



EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

September 3, 2019, 4:00 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

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

ELECTED OFFICIALS PRESENT: Mayor Tom Westmoreland, Councilmembers Colby Curtis, Benjamin Reaves, Donna Burnham, and Melissa Clark. Councilmember Stephanie Gricius arrived at 4:30 p.m.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Lianne Pengra, Recording Secretary; Steve Mumford, Community Development Director; Chris Trusty, City Engineer; Zac Hilton, Streets and Storm Drain Manager; Brad Hickman, Parks and Recreation Director; Linda Peterson, Communications Director; Ross Fowlks, Fire Chief; and Eric McDowell, Chief Deputy.

Mayor Westmoreland called the meeting to order at 4:12 p.m.

1. CITY ADMINISTRATOR INFORMATION ITEMS

None.

2. AGENDA REVIEW

10. APPOINTMENTS

10.A. Military and Veterans Board

City Recorder Fionnuala Kofoed explained that Barry McLerran will not be able to serve on the board due to other obligations.

11. CHANGE ORDERS

11.A. 2018 Traffic Signal Project Change Order #2 – Hunt Electric

City Engineer Chris Trusty explained that while the contractor is working on the traffic signal at Pony Express Parkway and Red Hawk Ranch Road, they will also repair a damaged section of sidewalk and a cracked storm drain inlet.

12. PRELIMINARY PLAT & SITE PLAN

12.A. SilverLake Elementary School Site Plan

Councilmember Clark asked if staff has concerns regarding traffic and parking due to the school's layout. Mr. Trusty said staff recommended widening the road in front of the school, which the developer has committed to do. Staff would like to have additional parking, but this site plan is a better situation than is present at most other elementary schools in the City.

Councilmember Curtis asked if the developer is planning to build houses along Golden Eagle Road. Mr. Trusty said the homes will be south of Golden Eagle Road and will not have driveway access onto Golden Eagle Road.

Community Development Director Steve Mumford explained the developer is amending the SilverLake South preliminary plat to ensure the addition of an elementary school is accounted for. The updated plan is not complete, but the item will be on the next Planning Commission meeting agenda. This school has six access points, which are all one-way roads. Alpine School District has not designed the access points to align with the originally planned roads in SilverLake. Flagship Homes, the developer of SilverLake, is reacting to the school's plan, rather than the school district coordinating with Flagship Homes.

Councilmember Curtis expressed concerns regarding the roads in SilverLake that directly connect to this site plan. He stated the site plan should contain Golden Eagle Road and its final design. City Attorney Jeremy Cook said if the City believes the road design is causing safety issues, the Council can postpone approving the application.

Councilmember Clark said she would approve the item with the condition that Golden Eagle Road is widened. Mr. Mumford said Golden Eagle Road is not designated as a collector or arterial road, and nothing in the City's ordinances requires wider roads in front of schools; however, the developer has committed to widening the road to allow for a center turn lane.

Mr. Cook explained the Council may approve the item with a condition of approval that the developer signs an agreement to widen Golden Eagle Road.

14. ORDINANCES/PUBLIC HEARINGS

14.A. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code, Chapter 17.48 Regional Technology and Industry Overlay Zone.

Councilmember Burnham asked if the amendment can include a prohibition on malodorous operations. Mr. Cook said he agrees with Councilmember Burnham's request, but expressed concern regarding how malodorous operations can be determined before operations commence. He said the ordinance currently prohibits operations that cause any odor, which may be too restrictive, and it may be better to amend that section of the ordinance to better address the Council's concerns. He stated he will draft language and present the updated wording during the policy session.

14.B. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain City General Plan Master Transportation Plan.

Mr. Mumford explained the proposed changes are mainly in the west and southwest portions of the City. In the west side of the City, near the Tyson Foods plant, the first change is to designate the east-west road as a major arterial to the highway, as it currently goes from a major arterial to a collector road. Another change is to realign the north-south collector road from 4000 North to Pole Canyon Boulevard; instead of curving to the west, the proposed design is to continue directly north-south. A collector road between the West End and South Town sections of the General Plan has been adjusted to the west to better align with approved roads in the Harmony and Brandon Park subdivisions.

