EAGLE MOUNTAIN
CITY COUNCIL MEETING

July 18, 2023, 3:00 PM
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

PLEASE NOTE THE SPECIAL START TIME

3:00 P.M. WORK SESSION - CITY COUNCIL CHAMBERS

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.

   1.A UPDATE - City Administrator Items

   1.B DISCUSSION - Comprehensive Marketing Plan Update (Emotional Map) - REDKOR Brand Campaigns

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

3. **ADJOURN TO A CLOSED EXECUTIVE SESSION**
   The City Council will adjourn into a Closed Executive Session for the purpose of discussing reasonably imminent litigation; 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

4. **CALL TO ORDER**

5. **PLEDGE OF ALLEGIANCE**

6. **INFORMATION ITEMS/UPCOMING EVENTS**

7. **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.)

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

9. **CONSENT AGENDA**

10. **BID AWARDS**

    10.A 2 MG Tank Design - Sunrise Engineering

10.B Well #5 Upgrade Design - Jones and DeMille Engineering

11. BOND RELEASES

11.A Hidden Hollow Phase B, Plat 2 - Into Warranty

11.B Parkway Fields Phase A, Plat 1 - Into Warranty

11.C Parkway Fields Phase B, Plat 1 - Into Warranty

11.D SilverLake Plat 34 - Into Warranty

11.E Arrival Phase B, Plat 5 - Out of Warranty

11.F Arrival Phase B, Plat 7 - Out of Warranty

11.G Arrival Phase B, Plat 8 - Out of Warranty

11.H Brandon Park Phase A, Plat 15 - Out of Warranty

11.I Harmony Phase A, Plat 3 - Out of Warranty

11.J Harmony Phase A, Plat 5 - Out of Warranty

11.K Sage Park Phase A, Plat 5 - Out of Warranty

11.L Sage Park Phase A, Plat 6 - Out of Warranty

12. CHANGE ORDERS

12.A 2023 Pony Express Paving Project Change Order #1 - Geneva Rock

13. MINUTES

13.A June 20, 2023 Minutes - Regular City Council Meeting

13.B July 5, 2023 Minutes - Special City Council Meeting

14. PRELIMINARY PLATS & SITE PLANS

14.A PRELIMINARY PLAT - Parkway Fields Phase D

14.B PRELIMINARY PLAT - Parkway Fields Phase E

15. RESOLUTIONS

15.A RESOLUTION - A Resolution of Eagle Mountain City, Utah, Approving the Modified Third Amendment to the Porter's Crossing Town Center Master Development Agreement.

SCHEDULED ITEMS

16. EAGLE MOUNTAIN RETAIL

16.A ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Amending the General Plan Future Land Use Map and Rezoning Certain Lands Known As Eagle Mountain Retail.

BACKGROUND: *(Presented by Senior Planner David Stroud)* The proposed ordinance amends the General Plan Land Use Map from Neighborhood Residential One and Community Commercial to Regional Commercial and Parks and Open Space, and rezones the subject parcel from Agriculture and Commercial to Commercial Regional and Open Space-I for the purpose of permitting "big box" development. The subject property is located at the northwest intersection of SR-73 and Spring Run Parkway. This is the proposed location for a Walmart Supercenter.

16.B RESOLUTION - A Resolution of Eagle Mountain City, Utah, Approving the Eagle Mountain Retail Development Agreement with Armstrong Commercial Services.

BACKGROUND: *(Presented by Senior Planner David Stroud)* The proposed development agreement is in relation to a large-scale retail development on Parcel 58:033:0404.

17. EAGLE MOUNTAIN BENCHES

17.A ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Approving an Amendment to the General Plan Future Land Use Map from Agriculture/Rural Density 1 to Agriculture/Rural Density 2, and Rezoning Certain Lands Known as Eagle Mountain Benches from RA2 and AG to RD1.

BACKGROUND: *(Presented by Planning Manager Robert Hobbs)* The proposed ordinance amends the Eagle Mountain City General Plan Future Land Use Map and rezones approximately 102 acres of property on Utah County Parcel Numbers 59:006:0042, 59:006:0046, 59:006:0047, 59:006:0054, and 59:006:0055. The applications also include a request to waive the Master Development requirements found in EMMC 16.10 Master Developments. This item was remanded back to the Planning Commission at the May 16, 2023 City Council meeting to consider all of the applicants' land and provide a recommendation regarding the minimum average lot size.

17.B MOTION/PUBLIC HEARING - Request for the Waiver of the Master Development Approval Requirement for Eagle Mountain Benches.

BACKGROUND: *(Presented by Planning Manager Robert Hobbs)* The applicants are requesting the City Council waive the requirements found in Eagle Mountain Municipal Code Chapter 16.10 Master Developments.

