EAGLE MOUNTAIN
CITY COUNCIL MEETING

June 7, 2022, 4:00 PM
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

4:00 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 - Water Efficient Landscaping Standards
   Staff Report

   1.C DISCUSSION - Eagle Heights Village

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.

9. **MOTION**

9.A MOTION - Acceptance of the May 2022 Youth Council Election Results.

1. Gavin Glad - Youth Council Mayor
2. Macy Campos - Youth Councilmember
3. Laura Jones - Youth Councilmember
4. Sedona Montano - Youth Councilmember
5. Gabriella Pengra - Youth Councilmember
6. Kayson Welch - Youth Councilmember

10. APPOINTMENTS

10.A Library Advisory Board

1. Michelle Mooney - Completing Term Expiring December 2022 and Filling a 3-year Term through December 2025

CONSENT AGENDA

11. AGREEMENTS

11.A AGREEMENT - A Commercial Lease Agreement between Eagle Mountain City, Utah and Starwest Eagle Mountain Properties, LLC
Lease Agreement - Star West

12. BID AWARDS

12.A 2022 Eagle Mountain Concrete Collar Replacement - Precision Manholes
Concrete Collar Bid Opening
Precision Manholes Bid
Maps

12.B Cory B. Wride Memorial Park and Pony Express Booster Pumps - VanCon, Inc.

13. BOND RELEASES

13.A Eagle Point Phase J, Plat 1 - Out of Warranty
Bond Release Letter
Recorded Plat

13.B The Towns at Brylee Farms Phase B, Plat 1 - Out of Warranty
Bond Release Letter
Recorded Plat

14. CHANGE ORDERS

14.A Cory B. Wride Memorial Park Phase 2 Change Order #4 - Kenny Seng Construction

15. MINUTES

15.A May 17, 2022 Minutes - Regular City Council Meeting
05.17.2022 City Council Minutes - DRAFT

16. RESOLUTIONS

16.A RESOLUTION - A Resolution of Eagle Mountain City, Utah, Naming Fire Station 251 the Sweetwater Fire Station.
RES--Naming Sweetwater Fire Station

SCHEDULED ITEMS

17. ORDINANCES/PUBLIC HEARINGS

17.A ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Adopting the Fiscal Year 2022-2023 Annual Budget. ****DISCUSSION ITEM ONLY****

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 3, 2022, and a public hearing was held on May 17, 2022. A second public hearing will be held on June 7, 2022 before the final adoption of the budget on June 21, 2022. The final budget and certified tax rate will be the document that governs the expenditures for Fiscal Year 2022-2023.

Budget Changes 06.07.2022

17.B ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Rezoning Certain Lands Known as Mochila Technology Park.

BACKGROUND: *(Presented by Robert Hobbs, Planning Manager)* The proposed ordinance adds the Regional Technology and Industry Overlay Zone to approximately 120 acres of property directly west of Facebook, Utah County Parcels 59:068:0002 and 59:068:0005. The property is currently zoned Agriculture.

ORD--Mochila Technology Park Rezone
Rezone Exhibit
Area Map

18. CITY COUNCIL/MAYOR'S BUSINESS

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

19. 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.

20. COMMUNICATION ITEMS

20.A Upcoming Agenda Items
CI--Upcoming Agenda Items

21. 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 2nd day of June, 2022, 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

EAGLE MOUNTAIN	**EAGLE MOUNTAIN CITY** **CITY COUNCIL MEETING** **JUNE 7, 2022**

TITLE:	DISCUSSION - Water Efficient Landscaping Standards
ITEM TYPE:	Discussion
FISCAL IMPACT:	
APPLICANT:	

GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:
No

PREPARED BY:
Evan Berrett, Admin

PRESENTED BY:
Evan Berrett - Assistant to the City Administrator

RECOMMENDATION:

The Central Utah Water Conservancy District in conjunction with the Jordan Valley Water Conservancy District has developed and distributed a recommended draft water efficiency standard for cities to adopt. This standard primarily impacts front and side yard water efficiency measures in new home construction projects. Localscapes, the practice of using highly water efficient and functional landscape designs comprised of native vegetation is the focus of the standard. Several cities including Herriman, South Jordan, Bluffdale, and Salt Lake City have already adopted this standard and in some cases word for word.

Eagle Mountain City staff reviewed the draft standard and found that while everything would indeed promote the ideal use of front yard and side yard spaces while maximizing water efficiency, there were some aspects that would be too burdensome to enforce, are unnecessarily specific or prohibitive, and also lacked some needed direction in other areas of concern. Consequently, Eagle Mountain City staff made several modifications to the draft standard and those modifications are seen in the draft code being shared with you.

Indoor Fixture Requirements: The standard requires water sense labelled plumbing fixtures in new homes. This requirement will

result in no change for most builders as many are already installing Water Sense labelled fixtures.

Smart Irrigation Controller: All new homes will need to have a smart irrigation controller installed. Again, most new homes are already being outfitted with these controllers already.

Prohibition of Non-Functional Turf: Similar to Las Vegas, NV, non-functional turf would be prohibited. Staff and City Council will need to expand on current efforts to reduce non-functional turf during plat and site plan reviews.

Grass in Park Strips and on Slopes: Grass would be prohibited in park strips and on slopes greater than 25%. Park strips would still be required to have some plants, trees, etc. Lawns are also to be free of obstructions. For example, trees should not be planted in the middle of a grass area due to that tree either leading to obstruction of irrigation or adapting with over-irrigation to compensate.

Limit of Grass in Front & Side Yards: Front and side yards would be limited to 35% of the total landscaped area. Properties that have back yards that are half the size of the combined square footage of the front and side yards or smaller would be permitted to have 50% of the front or side yards be lawn with the expectation that their front or side yards are providing activity areas that the back yard might not be able to.

Irrigation Design: Irrigation must be appropriate for the type of landscape, irrigation types will be on separate valves, and so forth. This is an element that city staff are working to expand our capability to monitor.

50% Plant Cover and use of Mulch: Per Localscape design

principles, we are not aiming for zeroscape wherein residents would be simply converting to a sheet of gravel that could lead to weed management issues and potentially negative impacts on property values. 50% plant cover promotes the use of other mulches that, when properly installed, keep properties weed free and add a positive impact to the neighborhood.

Commercial and other Properties: Lawn space limited to 20% of the total landscaped area.

Eagle Mountain's draft code strips away much of the Localscapes requirements from the CUWCD provided standard. These requirements, while positive, would be overly burdensome to residents and limit their use and design of their landscapes too much. The draft code also modifies some of the standard to apply to the entire property when logical. Additionally, Eagle Mountain would be unique in Utah by prohibiting non-functional turf, and making exceptions for properties that are designed with smaller back yards.

City staff believes that this draft code would be an effective way to reduce the overall water demand from new residential properties over the next 40 years. Enforcement apparatuses are being explored and we hope to assist residents any way possible to ensure they are successful with conversions. We also anticipate builders being satisfied with a potential reduction in the water rights allocation per property. Given the current water use data of properties, and the reduced water use these standards would promote, we believe that we can reduce the water rights allocation per property from 0.9 acre/feet to 0.75 acre/feet, saving developers about $2,700 per property. Those savings more than makeup the cost of installing landscapes that meet this standard instead of using turf grass throughout.

BACKGROUND:

Utah has been in a state of severe drought for the past two years, straining water resources. When the state is not in a drought period,

water resources will still be strained due to limited sourcing and high growth. The Cedar Valley does not provide annual runoff or surface water sources. Underground aquifers provide reliable sources of water, if they are able to adequately replenish over time. Eagle Mountain is also at risk of enhanced water restrictions due to Utah's "Doctrine of Prior Appropriation" which essentially means that those of earlier and consistent water acquisition has rights to water before those who acquire rights to water later.

Eagle Mountain City is projected to continue to grow substantially over the next 40 years, potentially tripling in that time. A recently completed wastewater re-use study conducted by Barr Engineering showed that if all re-use strategies are implemented, Eagle Mountain would still be unable to meet the water demand 40 years from now. Therefore, the City must consider other means of reducing water depletion to enhance overall water supply.

Currently, every single-family residential lot is allocated 0.9 acre/feet of water. The typical Eagle Mountain resident fills their lot primarily with turf grass. Given Eagle Mountain's abnormally high median household size of over 4.3 persons per household, having plenty of turf space is expected. A recently completed analysis of water use behaviors in Eagle Mountain by Utah State University showed that the actual average water use equated to about 0.65 acre/feet of water per year. The analysis also showed that despite using less water than allocated, residents are applying twice as much water as needed on their lawns. Several agencies, universities, and other reliable sources have identified irrigation of turf grass as the largest use of water and the biggest opportunity for reducing overall water depletion.

Several agencies now provide rebate programs to encourage homeowners to examine their front and side yards as opportunities to eliminate turf grass. The general reasoning for this is that front and side yards are commonly landscaped with turf grass and yet rarely used for activities, only for aesthetics. Eagle Mountain City residents are currently eligible to use rebates from the Central Utah Water Conservancy District (CUWCD) for making changes to their park strips or front and side yards. Residents will lose access to these

rebates at the end of 2022 if Eagle Mountain City does not enhance its landscaping solutions.

Many residents have expressed through social media and other communications channels an interest in removing their lawns in favor of landscape that is easier to manage and uses less water. Several properties can be seen throughout Eagle Mountain who have either already undergone conversions or are in the process. These conversions are seen at properties both large and small but have mixed results. In some cases, conversions were made that included introducing materials or using methods that violate existing Eagle Mountain city code. Other conversions were successful to begin with but either made some errors that affect the overall effect or did not adequately design and install a landscape that would reduce the maintenance and have consequently seen massive growth of weeds or other issues.

Residents who have made conversions to their landscapes did so before the landscaping was put in, or only when they had the sufficient money on hand to make it possible. Despite the available rebates, a complete Localscapes conversion of the front and side yards can still cost the average family $1,500 - $2,000 based on analysis done on current Eagle Mountain properties.

Home builders and developers have expressed interest in and started making changes towards more water efficient landscapes. Again, the results have been inconsistent, often only partially successful, and at times actually creating greater inefficiency. Developers have also expressed concerns with the increased costs of landscaping enhancements. It is simply cheaper to install turf grass rather than localscape or xeriscape landscaping. Eagle Mountain City staff have determined that opportunity exists to reduce the water rights allocations per lot to reduce costs to developers.

Furthermore, although residential irrigation is a significant majority of the water use in the city, Eagle Mountain residents have repeatedly

felt some contradiction or hypocrisy in messaging due to commercial, institutional, or other property types having grass in areas that are unnecessary. The City of Las Vegas, Nevada recently enacted a ban of non-functional turf, or in other words, turf that serves no other purpose than to add to aesthetics of a property. Eagle Mountain City has non-functional turf in many neighborhoods, commercial developments, on city property, and so forth.

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:

Staff Report

EAGLE MOUNTAIN CITY

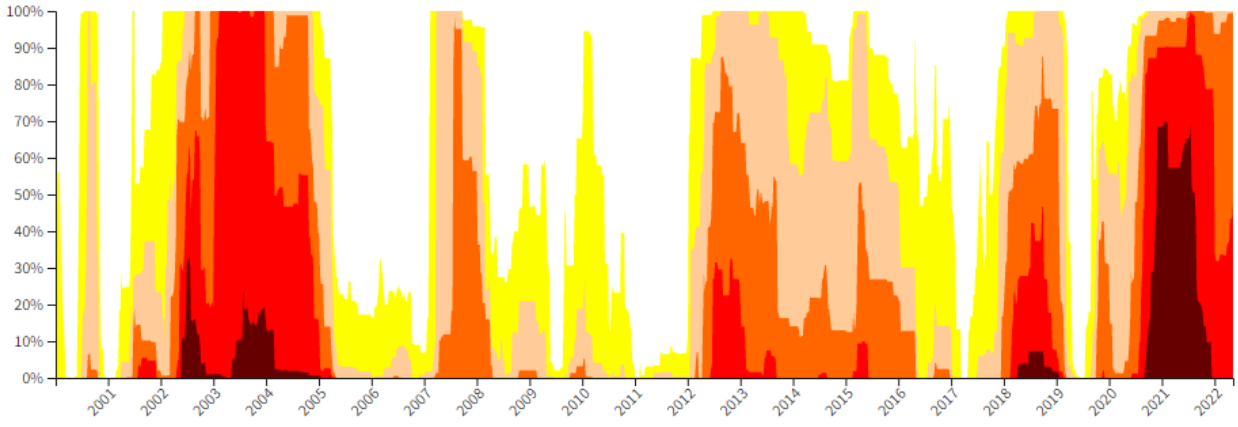
Staff Report

JUNE 7TH, 2022

Project:	**DISCUSSION - An Ordinance of Eagle Mountain City, Utah, Approving Eagle Mountain Municipal Code Regarding Water Efficient Landscape Standards**
Applicant:	**Evan Berrett – Assistant to the City Administrator**
Request:	**Questions and feedback regarding the draft code**
Type of Action:	**Discussion**

Background

Utah has been in a state of severe drought for the past two years, straining water resources. When the state is not in a drought period, water resources will still be strained due to limited sourcing and high growth. The Cedar Valley does not provide annual runoff or surface water sources. Underground aquifers provide reliable sources of water, if they are able to adequately replenish over time. Eagle Mountain is also at risk of enhanced water restrictions due to Utah's "Doctrine of Prior Appropriation" which essentially means that those of earlier and consistent water acquisition has rights to water before those who acquire rights to water later.



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Recommendation

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Conclusion

The City's rapid growth and limited water supply creates an environment wherein water efficient landscaping standards are a reasonable expectation. Eagle Mountain City staff have worked hard to consider all the implications and benefits of this draft code and believe it is the right path forward at this time. We look forward to the feedback and concerns shared by City Council as we work to refine the code to maximize the impact while minimizing any burdens on residents.

Water Efficient Landscaping Standards

Purpose

The purpose of these Water Efficiency Standards is to conserve the public's water resources by establishing water conservation standards for indoor plumbing fixtures and outdoor landscaping.

Applicability

The following standards shall be required for all developer/contractor installed residential, commercial, institutional, and industrial construction, as applicable. The Outdoor Landscaping Standards shall also be required for new landscaping construction installed by homeowners.

Indoor Fixture Requirements

All new and future construction and future additions, remodels, or refurbishments shall install plumbing fixtures that have the Water Sense label including: lavatory faucets, shower heads, sink faucets, water closets (tank and flushometer-valve toilets), and urinals, to the extent Utah law allows municipalities or local districts to require these fixtures.

Outdoor Landscaping Standards

All new and rehabilitated landscaping for public agency projects, private development projects, developer-installed landscaping in multi-family and single-family residential projects and two-family dwellings shall comply with the landscaping standards below:

Definitions

A. Active Recreation Areas: Areas of the landscape dedicated to active recreation where Lawn may be used as the playing surface (ex. sports fields and play areas).
B. Front Yard: A yard extending across the full width of the lot, the depth of which is the shortest distance between the main building and the front lot line. See Appendix A.
C. Hardscape: Durable landscape materials, such as concrete, wood, pavers, stone, or compacted inorganic mulch.
D. Lawn: Ground that is covered with grass or turf that is regularly mowed.
E. Mulch: Any material such as rock, bark, compost, wood chips or other materials left loose and applied to the soil.
F. Nonfunctional Turf: An irrigated grass area not providing functional use and generally maintained for aesthetic purposes only.
G. Park Strip: A typically narrow landscaped area located between the back-of-curb and sidewalk.
H. Paths: Designed routes between landscape areas and features.
I. Planting Bed: Areas of the landscape that consist of plants, such as trees, ornamental grasses, shrubs, perennials, and other regionally appropriate plants.
J. Rear Yard: a yard extending across the full width of the lot and more or less opposite to the front lot line. The depth of the rear yard is the shortest distance between the rear of the main building and the rear lot line. See Appendix A.
K. Side Yard: a yard between a building and the adjacent side lot line, extending from the front yard setback to the rear yard setback. On corner lots, the side yard adjacent to a street shall extend from the front yard setback to the rear lot line. The width of the required side setback

shall be the shortest distance between the side of the main building and the side lot line. See Appendix A.

L. Small Residential Lots: Lots with a total square footage of 3,000 square feet or less.
M. Total Landscaped Area: Improved areas of the property that incorporate all of the completed features of the landscape. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, and other non-irrigated areas intentionally left undeveloped.