The freeway location has been shifted to the west in the Tech Campus. Originally, this was placed to the east to accommodate future data center users. Staff has learned that data center users will not need freeway access that close. The change also allows for more usable land in the Tech Campus.

In the south end of the City, a minor arterial road has been changed to a collector road, and has been extended south to the City's border. This better aligns with the road that has been deeded to the City by Facebook. An east-west collector on the south side of the Facebook property runs through an existing Rocky Mountain Power substation, so it has been moved to the southern border of the City and has been changed to a major arterial. Another consideration for this adjustment is that Facebook has an option to purchase an additional 600 acres to the south of their current site. If Facebook exercises this option, the entire parcel will be developed and an east-west road would not be appropriate through the center of the development. The Fire Marshal has been working with Mortensen Construction and Facebook; Unified Fire Authority has not had concerns regarding connectivity.

Fire Chief Ross Fowlks explained they are working with Facebook and Mortensen Construction. All access points have been marked, and Unified Fire Authority has maps of the facility; they also work with the on-site security contractor to ensure emergency personnel are directed to the correct location, when needed.

The final change is on the east side of the City at Bobby Wren Boulevard and the future arterial road that has been called Airport Road. The road has been adjusted to the west of the lots in Sunset Flats to align with the approved plans in that subdivision.

15. CEDAR FARMS

15.A. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah Rezoning Cedar Farms from Agriculture to the RA2 Residential Zone.

This item was discussed after item 16.A. during the agenda review.

Planning Manager Michael Hadley said the project is on 5.47 acres along Lake Mountain Road, and the request is to rezone from Agriculture to RA2 Residential and split the parcel into two lots. The proposed plan complies with the General Plan and is compatible with all surrounding land uses. It is not anticipated to burden City services or have a negative impact on property values. The Planning Commission requested the applicant provide an escrow for a future trail and development of Lake Mountain Road.

Councilmember Clark asked if this proposal would open the door for Sunset Flats to request more density, if this property could be rezoned into smaller lots, and asked if a trail will still exist in the power corridor.

Regarding the Planning Commission's concerns about Lake Mountain Road, Councilmember Curtis stated he would not designate Lake Mountain Road as a collector road. He also expressed concern that the City is not protecting a trail through the power corridor.

Mr. Hadley said the trail will follow along on the west side of the power corridor. Mr. Mumford explained the property's General Plan designation and said there is a major road planned for that area; a trail system will exist along that road, instead of the City purchasing land in the power corridor.

Mr. Hadley said the applicant is aware of the new zoning regulations and of the required building envelope. Mr. Mumford explained the applicant has not received an updated plan from the engineer to include the building envelope. A rough estimate found the buildable area to be 23,000 to 24,000 square feet; this buildable area is with setbacks that are larger than the City requires.

Councilmember Burnham said a trail does not currently exist on Lake Mountain Road and asked if it would make sense to require a trail only along these two lots.

Mr. Cook explained trails are for safety to avoid walking on the street, and the power corridor exists with potential safe access. A paved trail only along two lots would not make sense.

Discussion ensued regarding trails in rural areas of the City. The Council agreed that requiring a trail along the two lots would not be a logical decision.

16. MOTION

16.A. Gateway Phase 3 Blasting Permit

This item was discussed after item 14.B. during the agenda review.

Mr. Trusty explained the application is for blasting for a utility line in Gateway Park, Phase 3 on the north side of Wride Memorial Highway. The line will connect to an existing sewer line. The applicant, Rocking P Blasting, expects to have five blasts up to twenty-five to thirty feet deep. The nearest residences are south of Wride Memorial Highway. Staff's main concern is the impact blasting will have on the highway. The applicant does not believe the blasts will produce significant fly rock, but they would close Wride Memorial Highway for approximately five minutes for each blast. Any rock that did fall on the highway would be removed before the road is reopened. The City's Compliance Officer, Dwight Payne, will be on site during any blasting. The applicant would be responsible for any repairs needed if blasting causes damage to the City's sewer lines.

Councilmember Clark asked about blast timing. Mr. Trusty explained the applicant does not want to impact traffic, so all blasting would be timed in such a way to cause minimal impact.