18. ORDINANCES/PUBLIC HEARINGS

18.A ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Amending Eagle Mountain Municipal Code Chapter 17.75 Standards for Special Uses, and Sections 17.20.050 Conditional Uses (Agriculture Zone), 17.35.030 Land Use Table (Commercial Zones), and 17.40.040 Conditional Uses (Industrial Zone) Regarding Automobile Sales, Kennels, Racetracks, and Communication Facility Generators.

BACKGROUND: *(Presented by Planner Steven Lehmitz)* The proposed ordinance adds kennels as a Conditional Use in the Agriculture and Industrial Zones, adds racetracks as a Conditional Use in the Industrial Zone, outlines Special Use standards for automobile sales and racetrack uses, and permits generators in conjunction with communication facilities and towers. The amendment also removes superscript "5" from the Commercial Zone Land Use Table; the footnote stating, "These special uses are considered prohibited until special use standards specific to these uses are approved and included in Chapter 17.75 EMMC." This item was tabled at the June 20, 2023 City Council meeting, and the public hearing was continued to this meeting.

18.B ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Chapter 17.10 Definitions, Chapter 17.38 Commercial Storage Zone, and Chapter 17.40 Industrial Zone, Regarding Caretaker Dwellings.

BACKGROUND: *(Presented by Senior Planner David Stroud)* The proposed ordinance amends EMMC Chapter 17.10 Definitions to add "Caretaker Dwelling," and amends Chapter 17.38 Commercial Storage Zone and Chapter 17.40 Industrial Zone to permit a caretaker dwelling as a conditional use in each zone. This item was tabled at the June 20, 2023 City Council meeting, and the public hearing was continued to this meeting.

ORD--EMMC Title 17 Changes - Caretaker Dwellings EMMC 17.10, 17.38, & 17.40 Caretaker Dwellings - Redlines

18.C ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Chapters 17.10 Definitions, 17.25 Residential Zones, 17.72 Commercial and Multifamily Design Standards, and 17.55 Off-street Parking Regarding Alleys and Service Drives, Fire Department-related Access Standards, and ADA Parking Standards.

BACKGROUND: *(Presented by Planning Manager Robert Hobbs)* The proposed ordinance includes amendments to Title 17 that provide definitions and parameters for alleys, service drives and ADA parking clarifications. This item was tabled at the June 20, 2023, City Council meeting, and the public hearing was continued to this meeting.

18.D ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Enacting Eagle Mountain Municipal Code Chapter 16.56 Vacation of Rights-of-Way.

BACKGROUND: *(Presented by Planning Manager Robert Hobbs)* The proposed ordinance enacts EMMC Chapter 16.56 Vacation of Rights-of-Way to allow for the vacation of public streets and alleys without having to execute a plat amendment. This item was tabled at the June 20, 2023 City Council meeting, and the public hearing was continued to this meeting.

18.E ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code, Section 17.60.120 General Fencing Provisions, Regarding Golf Course Netting.

BACKGROUND: *(Presented by Senior Planner David Stroud)* The proposed ordinance amends EMMC Section 17.60.120 General Fencing Provisions, to create netting standards on property adjacent to a golf course.

19. RESOLUTIONS

19.A RESOLUTION - A Resolution of Eagle Mountain City, Utah, Approving an Interlocal Cooperation Agreement between the Redevelopment Agency of Eagle Mountain City, Utah, and Eagle Mountain City for the Collection and Remittance of Incremental Property Taxes Collected from Property Within the Sweetwater Industrial Park Community Reinvestment Area #3.

BACKGROUND: *(Presented by Economic Development Director Evan Berrett)* This project allows for the creation of a Community Reinvestment Area in order to allow for a data center project development on approximately 490 acres on the western border of the Meta datacenter property. When all phases have been triggered for the first six buildings, the City will receive approximately $140,000 annually in property tax until the incentive expires. The interlocal agreement allows Utah County to transmit certain incremental tax revenue for Eagle Mountain City to the Redevelopment Agency of Eagle Mountain City for execution of the project area plan and budget.

19.B RESOLUTION - A Resolution of Eagle Mountain City, Utah, Approving the QTS Eagle Mountain I, LLC Development Agreement.

BACKGROUND: *(Presented by Economic Development Director Evan Berrett)* The development agreement relates to the development of the QTS Eagle Mountain I, LLC property within the Sweetwater Industrial Park Community Reinvestment Area #3.

20. ORDINANCES

20.A ORDINANCE - An Ordinance of Eagle Mountain City, Utah, Amending Eagle Mountain Municipal Code Section 2.16.030 Hiring and Employment Terms to Remove Reference to a Six-Month Severance Stipulation.

BACKGROUND: *(Presented by City Attorney Marcus Draper)* The proposed ordinance amends Eagle Mountain Municipal Code Section 2.16.030 Hiring and Employment Terms to remove the stipulation that severance benefits for a city administrator shall not exceed six months.

21. AGREEMENTS

21.A AGREEMENT - Approving an Amended and Restated Agreement between Eagle Mountain City and Paul Jerome for City Administrator Services.

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 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 13th day of July, 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