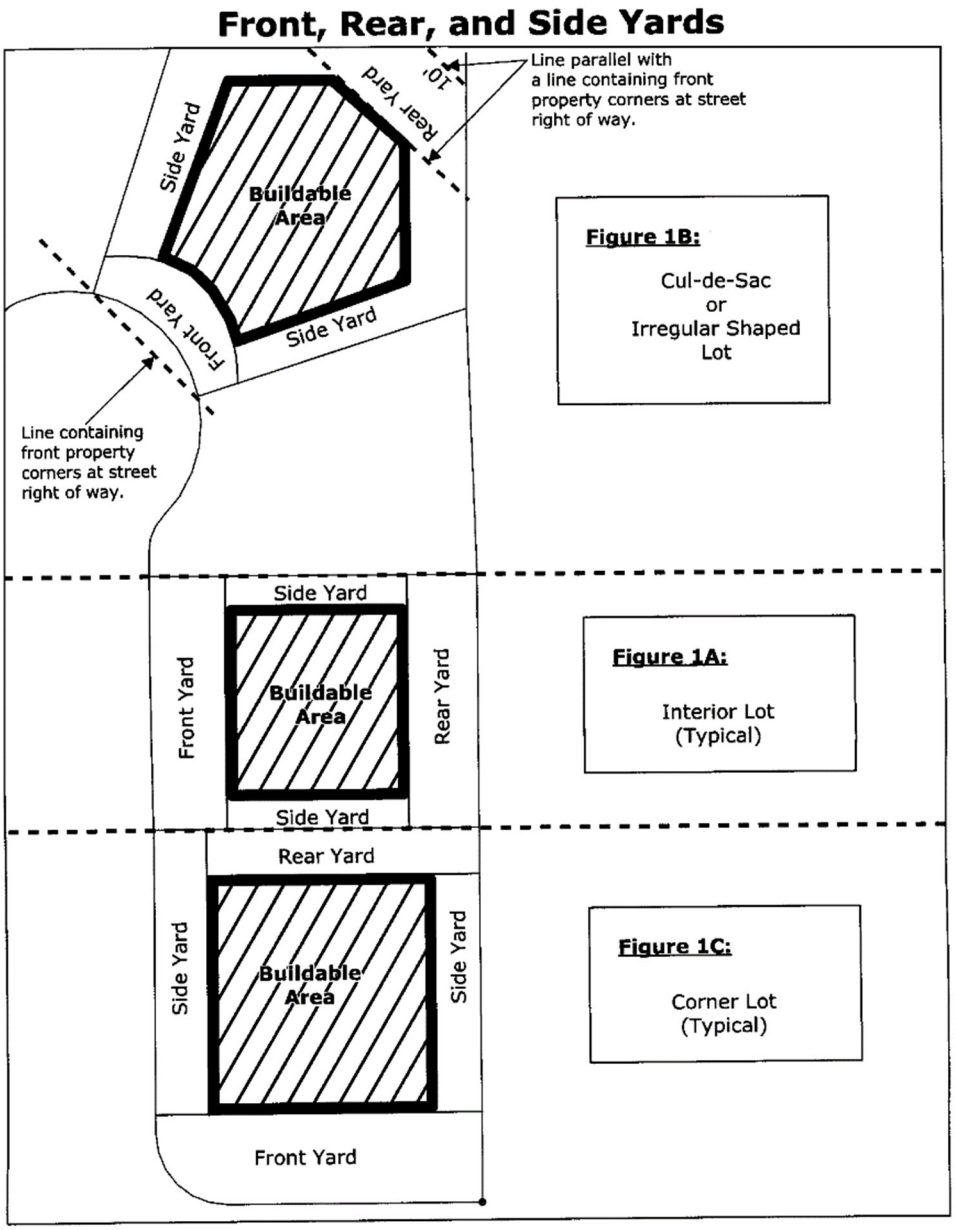
Landscaping Requirements

A. Landscaped areas shall be provided with a Water Sense labeled smart irrigation controller which automatically adjusts the frequency and/or duration of irrigation events in response to changing weather conditions. All controllers shall be equipped with automatic rain delay or rain shut-off capabilities.
B. Nonfunctional turf is prohibited.
C. The following requirements shall apply to single family residential properties.
    i. Lawn shall not be installed in Park Strips, Paths, or on slopes greater than 25% or 4:1 grade, and be less than 8 feet wide at its narrowest point. To the extent reasonably practicable, Lawn shall be free from obstructions (trees, signs, posts, valve boxes, etc.).
    ii. Lawn areas in the front and side yards shall not exceed the greater of 250 square feet, or 35% of the total landscaped area.
        1. Single family residential properties 0.25 acres or smaller wherein the combined square footage of the front and side yards is twice as large or greater as the rear yard square footage shall be permitted lawn areas up to 50% of the total landscaped area in the front and side yards.
        2. Small residential lots, which have no back yards, which the total landscaped area is less than 250 square feet, and which the front yard dimensions cannot accommodate the minimum 8 feet wide lawn area requirement of the landscaping requirements in section i, are exempt from the 8 feet minimum width Lawn area requirement.
    iii. All irrigation shall be appropriate for the designated plant material to achieve the highest water efficiency. Drip irrigation or bubblers shall be used except in Lawn areas. Drip irrigation systems shall be equipped with a pressure regulator, filter, flush-end assembly, and any other appropriate components.
    iv. Each irrigation valve shall irrigate landscaping with similar site, slope and soil conditions, and plant materials with similar watering needs. Lawn and Planting Beds shall be irrigated on separate irrigation valves. In addition, drip emitters and sprinklers shall be placed on separate irrigation valves.
    v. At maturity, landscape areas shall have enough plant material to create at least 50% living plant cover at the ground plane, not including tree canopies.
    vi. At least 3-4 inches of Mulch, permeable to air and water, shall be used in planting beds to control weeds and improve the appearance of the landscaping. Approved materials shall be used in areas located within a public right-of-way per EMC 17.60.090.
D. In commercial, industrial, institutional, and multi-family development common area landscapes, lawn areas shall not exceed 20% of the Total Landscaped Area, outside of Active Recreation Areas.
E. Certain special purpose landscape areas (e.g. stormwater management areas, etc.) may receive exceptions from the slope limitations and other elements of the Landscaping

Requirements (see Paragraph F, above). Applications to receive exceptions are to be considered on a case-by-case basis.

F. These outdoor standards are not intended to be in conflict with other landscaping requirements as defined by Utah law, including stormwater retention requirements and low-impact development guidelines. Notwithstanding these outdoor standards, whenever any requirement may be in conflict with Utah law, such conflicting requirements shall not apply.

APPENDIX A:



EAGLE MOUNTAIN	**EAGLE MOUNTAIN CITY** **CITY COUNCIL MEETING** **JUNE 7, 2022**

TITLE:	AGREEMENT - A Commercial Lease Agreement between Eagle Mountain City, Utah and Starwest Eagle Mountain Properties, LLC
ITEM TYPE:	Agreement
FISCAL IMPACT:	
APPLICANT:	Eagle Mountain City

GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:
No

PREPARED BY:
Steve Mumford, Admin

PRESENTED BY:
Staff

RECOMMENDATION:
Staff recommends that the City Council approve a commercial lease agreement with Starwest Eagle Mountain Properties, LLC for additional office space.

BACKGROUND:
The proposed agreement is for the City to lease office space to accommodate additional office space for City employees. The agreement documents the terms of the lease.

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:

Lease Agreement - Star West

COMMERCIAL LEASE AGREEMENT

This Lease Agreement (hereinafter referred to as the "Lease") is made by and between Starwest Eagle Mountain Properties, LLC (hereinafter referred to as "Landlord') and Eagle Mountain City (hereinafter referred to as "Tenant"), upon the following terms and conditions:

1. PREMISES. Landlord hereby leases and demises to Tenant Suites D, G & H (the "Premises") in the office complex located at 3726 E Campus Drive, Eagle Mountain, UT 84005 and more particularly described as SWEMP Building (the "Building"), together with the right of Tenant to utilize all common areas, including, but not limited to, parking areas, lobby, restrooms, and elevators.

2. TERM. This Lease shall be for a term of 60 months, commencing on the 15th of June, 2022 and ending on the last day of June, 2027, unless terminated earlier in accordance with paragraph 3.

3. TERMINATION. Either party may terminate this lease at any time by providing 3 months written notice of termination to Landlord, provided that in no event shall the term of the Lease be less than 36 months.

4. RENT. Tenant shall pay the Landlord rental for the Premises of $2,300 per month/per suite during the term hereof, without notice or demand. If any rental installment is not received on or before the tenth day of the month in which it is due, such installment may be assessed a late fee of 10% of rental total.

5. SECURITY DEPOSIT. Tenant has paid the Landlord a Security Deposit in the amount of $6,900. This is to be returned to the Tenant when the Tenant is no longer leasing the Premises and after an inspection by the Landlord determines that the Premises have been returned to the same order as it was when the tenant occupied the Premises, subject to normal wear and tear during the term of the Lease. Any fees, rent or cost to return property to same condition as upon initial rental will be deducted from security deposit.

6. USE. The premises shall be used by Tenant primarily as a business, management, and staff office and customer interface location. Activities not related thereto are prohibited without the prior written consent of the Landlord. Sub-leasing is only allowed with prior written authorization from Landlord, which consent shall not be unreasonably withheld. Tenant must use Direct Communications for internet services and may not use any other provider for internet.

7. TAXES. Tenant shall pay all personal property taxes levied or assessed against the personal property of Tenant located at the premises during the term of this lease and any other taxes levied or assessed on Tenant's operations at the Premises during the term of this Lease.

8. COMPLIANCE WITH LAW. Tenant shall comply with all governmental laws, ordinances and regulations applicable to the use of the Premises, and shall promptly comply with all governmental orders and directives for the correction, prevention and abatement of nuisances in, upon or connected with the Tenant's use of the Premises at Tenant's sole cost and expense. Tenant shall at Tenant's sole cost and expense obtain any and all governmental licenses, permits and approvals necessary from time to time for Tenant's use of the Premises. It shall be the Tenant's obligation, therefore, to verify zoning requirements and to conform thereto. Additionally, any governmental laws, ordinances and regulations will supersede any agreement made between the Landlord and Tenant.

9. ACCEPTANCE OF PREMISES. The taking of possession of the Premises by Tenant shall be conclusive evidence that, at such time, the premises were in good satisfactory and acceptable conditions and the Premises are accepted by Tenant in their "as is" condition. Property must be returned in equal or better condition as initial rental. Tenant will receive a minimum of 10 FOB keys. Additional or replacement keys will be charged at $10/each.

10. SIGNS. Tenant may erect signs with prior written consent of the Landlord and in accordance with all municipal sign ordinances. Tenant is responsible to obtain all permits and to maintain all signs. Sign rights granted in the Lease are for on premises signs and do not include rights to outdoor advertising sign locations that may be situated on the Premises.

11. MAINTENANCE OF PREMISES AND BUILDING. Landlord shall, at Landlord's sole cost and expense, keep and maintain the Building appearance in a condition at least equal to that which exists when Tenant initially opens the Premises for business, and in good and safe order, condition and repair as reasonably determined by Landlord. Without limiting the generality of the foregoing, Landlord, at its expense, agrees that from and after the date of possession, Landlord shall be responsible for all maintenance, repairs, and replacements to the interior and exterior of the Premises and Building, including but not limited to, reasonable repair, replacement or repainting of the carpet, flooring, interior walls, interior doors, restroom facilities, or kitchen facilities within the Premises or Building; the mechanical, plumbing, air conditioning, heating, and electrical equipment and systems servicing the Premises; and the roof, parking lot, exterior facade and structural membrane of the Building. Landlord shall be required to make repairs and alterations to the Premises, which may be required by any Laws. Furthermore, Landlord, at its expense, shall make any and all repairs to the Premises as may be necessitated by any break in, forcible entry or other trespass into or upon the Premises, regardless of whether or not such entry and damage occurs during or after business hours. Tenant, at Tenant's sole cost and expense, shall promptly make any repairs or replacements to the Premises that are caused by any negligence of Tenant, its employees or agents, or that are outside normal wear and tear to the Premises.

12. JANITORIAL SERVICE. Landlord shall provide biweekly janitorial service for the Premises.

13. ALTERATIONS. Tenant covenants and agrees with the Landlord that Tenant will not make any alteration, addition or improvement to the Premises without the Landlord's prior written consent, and then at Tenant's sole expense and at such times and such manners at Landlord may from time to time designate. Provided, however, that alterations, additions or improvement in or to the Premises, other than Tenant's fixtures which Tenant may remove upon payment to Landlord for any damage caused by such removal, shall become the Property of Landlord and shall remain upon, and be surrendered with, the Premises as a part thereof at the end of the term, unless Landlord shall elect to otherwise by giving a notice to Tenant of not less than thirty (30) days prior to the expiration of other termination of this Lease that improvements made by Tenant upon the Premises shall be removed by Tenant, and Tenant shall restore the Premises to their original condition at Tenant's own cost and expense prior to the expiration of the term of this Lease.

14. LIABILITY INSURANCE. Tenant shall obtain prior to the commencement of the term hereof public liability and property damage insurance with minimum limits of liability of not less than $500,000 per person, $1,000,000 per accident and $300,000 property damage. All such insurance policies shall name Landlord as an additional insured and provide for at least ten (10) days written notice to Landlord prior to cancellation. Tenant shall provide Landlord a certificate of insurance prior to the Commencement Date evidencing such coverage.

15. UTILTIES. This lease is a full-service lease in which utilities cost is paid for by the Landlord.

16. LANDLORD'S RIGHT OF ENTRY. Landlord and Landlord's authorized representatives shall have the right, during normal business hours, to enter the Premises (1) to inspect the general condition and state of repair thereof, (2) to make repairs required or permitted under this Lease, (3) to show Premises to any prospective tenant, mortgagee or purchasers, or (4) for any other reasonable and lawful purpose. In the event of an emergency or harm to life, Landlord will have the right to enter premises without notice. Landlord and Landlord's authorized representatives shall have the right to erect and maintain on or about Premises customary signs advertising the Premises for lease or for sale.

17. FIRE OR DESTRUCTION. In case the Premises shall be more than sixty percent (60%) destroyed by the elements, fire or other causes, either Landlord or Tenant may cancel this lease within thirty (30) days after such destruction, and in the event either party exercises such option, this Lease shall thereupon cease and be utterly void, and Tenant shall surrender possession of the Premises, but in the event neither Landlord nor Tenant elects to cancel within thirty (30) days after more than sixty percent (60%) destruction of the Premises, or in the event the Premises are destroyed sixty percent (60%) or less, Landlord shall at once proceed to make the repairs necessary to put the Premises in their former condition. In the event that such a fire or other destruction is proven to be the result of the negligence on the party of the Tenant, the responsibility to repair or replace the damaged property shall remain with the Tenant except as subrogated by insurance.

18. SNOW REMOVAL. Landlord is responsible for snow removal from the parking lot and walkways leading into the Building. Snow removal will be done to the best of the Landlord's ability before 8:00 a.m. However, once snow is removed the Landlord is not responsible for ongoing snow removal throughout the day.

19. INDEMNITY. Landlord shall not be liable to Tenant or to Tenant's employees, agents, servants, customers, invitees, or to any other person whomsoever, for death or any injury, or damage to or loss of property, caused by the negligence or misconduct of Tenant, or resulting from any hazardous substances used by Tenant, or arising out of any break or default by Tenant in the performance of Tenant's obligations hereunder; and Tenant herby agrees to indemnify Landlord and hold Landlord harmless from any loss, expense or claims arising of such death, injury, loss, damage or environmental contamination.

    Tenant agrees to operate its business in conformance with all local, state and Federal environmental laws. Any chemicals, agents or compounds stored on site shall be properly contained with appropriate warning and emergency procedures and labeling in place. Tenant agrees to contain contaminants and manage hazardous substances in a manner as to protect all buildings and ground from pollutants, contaminants or spills. Tenant agrees to notify Landlord and appropriate local authorities of potential risks and assumes responsibility for said risks. Tenant agrees to provide written notice of said risks before Tenant shall take occupancy. All rolling stock equipment and vehicles shall also be kept in good repair as to prevent excessive spills or leakage. Landlord shall have the right to an environmental review. In the event of a spill or environment problem Tenant agrees to notify Landlord within 24 hours.

20. EMINENT DOMAIN. In the event the whole or any part of the Premises shall be condemned by eminent domain for any public or quasi-public use or purpose pursuant to such proceedings, and all obligations of Tenant hereunder other than any obligation or liability of Tenant for the payment of any sum or sums that occur or became payable under any provision of this Lease prior to the effective date of such taking, shall terminate at such time; provided, however that in such event Tenant shall be entitled, during the course of such condemnation proceedings to seek such just compensation for the unexpired portion of said term as may be allowed to Tenant under and pursuant to the laws applicable to such condemnation proceedings.

21. HOLDING OVER. Should Tenant fail to surrender the Premises on the expiration of the Term of this Lease, such holding over shall constitute a tenancy from month to month at a monthly rental equal to the rent paid for the last month of the term of this Lease, subject to the terms and condition as herein set forth and terminable on the last day of any month either by Landlord or Tenant after thirty (30) days prior to written notice to the other, unless Tenant shall have exercised any option which may be specified herein.