Applicant Ben Mc Innes with Rocking P Blasting explained they currently perform the blasting at the Hadco quarry. He stated they will mitigate traffic impact by working with the City and the Utah Department of Transportation (UDOT) to determine the best timing of the blasts. They currently perform blasting on I-80 and work with UDOT to close the road on Saturday mornings at 7:00 a.m. The proposed blasting complies with the City's blasting ordinance and the blasts are on a much smaller scale than those at the quarry. They will not use blast blankets as the specifications in place that protect existing utility lines also keep rock from flying.

17. AGREEMENTS

17.A. AGREEMENT – A CRA Participation Agreement between The Redevelopment Agency of Eagle Mountain City, Eagle Mountain City, Oquirrh Wood Ranch, LLC, Utah County and Tyson Fresh Meats, Inc.

This item was discussed after item 15.A. during the agenda review.

Mr. Cook explained the participation agreement dictates how the tax increment is divided between participating entities. Different parties are entitled to portions of the increment, so it is slightly more complicated than previously approved agreements. The agreement states Utah County, the developer, and the City will equally share in the increment, but the agreement has not yet been approved by Utah County. The County Attorney has expressed that the County may want to be reimbursed first, so Mr. Cook requested the Council authorize staff to make minor adjustments to the agreement.

Utah County is providing \$1.3 million to develop 4000 North, and the City is providing up to 500 acre feet of water and is deferring the impact fees; these will be reimbursed through the tax increment. The developer is installing a significant amount of infrastructure, but is not being reimbursed for all of the improvements. After \$12.9

million has been reimbursed to those three entities, the remaining tax increment will go to Tyson Foods.

Councilmember Curtis asked why the City is paying the developer. City Administrator Ifo Pili said this agreement is to reimburse the developer for things that would normally be reimbursed with impact fees; this simply uses the tax increment instead. The improvements are not included in what they are currently obligated to provide, nor are they improvements that the developer has committed to provide to Tyson Foods. They will not be able to request impact fee reimbursement for these improvements. The alternative to this agreement would be that the City increases the capital facilities plan by \$4 million, and then reimburse the developer that \$4 million through collected impact fees.

Councilmember Clark asked Mr. Pili to explain impact fee reimbursements and tax increment financing during the policy session.

Councilmember Curtis expressed concern that the developer will receive funds from the tax increment, and then request impact fee reimbursements in Pole Canyon in the future. Mr. Cook said the agreement only applies to the 80 acres Tyson Foods is developing, not the whole Pole Canyon Master Development Plan area.

Mr. Pili said this agreement is beneficial to the City because the tax increment is being used to pay the impact fees; the impact fees are not being waived. If Tyson Foods and the developer do not build what has been committed to, there will be no impact to the City's systems; the agreement is performance-based.

Mayor Westmoreland explained the benefit to the City is that the infrastructure is being built and paid for with the tax incentive. Assistant City Administrator/Finance Director Paul Jerome explained that the property currently does not have value; once the development is complete, taxes will begin to flow to the City. A portion of those taxes will be used to reimburse the entities participating in the community redevelopment area agreement. Additionally, the total reimbursement has a cap on the amount, and reimbursements can only be given for twenty years. Mr. Pili stated that since Tyson Foods is the last to be reimbursed, the risk is largest for them.

Mr. Cook stated the developer has discussed amending the existing master development agreement, but staff informed the developer that the requests discussed would likely not be approved, and the timing of an amended master development agreement would not align with Tyson Foods' construction timing. The current item under discussion is not related to the developer's master development agreement. They plan to have a bond waiver agreement with the developer to define what is required for this project; this agreement will be circulated to the Council. Tyson Foods is withholding a portion of the land purchase until the required infrastructure is installed.

17.B. AGREEMENT – A Public Water Supply Agreement Between Eagle Mountain City, Utah and Tyson Fresh Meats, Inc.

Mr. Cook explained this agreement corresponds with the previous agreement. It includes the option for Tyson Foods to use the water on an adjacent 40-acre property, if the facility is expanded or another facility is constructed. Tyson Foods has to inform the City within seven years of the facility's final water use. If not all of the water is used, the water can be sold at the then-current price per acre feet.

4. ADJOURN TO A CLOSED EXECUTIVE SESSION

No closed session was held. Mayor Westmoreland adjourned the meeting at 5:53 p.m.

