



EAGLE MOUNTAIN CITY COUNCIL MEETING

June 20, 2023, 3:00 PM

Eagle Mountain City Council Chambers

1650 East Stagecoach Run, Eagle Mountain, Utah 84005

3:00 P.M. WORK SESSION - CITY COUNCIL CHAMBERS - Please Note the Earlier Start Time

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 DISCUSSION - Affordable Housing Master Plan - Lewis, Young, Robertson, and Burningham

1.B UPDATE - City Administrator Items

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 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.

CONSENT AGENDA

9. AGREEMENTS

9.A Parkway Fields Well 8 Property Purchase Agreement - BCP Development

9.B Water Supply Agreement - Central Utah Water Conservancy District

10. BID AWARDS

10.A Tertiary Treatment and Algae Control Design - JWO Engineering I

11. BOND RELEASES

11.A SilverLake Plat 33 - Into Warranty

12. CHANGE ORDERS

12.A Well 8 Drilling Change Order #1 - Grimshaw Drilling LLC

13. MINUTES

13.A June 6, 2023 Minutes - Regular City Council Meeting

SCHEDULED ITEMS

14. ORDINANCES/PUBLIC HEARINGS

14.A [ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Adopting the Fiscal Year 2023-2024 Budget and the Certified Tax Rate.](#)

BACKGROUND: *(Presented by Finance Director Kimberly Ruesch)* State statute requires that the City Council hold a public hearing on the tentative budget and that the budget be adopted by June 30. The tentative budget was accepted by the City Council on May 2, 2023 and a public hearing was held on June 6, 2023. The final budget and certified tax rate will be the documents that govern the expenditures for Fiscal Year 2023-2024.

14.B [ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Adopting the Fourth and Final Amendment to the Fiscal Year 2022-2023 Annual Budget.](#)

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 fourth and final budget amendment for Fiscal Year 2022-2023.

15. POLE CANYON/FIREFLY

15.A [ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Approving the First Amendment to the Pole Canyon \(AKA Firefly\) Master Development Plan.](#)

BACKGROUND: *(Presented by Planning Manager Robert Hobbs)* The proposed applications include an amendment to the Pole Canyon Master Development Plan and an Amended and Restated Master Development Agreement. The project is located on approximately 2,786 acres (per latest Applicant update of June 8th) in portions of Utah County Parcel Sections 16 through 21, lying generally in the southwest area of the City.

15.B RESOLUTION - A Resolution of Eagle Mountain City, Utah, Approving the Amended and Restated Pole Canyon Master Development Agreement, Now Known as Firefly.

- 15.C RESOLUTION/PUBLIC HEARING - A Resolution of Eagle Mountain City, Utah, Providing for the Creation of the Firefly Public Infrastructure Districts Numbers 1 through 10 as Independent Districts; Authorizing and Approving a Governing Document and Interlocal Agreement; Approving of an Annexation Area; Appointing Board of Trustees; Authorizing Other Documents in Connection Therewith; and Related Matters.

BACKGROUND: *(Presented by City Attorney Marcus Draper)* The proposed resolution relates to the creation of ten public infrastructure districts in the Firefly Master Development Area.

16. ORDINANCES/PUBLIC HEARINGS

- 16.A ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Adopting an Updated Impact Fee Enactment for a Wastewater Impact Fee; Providing for the Calculation and Collection of Such Fees; Providing for Appeal, Accounting, and Severability of the Same; and Other Related Matters.

BACKGROUND: *(Presented by City Engineer Chris Trusty)* The Wastewater Impact Fee Enactment adopts the Impact Fee Facilities Plan (IFFP) and Impact Fee Analysis (IFA) and implements the impact fees recommended through ordinance. Once adopted, there is a 90-day waiting period before the revised impact fees can be assessed to new building permits. The IFA recommends the maximum reasonable impact fee that could be charged to new development based on provisions in the State Code.

- 16.B 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. The code changes were previously presented as part of an omnibus package to the Planning Commission.

- 16.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. The code changes were previously presented as part of an omnibus package to the Planning Commission.

- 16.D 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.

- 16.E [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."

17. ORDINANCES

- 17.A [ORDINANCE/PUBLIC HEARING - 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.

18. AGREEMENT

- 18.A [AGREEMENT - Approving an Amended and Restated Agreement between Eagle Mountain City and Paul Jerome for City Administrator Services.](#)

BACKGROUND: *(Presented by City Attorney Marcus Draper)* The proposed agreement updates the terms of the City Administrator Services Agreement.

19. LEGISLATIVE ITEMS

- 19.A [Legislative Priorities List](#)

- 19.B 2023 Municipal Election Dates

20. 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.

21. CITY COUNCIL/MAYOR'S BUSINESS

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

22. COMMUNICATION ITEMS

22.A Financial Report

22.B [Fiscal Year 2023 Fraud Risk Assessment](#)

22.C Upcoming Agenda Items [Upcoming Agenda Items](#)

23. 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 15th day of June, 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