22. DEFAULT. If Tenant defaults in fulfilling any terms, covenants or conditions of this Lease on Tenant's part to be performed and violation continues for ten (10) days in the case of non-payment of rent and for thirty (30) days in the case of any other violation after written

notice to Tenant, then and in any case, Tenant's right to possession of the Premises shall thereupon terminate, and it shall be lawful for Landlord to re-enter into and repossess their Premises and remove and put out Tenant and other persons or occupants; and from and after such re-entry and repossession made by Landlord for all loss and damage sustained by Landlord on account of the Premises remaining unleased for the remainder of the term hereof, or being let for the remainder of the term hereof for a loss rent herein reserved and for all expenses incurred by Landlord in connection with re-letting the Premises in good order for preparing the same for re-letting. The aforesaid rights and remedies of Landlord are cumulative and not exclusive of any other rights under the law, and failure on the part of the Landlord to avail himself of any of said remedies at any particular time shall not constitute a waiver thereof.

23. DEFAULT BY LANDLORD. No default by Landlord hereunder shall constitute an eviction or disturbance of Tenant's use and possession of the Premises or render Landlord liable for damages or entitle Tenant to be relieved from any of Tenant's obligations hereunder (including the obligation to pay rent) or grant Tenant any right of deduction, abatement, setoff or recoupment or entitle Tenant to take any action whatsoever with regard to the Premises or Landlord until thirty (30) days after Tenant has given Landlord written notice specifically setting forth such default by Landlord, and Landlord has failed to cure or undertaken action to cure such default within said thirty (30) day period.

24. ATTORNEY'S FEES. If, on account of any breach or default by Landlord or Tenant of their respective obligations under this Lease, it shall become necessary for the other to employ an attorney to enforce or defend any of such party's rights or remedies hereunder, and should such party prevail, such party shall be entitled to collect reasonable attorney's fees incurred in such connection from the other party.

25. QUIET ENJOYMENT. Landlord covenants, represents and warrants that Landlord has full right and power to execute and perform this lease and to grant the estate demised herein, and that Tenant, upon payment of the rents herein reserved, and performance of the terms, conditions, covenants and agreements herein contained, shall peaceably and quietly have, hold and enjoy the Premises during the full term of this Lease.

26. WAIVER OF DEFAULT. No waiver by the parties hereto of any default or breach of any term, condition or covenant of this Lease shall be deemed to be a waiver of any subsequent default or breach of the same or any term, conditions or covenant contained herein.

27. CAPTIONS. The captions or heading of paragraphs in this Lease are inserted for convenience only and shall not be considered in construing the provision hereof if any question of intent should arise.

28. SUCCESSORS. The terms, conditions and covenants contained in this Lease shall apply, inure to the benefit of, and be binding upon the parties hereto and their respective successors in interest and legal representatives except as otherwise herein expressly provided.

29. SEVERABILITY. If any provision in this Lease should be held to be invalid or unenforceable, the validity and enforceability of the remaining provision of this Lease shall not be affected thereby.

30. NOTICES. Any notice or document required or permitted to be delivered hereunder may be delivered in person or shall be deemed to be delivered, whether actually received or not, when deposited in the United States mail, postage prepaid, registered or certified mail, return receipt requested, addressed to the parties at the address indicated below or at such other address as may have theretofore been specified by written notice delivered in accordance herewith.

EXECUTED on the _____ day of May, 2022.

STARWEST EAGLE MOUNTAIN PROPERTIES, LLC

_____
Signature

Print Name: _____

Title: _____

EAGLE MOUNTAIN CITY

_____
Tom Westmoreland, Mayor

ATTEST:

_____
City Recorder

EAGLE MOUNTAIN	**EAGLE MOUNTAIN CITY** **CITY COUNCIL MEETING** **JUNE 7, 2022**

TITLE:	2022 Eagle Mountain Concrete Collar Replacement - Precision Manholes		
ITEM TYPE:	Bid Award		
FISCAL IMPACT:	Enterprise and Street Funds		
APPLICANT:			
GENERAL PLAN DESIGNATION	**CURRENT ZONE**	**ACREAGE**	**COMMUNITY**

PUBLIC HEARING:
No

PREPARED BY:
Zac Hilton, Public Works

PRESENTED BY:
Zac Hilton

RECOMMENDATION:
Staff recommends that the City Council award the 2022 Eagle Mountain Concrete Collar Replacement to Precision Manholes in the amount of $57,881.00.

BACKGROUND:
Eagle Mountain City has requested bids on U3P for concrete collar replacement of 61 water valves and 10 manholes. All concrete collar work, except for 7 water valves, will be on Pony Express Parkway (see map attachment for locations). The project will address water valves that are well below the pavement surface and manholes that are damaged. This work will take place in the summer to minimize the traffic impact next to the schools. Precision Manholes is the only contractor to bid on this project (see bid attachments).

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:

Concrete Collar Bid Opening
Precision Manholes Bid
Maps

EAGLE MOUNTAIN CITY

BID OPENING FOR

2022 Eagle Mountain Concrete Collar Replacement

BIDS OPENING: May 26, 2022; 10:00 AM

	Bidder	BID BOND YES	BID BOND NO	Bid Amount	Time	Date Receive	Received by:
1.	Precision Manholes	N/A		57,881.00	10:50am	5/25/2022	LP
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
10.							
11.							
12.							
13.							
14.							
15.							
16.							
17.							
18.							
19.							
20.							

Witnessed By:

Melanie Witt

E.M. City
Company

E.M. City
Company

EAGLE MOUNTAIN CITY
2022 EAGLE MOUNTAIN CONCRETE COLLAR REPLACEMENT
BID SCHEDULE

All applicable sales taxes, State, and/or Federal, and any other special taxes, patent rights, or royalties are included in the price quoted in this Proposal. Figures to be typewritten or clearly and legibly printed in ink. LS is equal to lump sum, LF is equal to linear-feet, SY is equal to square-yard, CY is equal to cubic-yard, EA is equal to each, and SF is equal to square-feet.

Bid Schedule

Item No.	Description	Quantity	Units	Unit Cost	Total Cost
1	Mobilization (not to exceed 5% of Bid Total)	1	LS	2756.00	2756.00
2	Manhole collars-remove & replace	10	EA	925.00	9250.00
3	Water valve collars-remove & replace	61	EA	675.00	41175.00
4	Traffic control	1	LS	4700.00	4700.00
Bid Schedule Total (1-4)					57,881.00
BID SCHEDULE TOTAL (IN WORD FORM)					

Fifty Seven Thousand Eight Hundred Eighty One Dollars

Alternate Add Bid Schedule

Item No.	Description	Quantity	Units	Unit Cost	Total Cost
5	Manhole ring replacement	1	EA	225.00	225.00
6	Water valve tower replacement	1	EA	240.00	240.00
7	Rapid set concrete per manhole collar	1	EA	850.00	850.00
8	Rapid set concrete per water valve collar	1	EA	650.00	650.00

Documents and the INSTRUCTIONS FOR PREPARING PROPOSAL relating to what is to be furnished under each item of the PROPOSAL and to submittal of bid.

Bidder understands and agrees that the Owner reserves the right to reject any or all bids and to waive any informality in the bidding.

The bidder agrees that this bid shall be good and may not be withdrawn for a period of 75 calendar days after the scheduled closing time for receiving bids. Bidder acknowledges receipt of the following addenda:

The undersigned bidder shall acknowledge receipt of the following addenda, if any.
Addenda No(s).

_____
_____
_____
_____

Respectfully submitted,

Precision Manholes
Brett Johnson
Bidder

(Corporate Seal)
If bid is by corporation

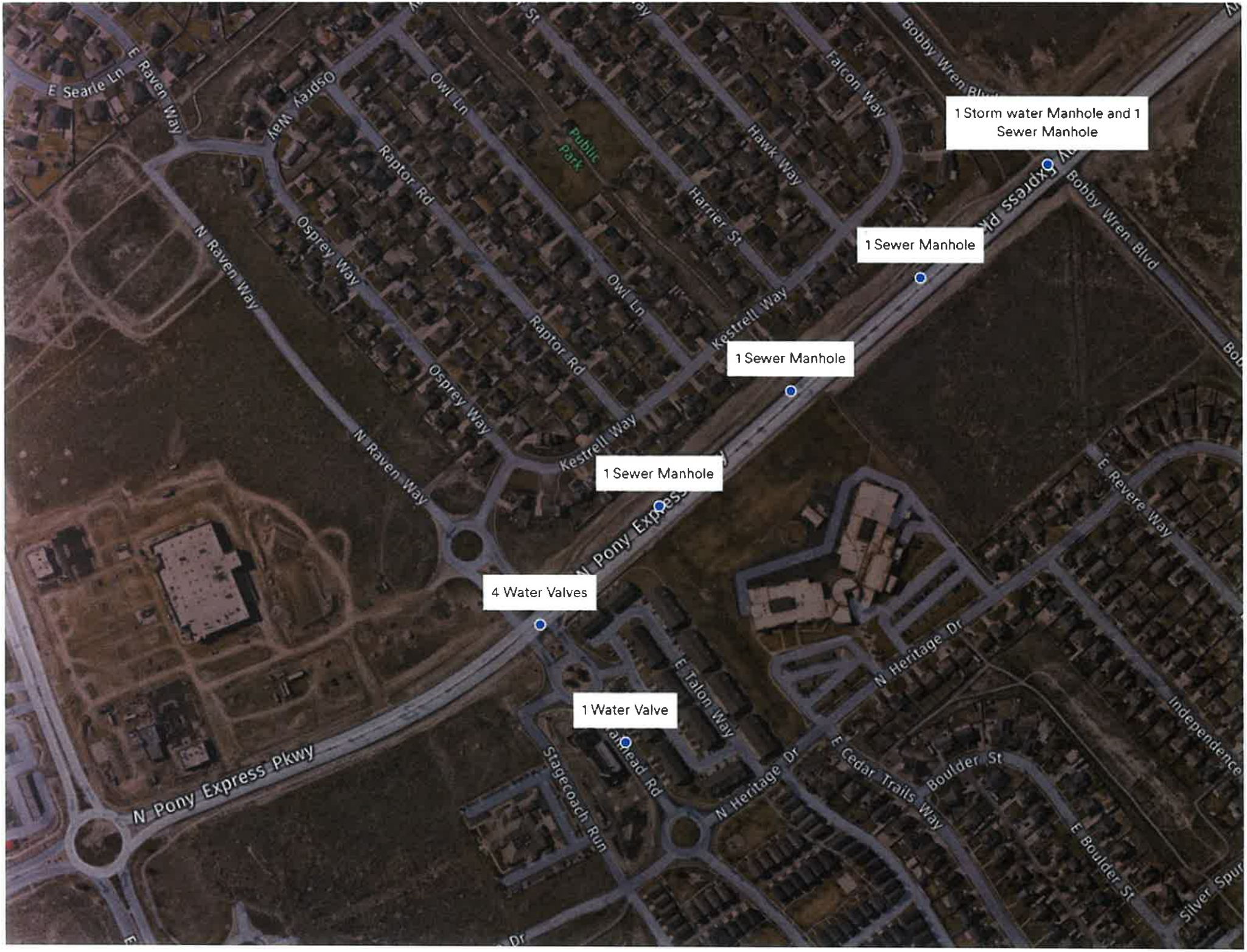
By: Owner

Title

Witness: if bidder is an individual
Bidder's post office address:

Name and address of all members of the firm or names and titles of all officers of the corporation

Bidder's post office address (if applicable):
770 East Main St. #321
Lehi Utah 84043


1 Storm water Manhole and 1 Sewer Manhole
1 Sewer Manhole
1 Sewer Manhole
1 Sewer Manhole
4 Water Valves
1 Water Valve
E Searle Ln
E Raven Way
Osprey Way
Owl Ln
Raptor Rd
Public Park
Falcon Way
Hawk Way
Harrier St
Bobby Wren Blvd
Kestrell Way
N Raven Way
N Pony Express Pkwy
E Revere Way
N Heritage Dr
E Talon Way
Stagecoach Run
Ranchead Rd
E Cedar Trails Way
Boulder St
E Boulder St
Independence
Silver Spur

E 5000 N
E 5000 N
E 5000 N
3 Water Valves
1 Water Valve
1 Water Valve
N Pony Express Pkwy
2 Water Valves
E 5000 N
2 Water Valves
1 Water Valve
N Pony Express Pkwy
E 5000 N

3 Water Valves
3 Water Valves
3 Water Valves
N Pony Express Pkwy
2 Water Valves

N Lehi Fairfield Rd
N Lehi Fairfield Rd
E Mid Valley Rd
Mid Valley Regional Park
1 Water Va
1 Water Valves
3 Water Valves
N Pony Express Pkwy

2 Water Valves
2 Water Valves
2 Water Valves
3 Water Valves
N Pony Express Pkwy
N Lehi Fairfield Rd
N Vernon Dr
N Vernon Dr
N Vernon Dr
N Little Mountain Way
E Thorpe Dr
E Thorpe Dr
N Davis Knls
E Lowe Peak Dr
E Sheps Rid
E Sod Farm Bypass

3 Water Valves
2 Water Valves
2 Water Valves
2 Water Valves
N Pony Express Pkwy
N Lehi Fairfield Rd
Lake Mountain Rd
E Sod Farm Bypass Rd

1 Sewer Manhole
1 Storm water Manhole
1 Sewer Manhole
1 Storm water Manhole 1 Manhole
N Hidden Valley Pkwy
E Hideout Dr
N Locust Ave

2 Water Valves
1 Water Valve
2 Water Valves
1 Water Valve
N Weeping Ash Way
N White Ash Way
E Saddle Rock Rd
E Round Rock Ct
E Ruby Valley Dr
E Ash Point Dr
N Mountain Ash Way
N Ash Point Cir
N Pony Express Pkwy
E Red Hawk Ran
E Peregrine Cir

3 Water Valves
2 Water Valves
1 Water Valve
E Hudson Way
E Gazelle Run
E Sun Crest Dr
E St Andrews Dr
N Porters Xing
N Sun Crest Dr
E Tivon Ln
E Parnell Ln
E Oconnell Ln
Eaglewood Dr
Woodland Rd
Terravista Dr
New Castle Ln
Valley Crest Dr
Qualhill Rd
Stone Gate Dr
Cochise Way
Rose St
E James St
N Grant St
N Ranches Pkwy
Navajo Dr
Plum Creek Dr
N Apache Ln
E Pony Express Pkwy
N Wyatt Earp Ave
E Smith Ranch Rd
E Dodge St
E Dillons Dr
E Parkers Pl
E Cattle Dr
E O Fallons Way
E Clark St
Porters Crossing Pkwy
N Pasture View Rd
N Bridleway Rd
E Willow Oak Way
Willow Oak Way
N Silver Ranch Rd
E Evans Dr
N Silverlake Pkwy
N Lewis St
N Ute Dr
E Sioux St
Porters Crossing Pkwy
E Evans Ranch Dr
N Harvest Crop Dr
E Golden Eagle Rd
N Watermill Dr
E Silver Creek
N Brookwood Dr
Pony Express
Fairfield

EAGLE MOUNTAIN	**EAGLE MOUNTAIN CITY** **CITY COUNCIL MEETING** **JUNE 7, 2022**		
TITLE:	Cory B. Wride Memorial Park and Pony Express Booster Pumps - VanCon, Inc.		
ITEM TYPE:	Bid Award		
FISCAL IMPACT:	$1,822,090		
APPLICANT:			
GENERAL PLAN DESIGNATION	**CURRENT ZONE**	**ACREAGE**	**COMMUNITY**

PUBLIC HEARING:
No

PREPARED BY:
Chris Trusty, Public Works

PRESENTED BY:
Chris Trusty

RECOMMENDATION:

BACKGROUND:
The City's master plan calls for a booster pump located in the Unity Pass area which is needed to help "push" CWP water into the City Center at a pressure to sufficiently fill the City Center tanks while there are demands placed on the system. This issue became a concern last summer when an open valve bled off a slight portion of pressure in the City Center, causing concerning reductions of pressure in the system. The proposed booster pump station will eliminate this issue and is expected to be reimbursed by Google as part of their development agreement.

Last year, the City Parks Department had to discontinue using industrial wastewater from the Facebook facility as an irrigation source at Cory Wride Memorial Park. The Parks Department was concerned with the algae in the reuse water and the pressures at which the reuse water could be delivered to the site. Typical PI systems operate at 50-60 psi, but in order to efficiently water Cory Wride Memorial Park during the evening hours, the PI system would need to be boosted to 85 psi. The most efficient way to get to this pressure will be to add a booster pump station at the park, which will feed directly into the park's irrigation system. Facebook has agreed to fund this project and staff expects a reimbursement agreement to be presented to Council in June or July. Bid Alternate #1 included a

graffiti coating for the exterior of the pump house. The total included in the recommendation does not include that option as staff felt that the proximity to Pony Express Parkway would deter likely vandals, although the cost is included below should the Council which to include this option.