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

ELECTED OFFICIALS PRESENT: Mayor Tom Westmoreland, Councilmembers Colby Curtis, Donna Burnham, Benjamin Reaves, Melissa Clark, and Stephanie Gricius.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Lianne Pengra, Recording Secretary; Steve Mumford, Community Development Director; Chris Trusty, City Engineer; Linda Peterson, Communications Director; Ross Fowlks, Fire Chief; and Eric McDowell, Chief Deputy.

5. CALL TO ORDER

Mayor Westmoreland called the meeting to order at 7:06 p.m.

6. PLEDGE OF ALLEGIANCE

Councilmember Gricius led the Pledge of Allegiance.

7. INFORMATION ITEMS/UPCOMING EVENTS

- Farmer's Market – The Eagle Mountain Farmers Market is held each Saturday from 9:00 a.m. to 1:00 p.m. at Wride Memorial Park through October. Information and vendor or entertainer applications are available at eaglemountainfarmersmarket.org.
- Broadway Meets Hollywood – Eagle Mountain Community Theater presents a musical revue – Broadway Meets Hollywood, September 12, 13, 14, and 16 at 7:00 p.m. at SilverLake Amphitheater, featuring favorite songs from the theater and movies. Admission is free.
- ShopFest Utah – The Eagle Mountain Street Fair has expanded and is now called ShopFest Utah. It will be held Saturday, September 21 at Wride Memorial Park from 7:00 a.m. to 10:00 p.m. featuring over 200 vendors, hot air balloons, food trucks, and live entertainment. It will be a fun-filled day in support of local businesses. Visit emcity.org/shopfest for schedule and details.

- Fall Cleanup Dumpsters – Eagle Mountain City will offer free dumpsters for residents' use for yard and general household waste from September 26-30. Dumpsters will be located west of Wride Memorial Park south of Mid Valley Road. Hours and details regarding what types of waste will be accepted will be available soon and will be distributed via City communication channels.
- City Notifications – We encourage residents to sign up for City notifications to be aware of public safety emergencies and stay informed about road construction projects, City news and events. Register at www.emcity.org/notifyme. Notifications can be received by email and/or text.

3. PUBLIC COMMENTS

Mayor Westmoreland opened public comment at 7:13 p.m. As there were no comments, he closed public comment.

8. CITY COUNCIL/MAYOR'S ITEMS

Mayor Westmoreland and the City Councilmembers welcomed those in attendance and thanked the residents for their participation in the public meeting.

9. PROCLAMATION

9.A. MOTION – A Proclamation Declaring September 2019 to be Family Meals Month.

Caryn Nielson of Communities that Care read the following proclamation:

Whereas, Family Meals Month is a national effort to encourage families to share more meals at home per week; and whereas, family meals are fun, affordable and healthier than other dining options; and whereas, conversations around dinner tables establish closer relationships and increase parental involvement; and whereas, regular family meals are linked to children earning higher grades in school, improving self-esteem and resisting negative peer pressure; and whereas, children who share meals with their family three or more times per week are significantly less likely to be overweight or have eating disorders, and more likely to eat healthy foods; and whereas, sharing family meals makes children less likely to suffer violence, depression and suicide, less likely to abuse drugs or alcohol or run away, and less likely to engage in other risky behaviors; and whereas, a majority of families in the United States want to have regular family meals, but only a small percentage do;

Now, therefore, Mayor Tom Westmoreland and the Eagle Mountain City Council proclaim the month of September, 2019 as Family Meals Month

in Eagle Mountain City and encourage residents to add at least one more family meal per week during this month and throughout the year.

Ms. Nielson explained Communities the Care is sponsoring a contest for a free family meal at Six Sisters Deli. To enter, residents can submit photographs of their family meal on Facebook and Instagram with the hashtags #EagleMountainFamilyMeals and #EagleMountainCity.

MOTION: *Councilmember Gricius moved to approve a proclamation declaring September 2019 to be Family Meals Month. Councilmember Clark seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Benjamin Reaves, Donna Burnham, and Melissa Clark. The motion passed with a unanimous vote.*

10. APPOINTMENTS

10.A. Military and Veterans Advisory Board

Ms. Kofoed explained that two board member appointments will expire at the end of 2020, and three board member appointments will expire at the end of 2022. The Council will determine which board member fills each appointment.

