on 14.45 acres, located on Utah County Parcel Number 59:045:0144.

19.B SITE PLAN - Harmony Phase A, Plat MF1

20. MOTION

20.A MOTION - Scarlet Ridge Estates Fencing Waiver Request

BACKGROUND: *(Presented by Planning Manager Robert Hobbs)* The developer of the Scarlet Ridge Estates subdivision is requesting that the City Council consider a waiver to forego the installation of fencing along the entire eastern side of the development.

21. ORDINANCES

21.A ORDINANCE - An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Chapter 2.19 Director of Legislative Affairs Regarding the Duties of the Position.

BACKGROUND: *(Presented by City Attorney Marcus Draper)* The proposed amendment adds the additional duty of tracking overlay zones and ensuring overlay zones are reviewed by the City Council at least once every four years.

22. LEGISLATIVE ITEMS

22.A UPDATE - Legislative Priorities List

23. CITY COUNCIL/MAYOR'S BUSINESS

This time is set aside for the City Council's and Mayor's comments on City business.

24. CITY COUNCIL BOARD LIAISON REPORTS

This time is set aside for Councilmembers to report on the boards they are assigned to as liaisons to the City Council.

25. COMMUNICATION ITEMS

25.A Financial Update

25.B Upcoming Agenda Items

26. ADJOURNMENT

THE PUBLIC IS INVITED TO PARTICIPATE IN PUBLIC MEETINGS FOR ALL AGENDAS. In accordance with the Americans with Disabilities Act, Eagle Mountain City will make reasonable accommodation for participation in all Public Meetings and Work Sessions. Please call the City Recorder's Office at least 3 working days prior to the meeting at 801-789-6610. This meeting may be held telephonically to allow a member of the public body to participate. This agenda is subject to change with a minimum 24-hour notice.

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above agenda notice was posted on this this 14th day of September, 2023, on the Eagle Mountain City bulletin boards, the Eagle Mountain City website www.emcity.org, posted to the Utah State public notice website <http://www.utah.gov/pmn/index.html>, and was emailed to at least one newspaper of general circulation within the jurisdiction of the public body.

Fionnuala B. Kofoed, MMC, City Recorder