The expected completion will not be until the end of summer, which will likely not allow for the reuse water to be used this summer. Below are the tabulations from the bid opening.

Vancon:
Corey Wride- $643,900
CW Alt #1- $648,400
Pony Express- $1,178,190
Total- $1,822,090

FX:
Corey Wride- $659,310
CW Alt #1- $646,310
Pony Express- $1,207,900
Total- $1,847,210

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:

Engineering Division
2565 North Pony Express Parkway
Eagle Mountain City, Utah 84005
(801) 789-6671

Monday, May 23, 2022

City Recorder's Office
Eagle Mountain City
1650 East Stage Coach Run
Eagle Mountain City, UT 84005

SUBJECT: **Eagle Point phase "J" plat 1 out of warranty Bond Release**

City Recorder:

The above referenced subdivision has completed the required one-year maintenance period as required in their development agreement. After performing a walkthrough of this subdivision, I would recommend that the city accepts the subdivision as complete and release all bonds placed by the developer and held by the city for this development.

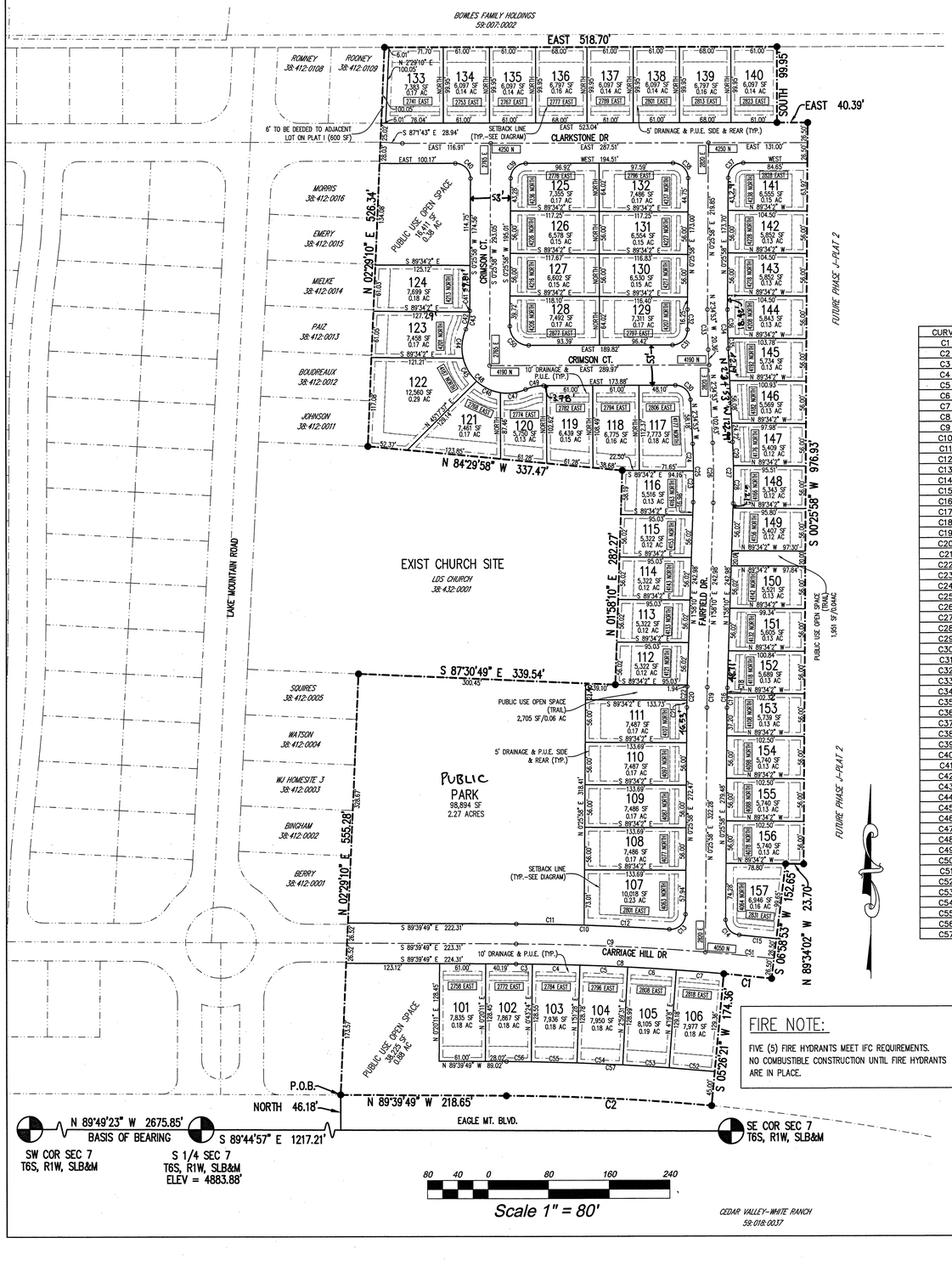
Please contact me should you have any comments, questions, or concerns. Thank you.

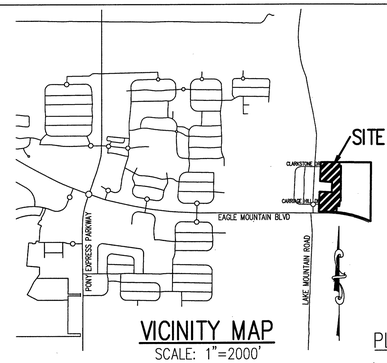
Sincerely,

Christopher T. Trusty, P.E.
Engineering Director
Eagle Mountain City

Cc: Fionnuala Kofoed, City Recorder

EAGLE POINT PHASE J - PLAT 1





VICINITY MAP
SCALE: 1"=2000'

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	CHORD	BEARING
C1	3180.00	63.67	1°8'50"	63.67	N 84°8'30" W
C2	3046.50	271.32	5°6'10"	271.22	N 87°6'44" W
C3	3180.00	21.48	0°23'13"	21.48	S 89°28'12" E
C4	3180.00	62.95	1°8'3"	62.95	S 88°42'34" E
C5	3180.00	62.96	1°8'4"	62.96	S 87°34'31" E
C6	3180.00	64.28	1°9'29"	64.28	S 86°25'44" E
C7	3180.00	62.97	1°9'4"	62.97	S 85°16'57" E
C8	3180.00	274.64	4°56'54"	274.55	S 87°11'22" E
C9	3206.50	250.09	4°28'8"	250.03	S 87°25'45" E
C10	3233.00	202.31	3°35'7"	202.27	S 87°52'16" E
C11	3233.00	89.73	1°35'25"	89.72	S 88°52'7" E
C12	3233.00	112.58	1°59'43"	112.57	S 87°4'33" E
C13	20.00	32.63	93°29'20"	29.13	N 47°10'38" E
C14	20.00	29.62	84°52'6"	26.99	S 42°0'5" E
C15	3233.00	49.46	0°52'35"	49.46	S 83°59'50" E
C16	973.50	26.11	1°32'12"	26.11	N 1°12'4" E
C17	973.50	18.80	1°6'23"	18.80	N 0°59'9" E
C18	973.50	7.31	0°25'49"	7.31	N 1°45'15" E
C19	1000.00	26.82	1°32'12"	26.82	N 1°12'4" E
C20	1026.50	27.53	1°32'12"	27.53	N 1°12'4" E
C21	1026.50	9.47	0°31'43"	9.47	N 0°41'49" E
C22	1026.50	18.06	1°0'29"	18.06	N 1°27'55" E
C23	968.50	41.22	2°26'19"	41.22	N 0°45'1" E
C24	968.50	35.71	2°6'45"	35.70	N 1°31'31" W
C25	968.50	76.93	4°33'3"	76.91	N 0°18'22" W
C26	995.00	79.03	4°33'3"	79.01	N 0°18'22" W
C27	1021.50	81.14	4°33'3"	81.11	N 0°18'22" W
C28	1021.50	49.80	2°47'36"	49.80	N 0°34'22" E
C29	1021.50	31.33	1°45'27"	31.33	N 1°42'10" W
C30	20.00	30.51	87°25'7"	27.64	N 46°17'27" W
C31	20.00	31.78	91°2'27"	28.54	N 44°28'46" E
C32	1031.50	26.53	1°28'25"	26.53	N 0°18'15" W
C33	1005.00	52.87	3°0'51"	52.86	N 1°4'28" W
C34	978.50	51.48	3°0'51"	51.47	N 1°4'28" W
C35	978.50	13.89	0°48'47"	13.89	N 2°10'30" W
C36	978.50	37.59	2°12'4"	37.59	N 0°40'4" W
C37	20.00	31.26	89°34'2"	28.18	N 45°12'59" E
C38	20.00	31.57	90°25'58"	28.39	N 44°47'1" W
C39	20.00	31.26	89°34'2"	28.18	S 45°12'59" W
C40	20.00	31.57	90°25'58"	28.39	S 44°47'1" E
C41	60.00	1.19	1°8'21"	1.19	N 1°0'8" E
C42	60.00	23.48	22°25'5"	23.33	S 12°46'51" W
C43	60.00	24.67	23°33'26"	24.50	S 12°12'41" W
C44	60.00	39.04	37°16'47"	38.35	S 5°21'1" W
C45	60.00	35.52	33°54'56"	35.00	S 30°14'51" E
C46	60.00	35.52	33°54'56"	35.00	S 64°9'46" E
C47	60.00	33.97	32°26'12"	33.52	N 82°39'40" E
C48	60.00	144.04	137°32'50"	111.86	S 44°47'1" E
C49	60.00	24.67	23°33'26"	24.50	N 78°13'17" E
C50	25.00	39.46	90°25'58"	35.49	S 44°47'1" E
C51	3206.50	91.29	1°37'52"	91.29	S 84°22'45" E
C52	3091.50	60.44	1°7'13"	60.44	N 85°7'16" W
C53	3091.50	61.29	1°8'9"	61.29	N 86°14'57" W
C54	3091.50	60.41	1°7'10"	60.41	N 87°22'37" W
C55	3091.50	60.41	1°7'10"	60.41	N 88°29'47" W
C56	3091.50	32.78	0°36'27"	32.78	N 89°21'36" W
C57	3091.50	275.32	5°6'10"	275.23	N 87°6'44" W

PHASE J - PLAT 1 CALCULATIONS

TOTAL ACREAGE:	15.70 ACRES
BUILDABLE ACREAGE:	15.70 ACRES
TOTAL ACREAGE IN LOTS:	8.78 ACRES
RIGHT-OF-WAY AREA:	3.29 ACRES
TOTAL OPEN SPACE*:	3.63 ACRES
TOTAL IMPROVED OPEN SPACE:	3.15 ACRES
AVERAGE LOT SIZE:	6,712 SF/0.15 ACRES
LARGEST LOT SIZE:	12,560 SF/0.29 ACRES
SMALLEST LOT SIZE:	5,322 SF/0.12 ACRES
OVERALL DENSITY:	3.63 LOTS/ACRE
TOTAL # OF LOTS:	57 LOTS

*-INCLUDES DETENTION BASINS

PLAT NOTES:

1. ALL PUBLIC OPEN SPACE IS DEDICATED TO EAGLE MOUNTAIN CITY AND MAINTAINED BY THE CITY.
2. SETBACKS: FRONT=15'
   DRIVEWAY=22'
   REAR=20'
   CORNER=15'
   SIDE=15' TOTAL (5' MIN. & 10' ON GARAGE SIDE)
3. ALL FRONT-FACING GARAGES MUST BE 22' FROM PROPERTY LINE.
4. ALL PUBLIC USE OPEN SPACE AND PARK AREA IS A PUBLIC UTILITY EASEMENT.

DIRECT COMMUNICATIONS

Direct Communications Cedar Valley, LLC certifies that it will provide telecommunications services to this subdivision utilizing the trenches provided by the developer as per the Direct Communications Cedar Valley P.S.C. Utah No.1Tariff.

Marjorie Clifford 1/23/19
DIRECT COMMUNICATIONS DATE

ROCKY MOUNTAIN POWER

1. Pursuant to Utah Code Ann § 54-3-27 this plat conveys to the owner(s) or operators of utility facilities a public utility easement along with all the rights and duties described therein.
2. Pursuant to Utah Code Ann § 17-27a-603(4)(c)(ii) Rocky Mountain Power accepts delivery of the PUE as described in this plat and approves this plat solely for the purpose of confirming that the plat contains public utility easements and approximates the location of the public utility easements, but does not warrant their precise location. Rocky Mountain Power may require other easements in order to serve this development. This approval does not affect any right that Rocky Mountain Power has under
   (1) A recorded easement or right-of-way
   (2) The law applicable to prescriptive rights
   (3) Title 54,Chapter 8a, Damage to Underground Utility Facilities, or
   (4) Any other provision of law

Del Edwards 1/17/19
ROCKY MOUNTAIN POWER DATE

DOMINION ENERGY

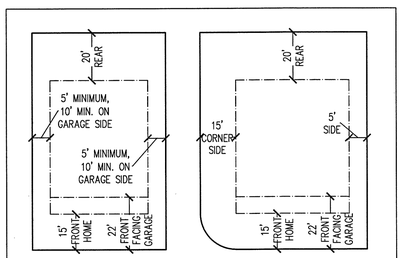
Dominion Energy approves this plat solely for the purposes of confirming that the plat contains public utility easements. Dominion Energy may require other easements in order to serve this development. This approval does not constitute abrogation or waiver of any other existing rights, obligations, or liabilities provided by law or equity. This approval does not constitute acceptance, approval, or acknowledgement of any terms contained in the plat,including those set forth in the owners dedication and the notes, and does not constitute a guarantee of particular terms of natural gas service. For further information please contact Dominion Energy's Right-of-way department at 1-800-366-8532.

Approved this 23 day of January 20 19

Dominion Energy
By: [signature]
Title: gas accountant

FIRE NOTE:

FIVE (5) FIRE HYDRANTS MEET IFC REQUIREMENTS.
NO COMBUSTIBLE CONSTRUCTION UNTIL FIRE HYDRANTS ARE IN PLACE.



SETBACK DIAGRAM

16578

SURVEYOR: AZTEC ENGINEERING INC.
491 N. 450 W.
OREM, UT. 84057
(801) 224-7308

SURVEYOR'S CERTIFICATE

I, AARON D. THOMAS, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 6418780 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH, I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND IN LOTS, BLOCKS, STREETS, AND EASEMENTS AND THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS PLAT IS TRUE AND CORRECT.

JAN. 16, 2019
DATE

AARON D. THOMAS (SEE SEAL BELOW)

BOUNDARY DESCRIPTION

BEGINNING AT A POINT LOCATED SOUTH 89°44'57" EAST ALONG SECTION LINE 1217.21 FEET AND NORTH 46.18 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 7, TOWNSHIP 6 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN;

THENCE NORTH 02°29'10" EAST 555.28 FEET; THENCE SOUTH 87°30'49" EAST 339.54 FEET; THENCE NORTH 01°58'10" EAST 282.27 FEET; THENCE NORTH 84°29'58" WEST 337.47 FEET; THENCE NORTH 02°29'10" EAST 526.34 FEET; THENCE EAST 518.70 FEET; THENCE SOUTH 99.95 FEET; THENCE EAST 40.39 FEET; THENCE SOUTH 00°25'58" WEST 976.93 FEET; THENCE NORTH 89°34'02" WEST 23.70 FEET; THENCE SOUTH 06°58'53" WEST 152.65 FEET; THENCE ALONG THE ARC OF A 3,180.00 FEET CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 01°08'50" FOR 63.67 FEET (CHORD BEARS NORTH 84°08'30" WEST 63.67 FEET); THENCE SOUTH 05°26'21" WEST, A DISTANCE OF 174.36 FEET; THENCE ALONG THE ARC OF A 3,046.50 FEET CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 05°06'10" FOR 271.32 FEET (CHORD BEARS NORTH 87°06'44" WEST 271.22 FEET); THENCE NORTH 89°39'49" WEST 218.65 FEET TO THE POINT OF BEGINNING.

CONTAINING 684,074.24 SQUARE FEET OR 15.7042 ACRES, MORE OR LESS.

BASIS OF BEARING = UTAH STATE PLANE COORDINATE SYSTEM OF 1983, CENTRAL ZONE

EAGLE MOUNTAIN CITY PLAT DEDICATION

We, the undersigned owners of all the real property depicted on this plat and described in the surveyors certificate on this plat, have caused the land described on this plat to be divided into lots, streets, parks, open spaces, easements and other public uses as designated on the plat and now do hereby dedicate under the provisions of 10-9a-607, Utah Code, without condition, restriction or reservation to Eagle Mountain City, Utah, all streets, water, sewer and other utility easements and improvements, open spaces shown as public open spaces, parks and all other places of public use and enjoyment to Eagle Mountain City, Utah, together with all improvements required by the Development Agreement between the undersigned and Eagle Mountain City for the benefit of the City and the inhabitants thereof.