MOTION: *Councilmember Clark moved to appoint Dan Heuser to the Military and Veterans Advisory Board for a term expiring at the end of December 2020. Councilmember Gricius seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Benjamin Reaves, Donna Burnham, and Melissa Clark. The motion passed with a unanimous vote.*

MOTION: *Councilmember Clark moved to appoint John Love to the Military and Veterans Advisory Board for a term expiring at the end of December 2020. Councilmember Gricius seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Benjamin Reaves, Donna Burnham, and Melissa Clark. The motion passed with a unanimous vote.*

MOTION: *Councilmember Clark moved to appoint Corbett Douglas to the Military and Veterans Advisory Board for a term expiring at the end of December 2022. Councilmember Gricius seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Benjamin Reaves, Donna Burnham, and Melissa Clark. The motion passed with a unanimous vote.*

MOTION: *Councilmember Clark moved to appoint Jeff Ruth to the Military and Veterans Advisory Board for a term expiring at the end of December 2022. Councilmember Gricius seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Benjamin Reaves, Donna Burnham, and Melissa Clark. The motion passed with a unanimous vote.*

Ms. Kofoed administered the oath of office to the newly appointed board members present at the meeting.

CONSENT AGENDA

11. CHANGE ORDERS

11.A. 2018 Traffic Signal Project Change Order #2 – Hunt Electric

12. PRELIMINARY PLAT & SITE PLAN

12.A. SilverLake Elementary School Site Plan

13. MINUTES

13.A. August 20, 2019 Minutes – Regular Meeting

13.B. August 27, 2019 Minutes – Joint City Council Work Session

13.C. August 27, 2019 Minutes – Board of Canvassers

MOTION: *Councilmember Burnham moved to approve the consent agenda. Councilmember Gricius seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Benjamin Reaves, Donna Burnham, and Melissa Clark. The motion passed with a unanimous vote.*

During the motion, a brief discussion ensued. The Council's desire is that Alpine School District pay impact fees; Alpine School District will pay transportation impact fees, but not future facility impact fees. As the expansion of Golden Eagle Road is a system improvement, the cost of the upsize in width of the road is eligible for impact fee reimbursement.

SCHEDULED ITEMS

14. ORDINANCES/PUBLIC HEARINGS

14.A. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code, Chapter 17.48 Regional Technology and Industry Overlay Zone.

Mr. Mumford said the proposed change adds an allowed use to clarify that food processing, packaging, and manufacturing is allowed; on-site killing, slaughtering, or harvesting of live animals is prohibited. He stated there was discussion during the work session regarding adding additional language to prohibit uses related to odor.

Mayor Westmoreland opened the public hearing at 7:47 p.m. As there were no comments, he closed the hearing.

MOTION: *Councilmember Burnham moved to approve an ordinance of Eagle Mountain City, Utah, amending the Eagle Mountain Municipal Code, Chapter 17.48 Regional Technology and Industry Overlay Zone with the following change:*

1. *Chapter 17.48.050 will be changed to read: Any use that produces gas, smoke, odor, dust, vibration of earth, or soot that in the opinion of the City Council will negatively impact commercial or residential areas that are currently existing or that are proposed in the City's General Plan.*

Councilmember Gricius seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Benjamin Reaves, Donna Burnham, and Melissa Clark. The motion passed with a unanimous vote.

14.B. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain City General Plan Master Transportation Plan.

Mr. Mumford explained the proposed changes to the Transportation Master Development Plan mainly impact the west and southwest portions of the City. Some changes correct errors made during the development of the Transportation Master Development Plan last year; others are to improve economic development opportunities in the City.

One change improves north-south traffic in the Pole Canyon area. Another change shifts a collector road to the west to match up with approved plans in the Harmony and Brandon Park subdivisions. The freeway has been shifted to the southwest to open up larger parcels for data center development. A minor arterial road has been changed to a collector road in the southwestern area of the City to align with approved plans, and a collector road that can no longer be in its planned location due to an existing Rocky Mountain Power substation has been moved to the south and changed to a major arterial. A change in the southern area of the City is to move Pony Express Parkway to the east to better align with parcel lines. The final change is to move Lake Mountain Road to the west to align with existing approved plans.