OWNER(S):
PRINTED NAME OF OWNER

ENT 504012019 Bk# 16578
JEFFERY SMITH
UTAH COUNTY RECORDER
2019 Jan 24 3:47 pm FEE 164.00 BY MG
RECORDED FOR EAGLE MOUNTAIN CITY

AUTHORIZED SIGNATURE(S)

EAGLE MOUNTAIN DEVELOPER PLAT DEDICATION

We, the undersigned owners of all the real property depicted on this plat and described in the surveyors certificate on this plat, have caused the land described on this plat to be divided into lots, streets, parks, open spaces, easements and other public uses as designated on the plat and now do hereby dedicate under the provisions of 10-9a-607, Utah Code, without condition, restriction or reservation to Eagle Mountain City, Utah, all streets, water, sewer and other utility easements and improvements, open spaces shown as public open spaces, parks and all other places of public use and enjoyment to Eagle Mountain City, Utah, together with all improvements required by the Development Agreement between the undersigned and Eagle Mountain City for the benefit of the City and the inhabitants thereof.

OWNER(S):
PRINTED NAME OF OWNER
PATTERSON CONSTRUCTION, INC.

AUTHORIZED SIGNATURE(S)

ACKNOWLEDGMENT

On the 11th day of February, 2019 personally appeared before me the persons signing the foregoing Owners Dedication known to me to be authorized to execute the foregoing Owners Dedication for and on behalf of the owners who duly acknowledged to me that the Owners Dedication was executed by them on behalf of the Owners.

MY COMMISSION EXPIRES 7-17-2021
NOTARY PUBLIC SIGNATURE

696013
COMMISSION NUMBER

Kent P. Smith
PRINTED FULL NAME OF NOTARY

ACCEPTANCE BY LEGISLATIVE BODY

THE CITY COUNCIL OF EAGLE MOUNTAIN CITY, COUNTY OF UTAH, APPROVES THIS SUBDIVISION PLAT AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS 14 DAY OF May 2019

APPROVED BY MAYOR

APPROVED BY CITY ATTORNEY

APPROVED BY ENGINEER (SEE SEAL BELOW)

ATTEST-BY CITY RECORDER (SEE SEAL BELOW)

FINAL PLAT 1

EAGLE POINT PHASE J

SUBDIVISION

LOCATED IN THE SE CORNER OF SEC 7, TOWNSHIP 6S, RANGE 1W, S.L.B.&M.

EAGLE MOUNTAIN CITY UTAH COUNTY, UTAH

SCALE: 1" = 80 FEET

Surveyor's Seal: NO. 6418780 AARON D. THOMAS 1-16-19 STATE OF UTAH
Notary Public Seal: KENT P SMITH NOTARY PUBLIC-STATE OF UTAH COMMISSION# 696013 COMM. EXP. 07-17-2021
City Engineer's Seal: No. 266052 CHRISTOPHER TODD TRUSTY 3-4-19 STATE OF UTAH
Clerk-Recorder Seal: EAGLE MOUNTAIN EST. 1996 STATE OF UTAH

SEC. 7-6-1W TU-03P

Engineering Division
2565 North Pony Express Parkway
Eagle Mountain City, Utah 84005
(801) 789-6671

Monday, May 23, 2022

City Recorder's Office
Eagle Mountain City
1650 East Stage Coach Run
Eagle Mountain City, UT 84005

SUBJECT: **Brylee Estates phase "B" plat 1 out of warranty Bond Release**

City Recorder:

The above referenced subdivision has completed the required one-year maintenance period as required in their development agreement. After performing a walkthrough of this subdivision, I would recommend that the city accepts the subdivision as complete and release all bonds placed by the developer and held by the city for this development.

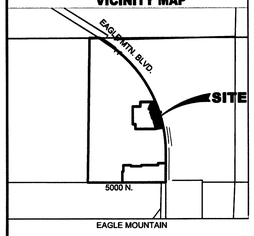
Please contact me should you have any comments, questions, or concerns. Thank you.

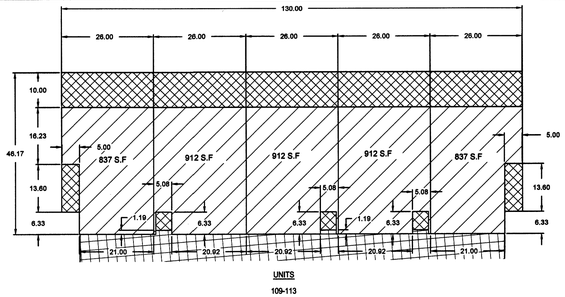
Sincerely,

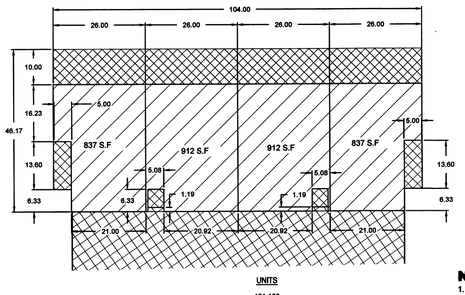
Christopher T. Trusty, P.E.
Engineering Director
Eagle Mountain City

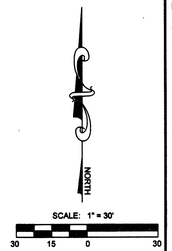
Cc: Fionnuala Kofoed, City Recorder

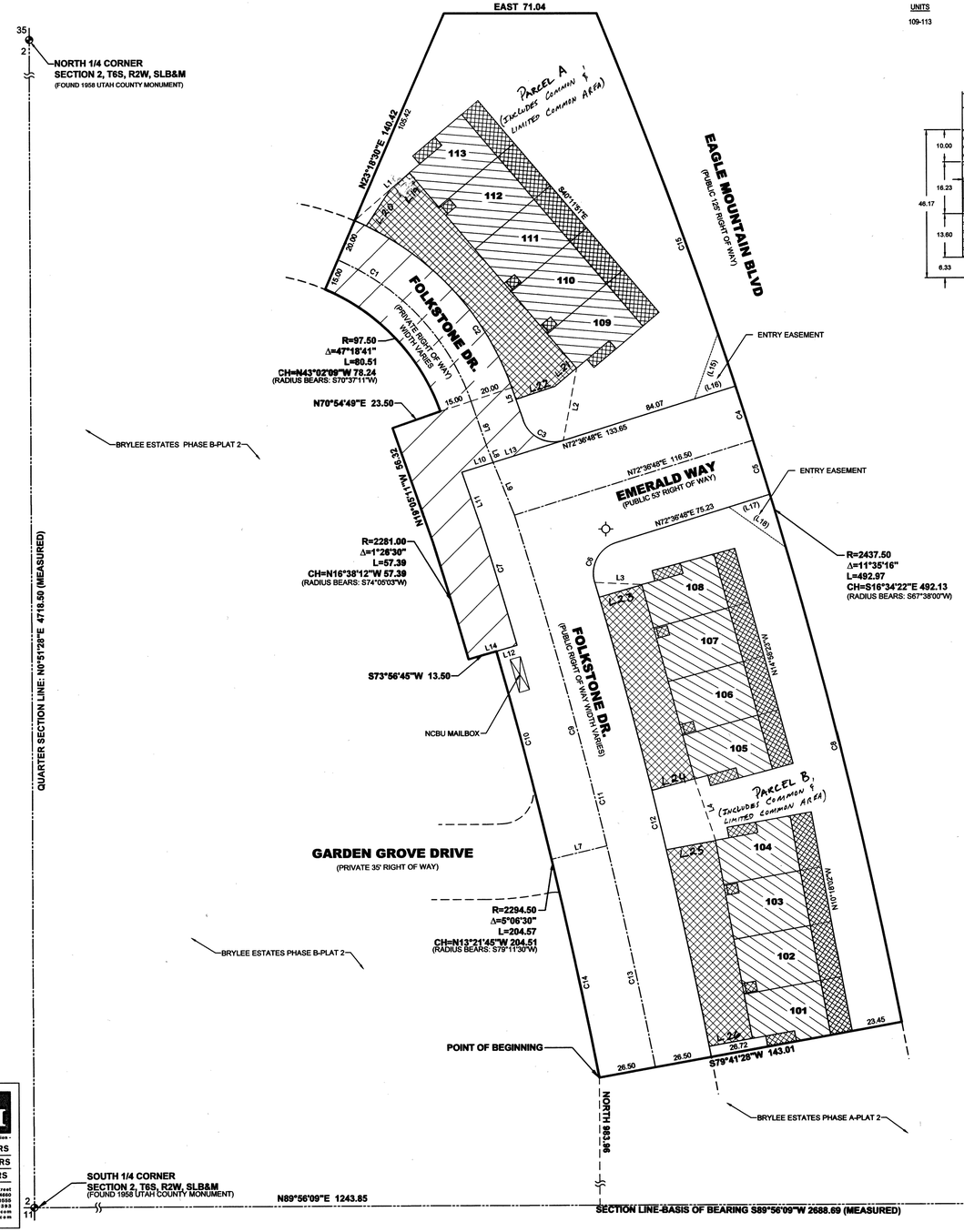
VICINITY MAP











LEGEND

- BOUNDARY LINE
- CENTERLINE
- SETBACK LINE
- EASEMENT LINE
- EXISTING LOT LINES
- PROPOSED LOT LINE
- PROPOSED STREET MONUMENT
- LIMITED COMMON AREA
- PRIVATE AREA
- COMMON AREA
- PRIVATE RIGHT OF WAY

NOTES:

1. ◉ = TYPE II MONUMENT (ALUMINUM CAP AND REBAR) TO BE SET. #6 REBAR & CAP TO BE SET AT ALL LOT CORNERS. NAIL AND BRASS WASHER TO BE SET IN TOP OF CURB @ PROJECTION OF SIDE LOT LINES.
2. ALL SITE PLANS SUBMITTED WITH BUILDING PERMIT APPLICATION SHALL SHOW THE LOCATION OF UTILITY CONNECTIONS. NO WATER METERS ALLOWED IN DRIVEWAYS.
3. ALL COMMON AND LIMITED COMMON AREAS TO BE PUBLIC UTILITY AND ACCESS/PEDESTRIAN EASEMENTS IN THEIR ENTIRETY.
4. ALL BEARINGS ON BUILDINGS ARE PERPENDICULAR/ PARALLEL TO BEARING ON BUILDING SHOWN.

ADDRESS TABLE

UNIT #	ADDRESS
101	5214 N
102	5218 N
103	5224 N
104	5228 N
105	5238 N
106	5244 N
107	5248 N
108	5254 N
109	5278 N
110	5282 N
111	5286 N
112	5290 N
113	5294 N

TABULATIONS

TOTAL ACREAGE:	1.61 ACRES
BUILDABLE ACREAGE:	1.61 ACRES
TOTAL ACREAGE BUILDING UNITS:	.78 ACRES
TOTAL OPEN SPACE:	.22 ACRES
TOTAL IMPROVED OPEN SPACE:	.22 ACRES
TOTAL ACREAGE IN RIGHT-OF-WAY:	.61 ACRES
OVERALL DENSITY:	8.07 UNITS/ACRE
TOTAL # OF UNITS:	13 UNITS

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	112.50	47°35'19"	93.47	S42°53'20"E 90.81
C2	132.50	47°35'19"	110.09	N42°53'20"W 106.95
C3	15.00	88°18'01"	23.12	N63°14'12"W 20.90
C4	2437.50	0°37'23"	26.50	S17°40'47"E 26.50
C5	2437.50	0°37'23"	26.50	S17°03'25"E 26.50
C6	15.00	88°58'27"	23.29	N28°07'33"E 21.02
C7	2304.50	1°26'57"	58.28	S16°38'31"E 58.28
C8	2437.50	5°57'59"	253.83	S13°45'44"E 253.71
C9	2321.00	3°57'16"	160.19	S15°23'25"E 160.16
C10	2294.50	2°30'16"	100.30	N14°39'52"W 100.29
C11	2321.00	6°33'53"	265.93	N14°05'06"W 265.79
C12	2347.50	5°33'51"	227.97	N13°34'45"W 227.88
C13	2321.00	2°36'37"	105.74	S12°06'28"E 105.73
C14	2294.50	2°36'14"	104.28	N12°06'37"W 104.27
C15	2437.50	4°22'32"	186.14	S20°10'44"E 186.10

LINE TABLE

LINE	DIRECTION	LENGTH
(L15)	N19°40'39"E	32.54
(L16)	N72°36'48"E	20.03
(L17)	N72°36'48"E	20.01
(L18)	S54°27'03"E	32.49
L1	S48°50'22"W	33.92
L2	S10°33'43"W	34.23
L3	N87°20'40"W	21.89
L4	S18°42'11"E	30.24
L5	S19°05'11"E	16.10
L6	S19°05'11"E	23.53
L7	S76°31'37"W	26.50
L8	N21°40'15"W	6.55
L9	S21°40'15"E	26.57
L10	N72°36'48"E	15.30
L11	S19°05'11"E	26.55
L12	N73°56'45"E	10.00
L13	N72°36'48"E	34.27
L14	S73°56'45"W	23.50
L19	N48°53'08"E	11.72
L20	N35°14'08"E	20.48
L21	N49°48'04"E	13.12
L22	N14°30'09"E	19.26
L23	S73°50'13"W	20.70
L24	N75°01'37"E	20.58
L25	S79°41'28"W	23.32
L26	N79°41'28"E	20.44

SURVEYOR'S CERTIFICATE

I, CHAD A. POULSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 501182 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF UTAH STATE CODE. I FURTHER CERTIFY BY AUTHORITY OF THE OWNER(S), THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17, OF SAID CODE, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS, AND EASEMENTS, AND THE SAME HAS, OR WILL BE, CORRECTLY SURVEYED, STAKED, AND MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAT, AND THAT THIS PLAT IS TRUE AND CORRECT.

BOUNDARY DESCRIPTION

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN, LOCATED IN EAGLE MOUNTAIN, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED N89°56'09"E ALONG THE SECTION LINE 1243.85 FEET AND NORTH 983.96 FEET FROM THE SOUTH 1/4 CORNER OF SECTION 2, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN; THENCE NORTHWESTERLY ALONG THE ARC OF A 2294.50 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT (RADIUS BEARS: S79°11'30"W) 204.57 FEET THROUGH A CENTRAL ANGLE OF 5°06'30" (CHORD: N13°21'45"W 204.51 FEET); THENCE S73°56'45"W 13.50 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A 2281.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT (RADIUS BEARS: S74°05'03"W) 57.39 FEET THROUGH A CENTRAL ANGLE OF 1°26'30" (CHORD: N16°38'12"W 57.39 FEET); THENCE N19°05'11"W 56.32 FEET; THENCE N70°54'49"E 23.50 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A 97.50 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT (RADIUS BEARS: S70°37'11"W) 80.51 FEET THROUGH A CENTRAL ANGLE OF 47°18'41" (CHORD: N43°02'09"W 78.24 FEET); THENCE N23°18'30"E 140.42 FEET; THENCE EAST 71.04 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A 2437.50 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT (RADIUS BEARS: S67°38'00"W) 492.97 FEET THROUGH A CENTRAL ANGLE OF 11°35'16" (CHORD: S16°34'22"E 492.13 FEET); THENCE S79°41'28"W 143.01 FEET TO THE POINT OF BEGINNING.

CONTAINS: ±1.61 ACRES
70,275 SQUARE FEET

Aug 3, 2020
DATE

SURVEYOR
(See Seal Below)

OWNERS DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL OF THE UNDERSIGNED OWNERS OF ALL OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS, EASEMENTS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC, PURSUANT TO UTAH CODE 10-9A-604(D). THE OWNER(S) HEREBY CONVEYS PARCELS A, B, C, AND D AS INDICATED HEREON, TO THE BRYLEE FARMS HOME OWNERS ASSOCIATION, WITH A REGISTERED ADDRESS OF 12896 SOUTH PONY EXPRESS PARKWAY. STE 400, DRAPER, UTAH 84020.

IN WITNESS HEREOF WE HAVE HEREUNTO SET OUR HANDS THIS 17th DAY OF August A.D. 20 20

Samuel A. Drown/Manager on behalf of Brylee Estates Development, Inc

ACKNOWLEDGMENT

ON THE 17 DAY OF August, A.D. 2020 PERSONALLY APPEARED BEFORE ME Samuel A. Drown THE SIGNER(S) OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.