Mayor Westmoreland opened the public hearing at 7:53 p.m. As there were no comments, he closed the hearing.

MOTION: *Councilmember Burnham moved to approve an ordinance of Eagle Mountain City, Utah, amending the Eagle Mountain City General Plan Master Transportation Plan. Councilmember Reaves seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Benjamin Reaves, Donna Burnham, and Melissa Clark. The motion passed with a unanimous vote.*

15. CEDAR FARMS

15.A. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah Rezoning Cedar Farms from Agriculture to the RA2 Residential Zone.

Mr. Hadley explained the proposed application rezones a 5.47-acre parcel along Lake Mountain Road from Agriculture to the RA2 Residential Zone. The proposed 2-lot subdivision complies with the General Plan and the requirements of the RA2 zone. The Planning Commission requested the applicant provide an escrow for future improvements to Lake Mountain Road and a future trail.

Councilmember Clark said the Council has discussed locating a trail along the power corridor. There are approximately twenty homes along this road, and there are no existing trails. She explained the Council discussed locating a trail along the west side of the property where pedestrian traffic currently exists.

Councilmember Clark stated it was important to clarify that the zoning ordinance requires a minimum building envelope and that this application will not affect the Sunset Flats subdivision.

Councilmember Curtis asked if the animal rights for this property will affect adjacent property owners. Mr. Hadley said there will be no effects, as animal rights are based on lot size.

Mayor Westmoreland opened the public hearing at 8:02 p.m. As there were no comments, he closed the hearing.

MOTION: *Councilmember Reaves moved to approve an ordinance of Eagle Mountain City, Utah, rezoning Cedar Farms from Agriculture to the RA2 Residential Zone. Councilmember Gricius seconded the motion.*

Councilmember Clark confirmed that the property will not be permitted to be rezoned to smaller lots in the future.

AMENDED MOTION: *Councilmember Reaves moved to approve an ordinance of Eagle Mountain City, Utah, rezoning Cedar Farms from Agriculture to the RA2 Residential Zone with the following conditions:*

- 1. Applicant shall provide a utility plan for review by the City Engineer; and*
- 2. The applicant shall update the plat to show the minimum requirement of 20,000 square feet of buildable area and RA2 setbacks.*

Councilmember Gricius seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Benjamin Reaves, Donna Burnham, and Melissa Clark. The motion passed with a unanimous vote.

15.B. Cedar Farms Preliminary Plat

MOTION: *Councilmember Burnham moved to approve Cedar Farms preliminary plat. Councilmember Gricius seconded the motion.*

Councilmember Curtis asked if power corridors are considered unbuildable. Mr. Mumford said power corridors are designated unbuildable land. In The Ranches, developers have deeded land in power corridors to the City as open space. Councilmember Curtis stated this approval will not preserve the power corridor as public open space.

Mr. Cook explained the City would need to obtain voluntary participation for all of the property owners along the power corridor to preserve the corridor for future trail expansion. He said it would be best to include the trail along the future Airport Road.

Mr. Mumford explained the property is an existing 5-acre lot. The City cannot require the property owner to dedicate a trail or open space on their property; the City would need to purchase the land or offer something in exchange for preserving the open space.

Discussion ensued regarding open space in early subdivisions in City Center.

Those voting aye: Colby Curtis, Stephanie Gricius, Benjamin Reaves, Donna Burnham, and Melissa Clark. The motion passed with a unanimous vote.

Councilmember Curtis was excused at 8:26 p.m.

16. MOTION

16.A. Gateway Phase 3 Blasting Permit

Councilmember Burnham explained the applicant is requesting to conduct blasting for utility lines at the Gateway Park project. They are requesting five blasts and will need to close Wride Memorial Highway for approximately five minutes for each blast. They will work with the City and the Utah Department of Transportation to coordinate the road closure.

MOTION: ***Councilmember Burnham moved to approve the Gateway Phase 3 blasting permit. Councilmember Reaves seconded the motion. Those voting aye: Stephanie Gricius, Benjamin Reaves, Donna Burnham, and Melissa Clark. Councilmember Colby Curtis was excused at this time. The motion passed with a unanimous vote.***

Councilmember Curtis was not present to vote on the blasting permit.