Stephen Kyle Honeycutt
NOTARY PUBLIC - STATE OF UTAH
My Comm. Exp. 08/27/2023
Commission # 707910

STATE OF UTAH S.S.
COUNTY OF UTAH

NOTARY PUBLIC FULL NAME: Stephen Kyle Honeycutt
COMMISSION NUMBER: 707910
MY COMMISSION EXPIRES: 8/27/2023
A NOTARY PUBLIC COMMISSIONED IN UTAH

ACCEPTANCE BY LEGISLATIVE BODY

THE Eagle Mountain City Council OF Eagle Mountain, Utah APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS 29 DAY OF September A.D. 20 20

APPROVED BY MAYOR

APPROVED BY CITY ATTORNEY

APPROVED Christopher Trump ENGINEER (See Seal Below)

ATTEST CLERK/RECORDER (See Seal Below)

DOMINION ENERGY UTAH ACCEPTANCE

QUESTAR GAS COMPANY DBA DOMINION ENERGY UTAH APPROVES THIS PLAT FOR THE PURPOSE OF APPROXIMATING THE LOCATION, BOUNDARIES, COURSE AND DIMENSIONS OF THE RIGHTS-OF-WAY AND EASEMENT GRANTS AND EXISTING UNDERGROUND FACILITIES. NOTHING HEREIN SHALL BE CONSTRUED TO WARRANT OR VERIFY THE PRECISE LOCATION OF SUCH ITEMS. THE RIGHTS-OF-WAY AND EASEMENTS ARE SUBJECT TO NUMEROUS RESTRICTIONS APPEARING ON THE RECORDED RIGHT-OF-WAY AND EASEMENT GRANT(S). DOMINION ENERGY UTAH ALSO APPROVES THIS PLAT FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS; HOWEVER, DOMINION ENERGY UTAH MAY REQUIRE ADDITIONAL EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES INCLUDING PRESCRIPTIVE RIGHTS AND OTHER RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOS NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNERS DEDICATION OR THE NOTES, AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OR CONDITIONS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT DOMINION ENERGY UTAH'S RIGHT-OF-WAY DEPARTMENT AT 801-366-8532.

QUESTAR GAS COMPANY DBA DOMINION ENERGY UTAH

APPROVED THIS 20 DAY OF August, 2020

BY- Beverly Eldridge

TITLE- Pre-Const

ENT 182403:2020 Map # 17376
JEFFERY SMITH
UTAH COUNTY RECORDER
2020 Nov 17 4:36 pm FEE 80.00 BY MA
RECORDED FOR EAGLE MOUNTAIN CITY

17376

DIRECT COMMUNICATIONS APPROVAL

DIRECT COMMUNICATIONS CEDAR VALLEY, LLC CERTIFIES THAT IT WILL PROVIDE TELECOMMUNICATIONS SERVICES TO THIS SUBDIVISION UTILIZING THE TRENCHES PROVIDED BY THE DEVELOPER AS PER THE DIRECT COMMUNICATIONS CEDAR VALLEY P.S.C. UTAH NO. 1 TARIFF.

Margie Gilroy 8/25/2020
DIRECT COMMUNICATIONS DATE

ROCKY MOUNTAIN POWER APPROVAL

1. PURSUANT TO UTAH CODE ANN. §54-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.
2. PURSUANT TO UTAH CODE ANN. §17-27a-603(4)(c)(ii) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUE AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:
   (1) A RECORDED EASEMENT OR RIGHT-OF-WAY.
   (2) THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS.
   (3) TITLE 54, CHAPTER 8a, DAMAGE TO UNDERGROUND UTILITY FACILITIES
   (4) ANY OTHER PROVISION OF LAW.

Brad Kidd Aug 19 2020
ROCKY MOUNTAIN POWER DATE

COUNTY RECORDER STAMP

PHASE B PLAT "1"

THE TOWNS AT BRYLEE FARMS

SUBDIVISION

(LOCATED IN THE SOUTHEAST QUARTER OF SECTION 2, T6S, R2W, SLB&M)

EAGLE MOUNTAIN UTAH COUNTY, UTAH

SCALE: 1" = 30'

SURVEYOR'S SEAL	NOTARY PUBLIC SEAL	CITY-COUNTY ENGINEER SEAL	COUNTY-RECORDER SEAL
STATE OF UTAH — CHAD A. POULSEN No. 501182 — PROFESSIONAL LAND SURVEYOR — 8/3/2020		PROFESSIONAL ENGINEER — No. 286052 — CHRISTOPHER TODD TRUSTY — 9-22-20 — STATE OF UTAH	CORPORATE SEAL — EAGLE MOUNTAIN — EST. 1996 — STATE OF UTAH

This form approved by Utah County and the municipalities therein.

LEI
- A Utah Corporation -
ENGINEERS
SURVEYORS
PLANNERS
3302 N. Main Street
Spanish Fork, UT 84660
Phone: 801.798.0555
Fax: 801.798.9393
office@lei-eng.com
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SEC 2, T6S, R2W, SLB&M

5

EAGLE MOUNTAIN	**EAGLE MOUNTAIN CITY** **CITY COUNCIL MEETING** **JUNE 7, 2022**

TITLE:	Cory B. Wride Memorial Park Phase 2 Change Order #4 - Kenny Seng Construction		
ITEM TYPE:	Change Order		
FISCAL IMPACT:	$60,784		
APPLICANT:			
GENERAL PLAN DESIGNATION	**CURRENT ZONE**	**ACREAGE**	**COMMUNITY**

PUBLIC HEARING:
No

PREPARED BY:
Chris Trusty, Public Works

PRESENTED BY:
Chris Trusty

RECOMMENDATION:

BACKGROUND:
Change Order #2 for this project included filtration necessary to utilize re-use water at Cory Wride Memorial Park and was for $364,502.48. This change order was based on design drawings that did not include needed electrical upgrades; therefore, the City has asked the contractor for the additional pricing for this work. The total cost of Change Order #4 is $60,784, which will be reimbursed to the City by Facebook.

Below is a summary of the change orders to date:

Original Contract: $4,047,219.21
CO#1- $90,825.00
CO#2- $364,502.48
CO#3- $269,773.00
CO#4- $60,784.00

Total- $4,833,103.69

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:

EAGLE MOUNTAIN
CITY COUNCIL MEETING MINUTES

May 17, 2022, 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: Councilmembers Donna Burnham, Colby Curtis, Jared Gray, Carolyn Love, and Brett Wright. Mayor Tom Westmoreland was excused.

CITY STAFF PRESENT: Paul Jerome, City Administrator; Steve Mumford, Assistant City Administrator/Community Development Director; Robert Hobbs, Planning Manager; Senior Planner, Tayler Jensen; Todd Black, Wildlife Biologist/Environmental Planner; Fionnuala Kofoed, Director of Administrative Services/City Recorder; Chris Trusty, City Engineer; Jeremy Cook, City Attorney; Kimberly Ruesch, Finance Director; Brad Hickman, Parks and Recreation Director; Jeff Weber, Fleet and Facilities/Operations Director; Tyler Maffitt, Communications Manager; Angela Valenzuela, Human Resource Manager; Embret Fossum, UFA Battalion Chief; B.J. Eccles, Sergeant; Neighborhood Improvement Officer, David Draper; Neighborhood Improvement Officer, Dean Vliet; and Code Enforcement Officer, Jim Barney.

CITY STAFF PRESENT ELECTRONICALLY: Aaron Sanborn, Economic Development Director; Mack Straw, Public Utilities Manager; Zac Hilton, Streets and Storm Drain Manager; Michele Graves, Library Director; and Chas Glenn, Administrative Assistant.

Mayor Pro Tempore Love called the meeting to order at 5:00 p.m.

1. CITY ADMINISTRATOR INFORMATION ITEMS

1.A. UPDATE – City Administrator Items

Water

- Well 5 is undergoing repair evaluation and Well 1 is being tested to determine the cause of unprecedented issues.
- Well 2 has come online earlier this year due to issues with Wells 1 and 5. Work is ongoing on the golf course well.
- The State is providing information to assist residents with water conservation. The City requests and appreciates residents' water conservation practices.

Engineering

- Kenny Seng will be widening the east leg of Bobby Wren Boulevard to accommodate the intersection with Pony Express Parkway. They plan on paving on Friday followed by striping. Construction at the intersection of Ranches Parkway and Pony Express Parkway will begin in approximately two weeks.
- The traffic light at Bobby Wren Boulevard was delayed due to confusion in the engineering contract resulting in inadequate conduit length. The conduit has been installed and Rocky

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Mountain Power will expedite the work; however, no official timeline for activation is currently available.
- Construction will begin on widening Eagle Mountain Boulevard as soon as next week.
- Bid requests for booster pumps for Cory Wride Park and Unity Pass are due in time for a bid to be awarded at the June 7 City Council meeting.
- Site work will begin next week on the Unity Pass Well.

Parks
- Walden Park Observatory: Staff is working with a design engineer on the building structure that will hold the telescopes for the observatory and collaborating with Utah Valley University and Meta to ensure all needs are addressed for the observatory to be successful.
- Smith Ranch Community Park: Staff has completed most of the landscape and construction documents for the park and has met with residents to receive feedback on the skate park. Staff will be working with MHTN Architects and Spohn Ranch to incorporate elements for all types of users. Staff is also working with Big T Recreation on finalizing the playground and amenity elements.
- Bike Park: Staff has installed a water connection for the Lake Mountain Trail Association to keep the jump line appropriately cared for and maintained.
- Hidden Hollow Trailhead: Staff is coordinating with the developer to install the asphalt parking lot and fencing at the trailhead at Hidden Hollow.
- Pioneer Park: Parks and Recreation staff worked with residents to install 17 of the 18-disc golf cages for the City's first disc golf course. Staff will continue to work with individuals that are willing to help with the graphics layout on the signage for the course. The last hole will be installed as soon as a missing part is shipped.

Events
- The annual Memorial Day program will be held at Pony Express Memorial Cemetery on May 30 at 10:00 a.m.
- Pony Express Days will be from June 1 to 4. Family Fun Night will be held at Nolen Park on June 1. The carnival will be held at Cory Wride Memorial Park from June 2 through 4. The parade will be held on the same route as last year on June 4.
- Pony Express Events has a demolition derby that will be held on the evening of June 4 at the rodeo grounds.
- The City's insurance company has agreed to reimburse up to $30,000 for a replacement field groomer due to fire damage caused by a tumbleweed caught in the engine.

1.B. UPDATE – Camp Williams ACUB & Sentinel Landscape

Camp Williams Garrison Commander Lieutenant Colonel Shane Day explained that Camp Williams' focus has shifted to large-scale combat operations with peer or near-peer adversaries. A main priority is modernization including field maneuverability and artillery training. Camp Williams is a key location for the Nation Guard and the Country's military. They desire to be good neighbors to the community while preserving their capability to perform their necessary trainings and functions. The Federal government has resources and programs to assist with increasing safety and mitigating the impact on surrounding communities.

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Program Manager for West Traverse Sentinel Landscape and Army Compatible Use Buffer (ACUB) Manager Paul Raymond explained the Sentinel Landscapes Partnership is a coalition of federal agencies, state and local governments, and non-governmental organizations. They work with private landowners to advance sustainable land management practices around military installations and ranges to provide buffer areas to prevent encroachment. They are in the process of utilizing available funding to acquire key parcels within the buffer areas. Another goal of the program is the protection of habitat, wildlife, and recreation by providing bike trails and trailheads to increase citizen use and decrease poaching and trespassing. They desire to work with the City to address concerns and implement mutually beneficial solutions.

Councilmember Wright stated that he looks forward to working with Mr. Raymond and pledged his support.

1.C. DISCUSSION – Neighborhood Improvement

Assistant City Administrator/Community Development Director Steve Mumford presented the item. Property owners have extended private structures and improvements onto adjacent City property, essentially taking public property and using it for their own benefit for free.

Neighborhood Improvement Officer David Draper presented examples of encroachment issues in the City.

Mr. Mumford reviewed the following options to address encroachment:

- Sale of the property to residents or a license agreement for encroachment that restricts permanent improvements;
- Require more significant marking and posting of property lines by surveyors during development and construction;
- Require fencing to be installed by a developer along all public property, not just along collector and arterial roads;
- Consider improving some of these areas for public benefit;
- Reduce these types of public open space in the master plan and preliminary plat stage of the subdivision;
- Enforcement time frames.

Councilmember Curtis stated that regardless of whether the encroachment was accidental or intentional, it is stealing land and the situations need to be remedied by the residents utilizing City property. A time period of six months to a year could be allowed depending upon the scale of the project. He is against any improvements limiting public access to the property by other residents such as fencing and permanent structures, and he supports increasing marking requirements.

Councilmember Burnham concurred with Councilmember Curtis and feels some of the fences clearly extended into City property as they are not congruent with adjacent fence lines. Fencing City property with personal property takes the land from neighbors, especially along trails. She is concerned with storing vehicles and materials on City property. However, she is willing to entertain allowing landscaping improvements but not playground equipment due to liability issues.

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Mayor Pro Tempore Love said she would be willing to entertain the sale of City property on a case-by-case basis to allow leniency when surveying was off by a small margin in areas that are not impactful to the City. Nevertheless, she agrees that it is the burden of the resident to determine property line boundaries. She is willing to entertain permitting landscaping, garden boxes, pavers, or sprinkler systems encroaching onto City land to allow weed mitigation and beautification. She is against allowing fencing as it causes safety issues and decreases the useability and aesthetics of City trails. A period of three months to one year should be sufficient for reparation. Better surveying would be beneficial to prevent future issues.

Councilmember Wright suggested the City offer surveying services in sensitive areas to assist with remedying encroachment. Other than landscaping improvements, he feels adherence to property lines should be enforced. His views take into consideration how the situation would be addressed if the City had encroached upon private property. He recommended requiring developers to place pins along areas adjacent to City land to clearly mark property lines.

Councilmember Gray expressed concern about the unintended consequences of permitting the use of City property for storage such as abandoned vehicles and materials. Should the City determine to allow encroachment, it should be governed by an agreement to facilitate tracking and enforcement. He advocated for requiring immediate remedy of situations causing safety issues.

City Attorney Jeremy Cook verified that private property owners are unable to claim or seize property from a government agency due to perception of ownership or other methods.

Director of Administrative Services/City Recorder Fionnuala Kofoed explained that the legal boundaries of the property fall under the purview of due diligence of the purchaser should a resident buy a home with existing encroachment issues. Punitive pricing, greater than the value of the property, has been set to disincentive the practice.

1.D. DISCUSSION – Master Transportation Plan by Horrocks Engineers, Inc.

Kevin Croshaw with Horrocks Engineers presented the item. He explained the spacing of different road classifications and stated a level of service (LOS) of D is optimal to meet future demands. The Impact Fee Facilities Plan (IFFP) focuses on projects to be completed within the next ten years.

City Engineer Chris Trusty stated that the City has contracted the drafting of the Impact Fee Analysis (IFA) to incorporate impact fees to assist with funding the projects. The projects will be phased and increased in width as additional capacity is merited.

Discussion ensued regarding project ranking and timing.

Councilmember Wright requested data be provided during a future discussion regarding the impact on other roadways should the City elect to advance the timetable on the east connection to Mountain View Corridor.

2. AGENDA REVIEW

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11. AGREEMENTS

11.A. License Agreement – Bird Rides, Inc.

Mr. Mumford presented the item. A one-year temporary license agreement for Bird Rides, Inc. was approved in June 2021. He presented data on usage of the scooters in the City over the past 10 months and terms for a new three-year agreement. Either party may terminate this agreement at any time and without cause upon 30 days prior written notice. An administrative fee of $0.10 per ride, to be paid quarterly to the City, is included in the agreement to cover time for contract review and the time spent by employees to relocate scooters left in problematic locations. The original deployment map has been removed from the updated agreement to allow Bird to place the scooters in the most utilized locations.

Councilmember Curtis expressed concern with the terms of the contract including an age restriction contrary to frequent use of the scooters by youth under the age of 18. He feels that electronic scooters and e-bikes should be permitted on trails.

Discussions clarified that the City has not received nuisance or speed complaints regarding the scooters. Although Bird places scooters at appropriate locations, users may leave the scooter in a problematic area. Staff verified that the age restriction is Bird's policy, not the City's.

12. BID AWARDS

12.A. Eagle Mountain Boulevard Widening Construction – WW Clyde

Mr. Trusty explained that a construction manager/general contractor procurement process was used for this project. To ensure the bid received from WW Clyde for construction services was competitive compared to similar projects, the City hired ICE as an outside consultant to review the proposal. Quantity changes, storm drain design alterations, and adjustments due to removing the water loops have increased the cost from $9,034,844.75 to $9,078,201.35, including storm drain and sewer line corrections and improvements. The City hopes to come in under budget for the overall project.