17. AGREEMENTS

17.A. AGREEMENT – A CRA Participation Agreement between the Eagle Mountain Redevelopment Agency, Eagle Mountain City, Oquirrh Wood Ranch, LLC, Utah County and Tyson Fresh Meats, Inc.

Mr. Cook explained the City's Redevelopment Agency approved interlocal agreements with the City's CRA to provide tax increment for a new facility being constructed by Tyson Foods. This participation agreement details how the Redevelopment Agency will distribute the tax increment.

Councilmember Curtis returned at 8:33 p.m.

Mr. Pili said the participation agreement contains a cap up to a certain amount of distributed funds. All of the participating entities, such as Unified Fire Authority, Alpine School District, and Utah County, agreed to the tax increment. There was discussion during the work session regarding the funds used to pay the developer. The developer is not being incentivized with this agreement, and is required to install infrastructure for Tyson Foods. Any excess infrastructure installed is eligible for impact fee reimbursement. If Tyson Foods does not construct the facility, there is no impact to the City, so no impact fees are collected or reimbursed. Funds are only paid out when Tyson Foods meets performance benchmarks.

Mr. Cook explained that there may be future changes to the Utah County repayment structure timing, as the County has not approved the agreement yet. The County is incurring hard expenses to build the road, so they may request repayment earlier than currently identified in the agreement. He said the increment is 60% of the additional taxes received, and impact fees will be paid by the increment.

MOTION: *Councilmember Burnham moved to approve a CRA participation agreement between the Eagle Mountain Redevelopment Agency, Eagle Mountain City, Oquirrh Wood Ranch, LLC, Utah County, and Tyson Fresh Meats, Inc., and allow City staff and the City Attorney to make small changes to the agreement that maintain the integrity of the document. Councilmember Clark seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Benjamin Reaves, Donna Burnham, and Melissa Clark. The motion passed with a unanimous vote.*

17.B. AGREEMENT – A Public Water Supply Agreement Between Eagle Mountain City, Utah and Tyson Fresh Meats, Inc.

Mr. Cook said this agreement corresponds with the CRA participation agreement. Tyson Foods is required to provide water for their project, and they have chosen to purchase Central Water Project (CWP) water. The agreement allows the City to provide up to 500 acre feet of CWP water at \$10,090 per acre foot. If Tyson Foods does not use the full 500 acre feet within seven years, the water reverts back to the City.

MOTION: *Councilmember Clark moved to approve a public water supply agreement between Eagle Mountain City, Utah, and Tyson Fresh Meats, Inc., and allow City staff and the City Attorney to make small changes to the agreement that maintain the integrity of the document. Councilmember Reaves seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Benjamin Reaves, Donna Burnham, and Melissa Clark. The motion passed with a unanimous vote.*

18. CITY COUNCIL/MAYOR'S BUSINESS

Councilmember Burnham
See Board Liaison Report.

Councilmember Reaves
None.

Councilmember Clark
See Board Liaison Report.

Councilmember Gricius
None.

Councilmember Curtis
None.

Mayor Westmoreland

Mayor Westmoreland said the City wants to make the volunteer boards task-oriented with set goals. For example, the Parks and Recreation Board can focus on grants for wildlife corridor preservation, artifact preservation, and the City's open space and trail system. He said it may be time to form an emergency preparedness board.

19. CITY COUNCIL BOARD LIAISON REPORTS

Councilmember Burnham

Councilmember Burnham said the Eagle Mountain City Chamber of Commerce and Planning Commissions are functioning well.

Councilmember Clark

Councilmember Clark expressed appreciation to the new Military and Veterans Advisory Board members. She said the Youth Council has its first meeting on September 18th in the City Council Chambers. A hands-on HAM class will be held this week for residents to see licensed operators use the radios. A HAM radio training will be held next month, as well.

20. COMMUNICATION ITEMS

20.A. Upcoming Agenda Item

21. ADJOURNMENT

MOTION: *Councilmember Curtis moved to adjourn at 8:57 p.m. Councilmember Burnham seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Benjamin Reaves, Donna Burnham, and Melissa Clark. The motion passed with a unanimous vote.*

Approved by the City Council on September 17, 2019.



Fionnuala B. Kofoed, MMC
City Recorder