Mr. Trusty stated the contract includes a requirement for substantial completion by December 31, 2022, with the exception of additional paving in a few areas, and liquidated damages if the contractor fails to meet the deadline.

Councilmember Curtis requested Mr. Trusty provide him with the cost impact of adding bike lanes to the road.

Councilmember Gray suggested increasing the amount of the $150 per day liquidated damage fee for missing deadlines.

Discussion ensued regarding balancing City and contractor risk and securing materials for the project.

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15. RESOLUTIONS

15.A. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Amending the Consolidated Fee Schedule for New Asphalt Seal Coats, Road Closures, and Construction Water Fees.

Public Utilities Manager Mack Straw explained that construction water fees have increased significantly since 2017 when the fee schedule was last evaluated. The current water hydrant rental deposit does not cover the cost of a hydrant. The proposal recommends increasing the deposit from $1,500 to $3,000 and to update the water usage rate from $0.80/kgal to $1.08/kgal. A fee for non-monthly meter reads is included in the change, as well as a fine for non-permitted water connections.

Mr. Trusty explained the recommended fees for road closures of $500 per week per lane for a collector road and $1,000 per week per lane for an arterial road. The proposed amendment also includes a fine of $2,500 per occurrence for non-permitted work in a City right-of-way.

Discussion ensued regarding fees based upon road lengths of 1,000 feet, a daily rather than weekly fee, and requiring a refundable deposit when issuing the road closure permit.

The Council determined to remove the item from the consent agenda for further discussion during policy session.

15.B. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving and Adopting Community-specific Arm Patches for Unified Fire Authority Firefighter Uniforms in Eagle Mountain.

Communications Manager Tyler Maffitt stated that Unified Fire Authority (UFA) contacted the City regarding arm patches representative of the individual communities UFA serves. Digital Communications Specialist Nick Ricci provided UFA Battalion Chief Embret Fossum and UFA with design options and the top three selected by UFA are presented for Council consideration. The option selected will be produced and used by UFA personnel serving in Eagle Mountain.

Chief Fossum said Option C is the most like UFA's current patch and he supports any of the design options. They will wear the UFA patch on their right shoulder and the jurisdiction patch on their left shoulder.

Councilmember Burnham expressed her preference for patch Option B. Councilmembers Wright and Gray supported her selection.

15.C. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving the Form of the Non-BQ Lease/Purchase Agreement with ZMFU II, Inc., Salt Lake City, Utah, and Authorizing the Execution and Delivery Thereof.

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Finance Director Kimberly Ruesch presented the item. This is a five-year lease-purchase through Zions Public Finance for a 2022 Caterpillar Mini Excavator 304 that will be used by the Parks Department. This equipment was approved for acquisition as part of the 2021-2022 budget. Annual lease payments of $14,339.48 will begin May 2023 with the final payment taking place May 2027. The interest rate of 4.5% through Zions was about a percentage lower than the dealer rate. Historically the City has financed rather than purchased similar equipment; however, the Council may elect to purchase the excavator with excess funds in the General Fund.

Councilmember Wright recommended purchasing the excavator to save approximately $8,700 in interest. Mayor Pro Tempore Love concurred.

Parks and Recreation Director Brad Hickman explained that staff is presenting a lease rather than a purchase because it had been included in the previous year's budget as a lease agreement.

Discussion ensued regarding the need for a budget amendment should the Council elect to purchase the excavator and the benefits of purchasing or leasing equipment and vehicles with consideration of the total cost and replacement value.

The Council determined to remove the item from the agenda with the intention of amending the budget in a future meeting to allow the purchase rather than the lease of the excavator.

15.D. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Amending the Eagle Mountain City Employee Policies and Procedures Manual for Bereavement Leave.

Human Resource Manager Angela Valenzuela presented the item. The proposed amendment changes Funeral Leave to Bereavement Leave and brings the City's bereavement leave policy in compliance with the recently passed Senate Bill 63, which requires municipalities to provide at least three days of bereavement leave to all employees, including part-time workers, following the miscarriage or stillbirth of a child.

Discussion ensued regarding which relatives to include as immediate family members and unpaid leave versus paid time off.

3. ADJOURN TO A CLOSED EXECUTIVE SESSION

No closed session was held. Mayor Pro Tempore Love adjourned the work session at 6:42 p.m.

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

ELECTED OFFICIALS PRESENT: Councilmembers Donna Burnham, Colby Curtis, Jared Gray, Carolyn Love, and Brett Wright. Mayor Tom Westmoreland was excused.

CITY STAFF PRESENT: Steve Mumford, Assistant City Administrator/Community Development Director; Robert Hobbs, Planning Manager; Senior Planner, Tayler Jensen;

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Fionnuala Kofoed, Director of Administrative Services/City Recorder; Chris Trusty, City Engineer; Jeremy Cook, City Attorney; Kimberly Ruesch, Finance Director; Zac Hilton, Streets and Storm Drain Manager; Angela Valenzuela, Human Resource Manager; Embret Fossum, UFA Battalion Chief; and B.J. Eccles, Sergeant.

CITY STAFF PRESENT ELECTRONICALLY: Aaron Sanborn, Economic Development Director; Jeff Weber, Fleet and Facilities/Operations Director; Tyler Maffitt, Communications Manager; Brad Hickman, Parks and Recreation Director; Mack Straw, Public Utilities Manager; Michele Graves, Library Director; and Chas Glenn, Administrative Assistant.

4. CALL TO ORDER

Mayor Pro Tempore Love called the policy session to order at 7:15 p.m.

5. PLEDGE OF ALLEGIANCE

Councilmember Curtis led the Pledge of Allegiance.

6. INFORMATION ITEMS/UPCOMING EVENTS

- Pony Express Days will take place June 1 through 4. To learn more, visit the redesigned City Events page on the Eagle Mountain City website.
- Eagle Mountain residents are asked to voluntarily reduce their lawn watering during the spring and summer months. Due to Utah's historic drought conditions, saving on water can not only help conserve the State's water resources but also save residents money. This week, we are recommending residents water once per week. Follow the City's digital signs or social media for updated information.
- Tooele Army Depot has communicated that the factors leading to large explosions in April should be curtailed during drier months later this year. If residents have concerns, they are encouraged to contact the Tooele Army Depot.
- The start of new HAM Radio classes will begin on May 26. For more information, please reference the City calendar, or contact the Emergency Management Department staff.

To receive City notifications, including emergency info, news events, and traffic alerts, sign up at emcity.org/notifyme.

7. INTRODUCTION

7.A. 2022 Eagle Mountain Rodeo Royalty

Councilmember Gray stated Pony Express Events held their rodeo queen contest the previous week. He congratulated Queen Tristan Moulton, 1st Attendant Piper Maxwell, 2nd Attendant Kaycee Goodwin, Princess Rachel Whitehead, Princess 1st Attendant Hadley Warnick, and Princess 2nd Attendant Taytum Anderson

8. PUBLIC COMMENTS

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Mayor Pro Tempore Love opened public comment at 7:22 p.m.

Tyler Shimakonis recognized the outgoing Youth Council members and participants and presented those in attendance with a certificate. In addition, he acknowledged and expressed appreciation to Garen Pabst, Adara Pabst, Emma Bird, Sedona Montano, Eliza Jensen, Lily Ratzlaff, and Davin Shimakonis for their assistance and participation in Youth Council meetings and events. Youth Council elections will be held Thursday and Friday at Cedar Valley and Rockwell High Schools and voting will be open at City Hall those evenings.

Gabe Rolfe, a student attending Lakeview Academy, sent a letter to the City Council in April and was inadvertently excluded from being mentioned with the others at that time.

Jill Jones submitted a written comment suggesting a small pool and fountain for a bird sanctuary be installed at the location of the old fire station near the Senior Citizens Center.

Jason Robinson spoke about storing trailers on his property and receiving notices from Neighborhood Improvement. He requested to be allowed to store trailers as they have been there for twenty years.

Jeff Marshall said he also has stored trailers on his property for 20 years and requested to be grandfathered into the standards at the time he moved to the City.

Assistant City Administrator/Community Development Director Steve Mumford stated that he has appointments scheduled with Mr. Robinson and Mr. Marshall to discuss the situation.

Mayor Pro Tempore Love closed public comment at 7:36 p.m.

9. CITY COUNCIL/MAYOR'S ITEMS

Councilmember Curtis
Councilmember Curtis thanked the meeting participants for their attendance.

Councilmember Burnham
Councilmember Burnham thanked the residents for attending both in-person and virtually.

Mayor Pro Tempore Love
Mayor Pro Tempore Love expressed appreciation to resident participants and those following water conservation guidelines.

Councilmember Wright
Councilmember Wright shared that he visited the Unified Fire Authority (UFA) fire training school and expressed his admiration and gratitude for firefighters and paramedics in our community.

Councilmember Gray

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Councilmember Gray expressed gratitude to Senior Planner Tayler Jensen, other past City employees, Neighborhood Improvement Officers, and Tyler and Jennifer Shimakonis for their service. He inquired if 15-year-olds are allowed to be employed by the City.

Human Resource Manager Angela Valenzuela said that due to restrictions on employing 15-year-olds, the City has elected to require employees to be a minimum of 16 years. She will provide Councilmember Gray with a list of available summer employment opportunities for youth.

10. APPOINTMENTS

10.A. Senior Citizens Advisory Council

MOTION: ***Councilmember Curtis moved to appoint Sandra Ring to the Senior Citizens Advisory Council completing a four-year term through December 2025. Councilmember Wright seconded the motion.***

Those Voting Yes	*Those Voting No*	*Those Abstaining*	*Those Absent*
☒ *Donna Burnham*	☐ *Donna Burnham*	☐ *Donna Burnham*	☐ *Donna Burnham*
☒ *Colby Curtis*	☐ *Colby Curtis*	☐ *Colby Curtis*	☐ *Colby Curtis*
☒ *Jared Gray*	☐ *Jared Gray*	☐ *Jared Gray*	☐ *Jared Gray*
☒ *Carolyn Love*	☐ *Carolyn Love*	☐ *Carolyn Love*	☐ *Carolyn Love*
☒ *Brett Wright*	☐ *Brett Wright*	☐ *Brett Wright*	☐ *Brett Wright*

The motion passed with a unanimous vote.

CONSENT AGENDA

11. AGREEMENTS

11.A. License Agreement – Bird Rides, Inc.

12. BID AWARDS

12.A. Eagle Mountain Boulevard Widening Construction – WW Clyde

13. BOND RELEASES

13.A. Lone Tree Phase F, Plat 2 – Into Warranty

14. MINUTES

14.A. May 3, 2022 Minutes – Regular City Council Meeting

15. RESOLUTIONS

DRAFT

15.A. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Amending the Consolidated Fee Schedule for New Asphalt Seal Coats, Road Closures, and Construction Water Fees.

15.B. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving and Adopting Community-specific Arm Patches for Unified Fire Authority Firefighter Uniforms in Eagle Mountain.

15.C. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving the Form of the Non-BQ Lease/Purchase Agreement with ZMFU II, Inc., Salt Lake City, Utah, and Authorizing the Execution and Delivery Thereof. (REMOVED)

15.D. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Amending the Eagle Mountain City Employee Policies and Procedures Manual for Bereavement Leave.

MOTION: ***Councilmember Curtis moved to approve the consent agenda removing item 15.A. and placing it as a scheduled item, specifying Option B for item 15.B., removing item 15.C. from the agenda, and removing item 15.D. and placing it as a scheduled item. Councilmember Burnham seconded the motion.***

Those Voting Yes	*Those Voting No*	*Those Abstaining*	*Those Absent*
☒ *Donna Burnham*	☐ *Donna Burnham*	☐ *Donna Burnham*	☐ *Donna Burnham*
☒ *Colby Curtis*	☐ *Colby Curtis*	☐ *Colby Curtis*	☐ *Colby Curtis*
☒ *Jared Gray*	☐ *Jared Gray*	☐ *Jared Gray*	☐ *Jared Gray*
☒ *Carolyn Love*	☐ *Carolyn Love*	☐ *Carolyn Love*	☐ *Carolyn Love*
☒ *Brett Wright*	☐ *Brett Wright*	☐ *Brett Wright*	☐ *Brett Wright*

The motion passed with a unanimous vote.

SCHEDULED ITEMS

15.A. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Amending the Consolidated Fee Schedule for New Asphalt Seal Coats, Road Closures, and Construction Water Fees.

City Engineer Chris Trusty stated that further research found that Orem, Riverton, and Spanish Fork require a $1,000 minimum deposit and a rate based upon the length of the road closure. He recommended to implement a fee of $250 per lane per 1,000 feet for a collector road, $500 per lane per 1,000 feet for a minor arterial road, and $1,000 per lane per 1,000 feet for a major arterial road, along with a $1,000 deposit.

MOTION: ***Councilmember Curtis moved to approve a resolution of Eagle Mountain City, Utah, amending the Consolidated Fee Schedule for New Asphalt Seal***

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Coats, Road Closures, and Construction Water Fees with the following amendments:

1. ***The addition of a $1,000 deposit;***
2. ***The minimum fee for closure of a collector road per 1,000 feet per lane shall be $250 per day;***
3. ***The minimum fee for closure of a minor arterial road per 1,000 feet per lane shall be $500 per day; and***
4. ***The minimum fee for closure of a major arterial per 1,000 feet per lane shall be $1,000 per day.***

Councilmember Wright seconded the motion.

Those Voting Yes	*Those Voting No*	*Those Abstaining*	*Those Absent*
☒ *Donna Burnham*	☐ *Donna Burnham*	☐ *Donna Burnham*	☐ *Donna Burnham*
☒ *Colby Curtis*	☐ *Colby Curtis*	☐ *Colby Curtis*	☐ *Colby Curtis*
☒ *Jared Gray*	☐ *Jared Gray*	☐ *Jared Gray*	☐ *Jared Gray*
☒ *Carolyn Love*	☐ *Carolyn Love*	☐ *Carolyn Love*	☐ *Carolyn Love*
☒ *Brett Wright*	☐ *Brett Wright*	☐ *Brett Wright*	☐ *Brett Wright*

The motion passed with a unanimous vote.

15.D. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Amending the Eagle Mountain City Employee Policies and Procedures Manual for Bereavement Leave.

Mayor Pro Tempore Love and Councilmember Curtis recommended including stepchildren as immediate family members.

Discussion ensued regarding whether to include stepchildren and other additional family members as immediate family members qualifying for 40 hours of paid bereavement leave or to approve the amendment as drafted with deaths of other family members not included as immediate family granting 30 hours of paid bereavement leave with consideration of variance in the closeness of relationships on a personal basis, involvement with funeral planning, and concerns with cumulative time off and potential misuse of the policy.

MOTION: ***Councilmember Curtis moved to approve a resolution of Eagle Mountain City, Utah, amending the Eagle Mountain City Employee Policies and Procedures Manual for Bereavement Leave moving stepchild to the first paragraph, immediate family category. Councilmember Burnham seconded the motion.***

Those Voting Yes	*Those Voting No*	*Those Abstaining*	*Those Absent*
☒ *Donna Burnham*	☐ *Donna Burnham*	☐ *Donna Burnham*	☐ *Donna Burnham*
☒ *Colby Curtis*	☐ *Colby Curtis*	☐ *Colby Curtis*	☐ *Colby Curtis*
☒ *Jared Gray*	☐ *Jared Gray*	☐ *Jared Gray*	☐ *Jared Gray*
☒ *Carolyn Love*	☐ *Carolyn Love*	☐ *Carolyn Love*	☐ *Carolyn Love*
☒ *Brett Wright*	☐ *Brett Wright*	☐ *Brett Wright*	☐ *Brett Wright*

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The motion passed with a unanimous vote.

16. ORDINANCES/PUBLIC HEARINGS

16.A. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Annexing an Area of Approximately 161 Acres, Commonly Known as the Gardner Farms Annexation.

Director of Administrative Services/City Recorder Fionnuala Kofoed presented the item and explained the purpose and process of annexation. The proposed Gardner Farms annexation is 161.02 acres of land designated as Employment Center/Campus on the Future Land Use Map. The property would be zoned as Agriculture and would require a rezone when ready to develop. The proposed use falls within the land use designation; however, the applicant has indicated the intent is to wait to develop the land for eight to ten years. During the protest period, no objections were received by the City.

Mr. Trusty confirmed that additions to the Capital Facilities Plan will bring sewer close to the annexation area and development to the east has water in close proximity.

Mayor Pro Tempore Love opened the public hearing at 8:05 p.m. As there were no comments, she closed the hearing.

Applicant Chase Bryan said the eight-to-ten-year timeline is the estimation of when population and infrastructure would support interested parties at this location. They desire to annex now when the land is available and to ensure the property will be incorporated into the City to promote confidence and interest for compatible users.

Councilmember Wright said that although he would prefer the area to develop sooner, as he feels the City will eventually desire to incorporate property adjacent to Eagle Mountain Boulevard, he is in favor of the annexation.

Councilmember Curtis expressed concern regarding the acreage of the property because medical campuses are generally 70 acres or fewer. He feels that the remainder of the land could likely be requested for residential uses which he would not be in favor of approving.

Discussion ensued regarding use concerns and the ability of the Council to influence the use if the property is a part of the City.

MOTION: ***Councilmember Wright moved to approve an ordinance of Eagle Mountain City, Utah, annexing an area of approximately 161 acres, commonly known as the Gardner Farms Annexation zoning the property as Agriculture. Councilmember Gray seconded the motion.***

Those Voting Yes	*Those Voting No*	*Those Abstaining*	*Those Absent*
☒ *Donna Burnham*	☐ *Donna Burnham*	☐ *Donna Burnham*	☐ *Donna Burnham*

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☐ *Colby Curtis*	☒ *Colby Curtis*	☐ *Colby Curtis*	☐ *Colby Curtis*
☒ *Jared Gray*	☐ *Jared Gray*	☐ *Jared Gray*	☐ *Jared Gray*
☒ *Carolyn Love*	☐ *Carolyn Love*	☐ *Carolyn Love*	☐ *Carolyn Love*
☒ *Brett Wright*	☐ *Brett Wright*	☐ *Brett Wright*	☐ *Brett Wright*

The motion carried with a vote of 4:1.

16.B. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Chapter 17.25 Residential Zones.

Planning Manager Robert Hobbs presented the item.

State Code 10-9a-534 was amended last year, effective May 28, 2021, to prevent cities from imposing minimum garage sizes on single-family homes and two-family homes such as duplexes. Municipal Code currently requires all garages to be 22 feet by 22 feet.

He presented three potential amendments to City standards to come into compliance with State requirements:

- Option 1 – EMMC 17.25.050(C) Parking and Garage Dimensions. Projects shall comply with the off-street parking standards found in Chapter 17.55 EMMC, which includes standards for enclosed parking, covered parking, and visitor parking. The following requirements shall apply to all garages – except for those associated with detached single-family or two-family [duplex] dwellings: (1) minimum dimensions of two-car garages shall be 22 feet by 22 feet; (2) two-car garage door openings shall be a minimum of 16 feet wide by 8 feet tall; (3) single-car garages shall have a useable parking area [of] no less than 12 feet in width by 20 feet in depth; and (4) single-car garage door openings shall be a minimum of 9 feet wide by 8 feet tall.
- Option 2 – EMMC 17.25.050(C) Off-street Parking Residential. Projects shall comply with the off-street parking standards found in Chapter 17.55 EMMC.
- Option 3 – Repeal EMMC 17.25.050(C).

The Planning Commission voted unanimously to recommend that the Council adopt Option 1.

Mayor Pro Tempore Love opened the public hearing at 8:16 p.m. As there were no comments, she closed the hearing.

Councilmember Burnham verified with staff that Option 1 would retain size standards for townhomes and multifamily units and expressed concern that the State will pass another bill prohibiting garage size requirements for those units as well.

Councilmember Curtis stated his disappointment in the State Legislature for overriding legal, local land-use policies. Despite State requirements, he would have still approved the garage size standards previously because he believes it was the right decision and that people should be able to park in their garage. He recognized the right of the State Legislature to make that decision; however, he feels the decision was unethical.

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Councilmember Gray concurred with Councilmember Curtis' disappointment in State representatives and feels that Eagle Mountain City was specifically targeted with the legislation as the City was the only one with the standard.

Councilmember Love supported retaining the garage size standards for multifamily units due to the reduced street parking allowed with more narrow frontages.

Discussion ensued regarding garage parking limitations.

MOTION: ***Councilmember Wright moved to approve an ordinance of Eagle Mountain City, Utah, amending the Eagle Mountain Municipal Code Chapter 17.25 Residential Zones, adopting Option 1. Councilmember Gray seconded the motion.***

Those Voting Yes	*Those Voting No*	*Those Abstaining*	*Those Absent*
☐ *Donna Burnham*	☒ *Donna Burnham*	☐ *Donna Burnham*	☐ *Donna Burnham*
☒ *Colby Curtis*	☐ *Colby Curtis*	☐ *Colby Curtis*	☐ *Colby Curtis*
☒ *Jared Gray*	☐ *Jared Gray*	☐ *Jared Gray*	☐ *Jared Gray*
☒ *Carolyn Love*	☐ *Carolyn Love*	☐ *Carolyn Love*	☐ *Carolyn Love*
☒ *Brett Wright*	☐ *Brett Wright*	☐ *Brett Wright*	☐ *Brett Wright*

The motion carried with a vote of 4:1.

16.C. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Chapter 17.48 Regional Technology and Industry Overlay Zone.

Mr. Mumford presented the item. The Regional Technology and Industry (RTI) Overlay Zone has been a valuable economic development tool for the City to attract and land some large technology and industrial businesses. The overlay was adopted with an automatic sunset date of May 31, 2022 with the intent to evaluate its effectiveness. The approval process in the RTI Overlay has been identified by major companies (Meta, Tyson, Google) as a key reason for them choosing Eagle Mountain for their business. The overlay zone has given Eagle Mountain an economic development edge over competing cities. Councilmembers Burnham, Wright, and Mayor Westmoreland worked with Staff to address Council's concerns with the standards. The updated proposal addresses the primary concerns expressed during the May 3, 2022 meeting – average wage, street standards, and truck traffic.

Discussion ensued regarding if the approval of the RTI Zone for a property would make the subsequent approvals administrative rather than legislative actions.

Mayor Pro Tempore Love opened the public hearing at 8:28 p.m.

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Christine Mikell stated she is in the process of rezoning property to the RTI Overlay Zone and spoke in favor of the changes proposed in the amendment.

Mayor Pro Tempore Love closed the public hearing at 8:28 p.m.

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. Councilmember Gray seconded the motion.***

Those Voting Yes	*Those Voting No*	*Those Abstaining*	*Those Absent*
☒ *Donna Burnham*	☐ *Donna Burnham*	☐ *Donna Burnham*	☐ *Donna Burnham*
☐ *Colby Curtis*	☒ *Colby Curtis*	☐ *Colby Curtis*	☐ *Colby Curtis*
☒ *Jared Gray*	☐ *Jared Gray*	☐ *Jared Gray*	☐ *Jared Gray*
☒ *Carolyn Love*	☐ *Carolyn Love*	☐ *Carolyn Love*	☐ *Carolyn Love*
☒ *Brett Wright*	☐ *Brett Wright*	☐ *Brett Wright*	☐ *Brett Wright*

The motion carried with a vote of 4:1.

Councilmember Curtis stated that although he appreciates the work improving the standards, he is concerned with dark sky compliance during construction and the broadness of the allowances. He would prefer to have more specified and targeted economic development mechanisms.

16.D. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Adopting the Eagle Mountain City Fiscal Year 2022-2023 Annual Budget. **DISCUSSION ITEM ONLY**

MOTION: ***Councilmember Gray moved to discuss item 16.D. after item 17.A. Councilmember Curtis seconded the motion.***

Those Voting Yes	*Those Voting No*	*Those Abstaining*	*Those Absent*
☒ *Donna Burnham*	☐ *Donna Burnham*	☐ *Donna Burnham*	☐ *Donna Burnham*
☒ *Colby Curtis*	☐ *Colby Curtis*	☐ *Colby Curtis*	☐ *Colby Curtis*
☒ *Jared Gray*	☐ *Jared Gray*	☐ *Jared Gray*	☐ *Jared Gray*
☒ *Carolyn Love*	☐ *Carolyn Love*	☐ *Carolyn Love*	☐ *Carolyn Love*
☒ *Brett Wright*	☐ *Brett Wright*	☐ *Brett Wright*	☒ *Brett Wright*

The motion passed with a unanimous vote.

This item was discussed after item 17.A.

Finance Director Kimberly Ruesch presented the item.

Discussion ensued regarding the following items:

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- Increases to the tentative budget desired by the Council:
    - $20,000 Facilities General Fund – City Facilities Master Plan,
    - $140,697 Public Safety General Fund – Sheriff Contract,
    - $526,684 Public Safety General Fund – Three Patrol Deputies,
    - $7,186 Public Safety – An additional crossing location at Mountain Trails Elementary,
    - $125,000 Capital Project Fund – Design and alignment connection from Lone Tree to Old Airport Road,
    - $2,000,000 Capital Project Fund – A High T intersection along Ranches Parkway and a traffic signal at Stonebridge Lane;
- Decreases to the tentative budget desired by the Council:
    - $70,183 Communications – Removal of the requested content marketing writer position;
- Possibly extending the use time and sharing vehicles to reduce costs with consideration of supply chain delays;
- Timing, right-of-way acquisition, and additional funding for the Lone Tree and Old Airport Road connection and prioritization in comparison to other projects;
- Including improvements to Pony Express Memorial Cemetery in the Parks and Recreation Master Plan;
- Planning for a new library as a part of the Facilities Master Plan;
- Determining an amount to allocate for future implementation of the Facilities Master Plan;
- A legislative assistant position;
- Retaining the requested three library positions to provide passport services and to meet understaffing and the demands of a growing City; and
- Possibly charging transfer and credit card transaction fees.

Mayor Pro Tempore Love opened the public hearing at 9:33 p.m. As there were no comments, she closed the hearing.

17. ORDINANCE

17.A. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Chapter 8.20 Fireworks.

City Attorney Jeremy Cook presented the item and reviewed the changes made at the request of the City Council.

MOTION: ***Councilmember Gray moved to approve an ordinance of Eagle Mountain City, Utah, amending the Eagle Mountain Municipal Code Chapter 8.20 Fireworks. Councilmember Curtis seconded the motion.***

Those Voting Yes	*Those Voting No*	*Those Abstaining*	*Those Absent*
☒ *Donna Burnham*	☐ *Donna Burnham*	☐ *Donna Burnham*	☐ *Donna Burnham*
☒ *Colby Curtis*	☐ *Colby Curtis*	☐ *Colby Curtis*	☐ *Colby Curtis*
☒ *Jared Gray*	☐ *Jared Gray*	☐ *Jared Gray*	☐ *Jared Gray*

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☒ *Carolyn Love*	☐ *Carolyn Love*	☐ *Carolyn Love*	☐ *Carolyn Love*
☒ *Brett Wright*	☐ *Brett Wright*	☐ *Brett Wright*	☐ *Brett Wright*

The motion passed with a unanimous vote.

18. CITY COUNCIL/MAYOR'S BUSINESS

19. CITY COUNCIL BOARD LIAISON REPORTS

Councilmember Curtis
Councilmember Curtis suggested appointing Planning Commission alternates. He requested a status update regarding the amendment to the City appointment process.

Mayor Pro Tempore Love and Councilmember Gray stated they are working on the amendment and will have individual conversations with Councilmembers to receive feedback.

Councilmember Burnham
Councilmember Burnham said she met with the Eagle Mountain Arts Alliance and is excited about their projects. The library box in Walden Park is getting wet due to its proximity to a sprinkler. She will discuss possible solutions with Parks and Recreation Director Brad Hickman. She supports appointing Planning Commission alternates both to serve as substitutes and as a training opportunity for future Commission members.

Councilmember Wright
Councilmember Wright said he has discussed Planning Commission alternates with the Mayor and staff and has been greeted by support. The City Attorney is researching the legalities of the process and an amendment will be presented to Council once available. The City has a vacancy for Youth Council advisors. Youth Council elections will be held on Thursday and Friday. The Parks and Recreation Department is working on a community questionnaire for feedback on Pony Express Days events projects and activities.

Mayor Pro Tempore Love
Mayor Pro Tempore Love announced that the American Legion is sponsoring a blood drive on June 10th at the Senior Citizen Center to assist with the ongoing blood shortage. Links to sign up to donate are available on the Eagle Mountain City Citizens Facebook page and at www.redcrossblood.org.

Councilmember Gray
Councilmember Gray expressed his appreciation for the rodeo queens attending the meeting and for their positive influence. He thanked the Events Department for their support with Pony Express Events and looks forward to the day when Pony Express Events is fully run by the City. Tickets are on sale for the Demolition Derby on June 4th at 7:00 p.m. and the rodeo on June 9th through 11th at 7:00 p.m. He announced a vending opportunity at Pony Express Events as the usual party will not be holding their fundraiser this year. He inquired regarding scholarship opportunities for the Youth Mayor and Rodeo Queens. He offered for Pony Express Events to sponsor an expanded

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City scholarship program if amenable to the City. He requested information about summer employment openings for 14 and 15-year-olds.

Ms. Kofoed explained the Youth Council scholarship program and criteria.

Councilmember Curtis expressed his appreciation to Pony Express Events for the offer to sponsor a scholarship.

Mayor Pro Tempore Love suggested working with the high schools' Advanced Placement (AP) Government classes in the creation of scholarships.

20. COMMUNICATION ITEMS

20.A. Financial Report

20.B. Upcoming Agenda Items

21. ADJOURNMENT

MOTION: ***Councilmember Wright moved to adjourn the meeting at 9:52 p.m. Councilmember Gray seconded the motion.***

Those Voting Yes	*Those Voting No*	*Those Abstaining*	*Those Absent*
☒ *Donna Burnham*	☐ *Donna Burnham*	☐ *Donna Burnham*	☐ *Donna Burnham*
☒ *Colby Curtis*	☐ *Colby Curtis*	☐ *Colby Curtis*	☐ *Colby Curtis*
☒ *Jared Gray*	☐ *Jared Gray*	☐ *Jared Gray*	☐ *Jared Gray*
☒ *Carolyn Love*	☐ *Carolyn Love*	☐ *Carolyn Love*	☐ *Carolyn Love*
☒ *Brett Wright*	☐ *Brett Wright*	☐ *Brett Wright*	☐ *Brett Wright*

The motion passed with a unanimous vote.

The meeting was adjourned at 9:52 p.m.

Approved by the City Council on June 7, 2022.

Fionnuala B. Kofoed, MMC
City Recorder

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EAGLE MOUNTAIN	**EAGLE MOUNTAIN CITY** **CITY COUNCIL MEETING** **JUNE 7, 2022**		
TITLE:	RESOLUTION - A Resolution of Eagle Mountain City, Utah, Naming Fire Station 251 the Sweetwater Fire Station.		
ITEM TYPE:	Resolution		
FISCAL IMPACT:			
APPLICANT:			
GENERAL PLAN DESIGNATION	**CURRENT ZONE**	**ACREAGE**	**COMMUNITY**

PUBLIC HEARING:
No

PREPARED BY:
Lianne Pengra, Recorder's Office

PRESENTED BY:
Fionnuala Kofoed

RECOMMENDATION:
Staff recommends that the City Council consider the resolution naming Fire Station 251 the Sweetwater Fire Station.

BACKGROUND:

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:

RES--Naming Sweetwater Fire Station

RESOLUTION NO. R- - 2022

A RESOLUTION OF EAGLE MOUNTAIN CITY, UTAH NAMING FIRE STATION 251 THE SWEETWATER FIRE STATION

WHEREAS, the Unified Fire Service Area determined it is in the public interest to relocate Fire Station 251 to provide for efficient public safety services; and

WHEREAS, Sweetwater Road and was renamed to Pony Express Parkway on the 19th day of July, 2011; and

WHEREAS, on the 18th day of January, 2022, the City Council of Eagle Mountain City, Utah, approved a site plan for Fire Station 251 in its new location east of Pony Express Parkway, adjacent to the Sweetwater subdivision; and

WHEREAS, the City Council of Eagle Mountain City, Utah, proposes naming Fire Station 251 the Sweetwater Fire Station.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Eagle Mountain City, Utah, that Fire Station 251 is named the Sweetwater Fire Station.

ADOPTED by the City Council of Eagle Mountain City, Utah, this 7th day of June, 2022.

EAGLE MOUNTAIN CITY

_____

Tom Westmoreland, Mayor

ATTEST:

_____

Fionnuala B. Kofoed, MMC
City Recorder

CERTIFICATION

The above resolution was adopted by the City Council of Eagle Mountain City on the 7th day of June, 2022.

Those voting yes:	Those voting no:	Those excused:	Those abstaining:
☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham
☐ Colby Curtis	☐ Colby Curtis	☐ Colby Curtis	☐ Colby Curtis
☐ Jared Gray	☐ Jared Gray	☐ Jared Gray	☐ Jared Gray
☐ Carolyn Love	☐ Carolyn Love	☐ Carolyn Love	☐ Carolyn Love
☐ Brett Wright	☐ Brett Wright	☐ Brett Wright	☐ Brett Wright

_____

Fionnuala B. Kofoed, MMC
City Recorder

CHANGES FROM TENTATIVE BUDGET (5/03/22 VERSION)

Amount	Department	Detail
$ 20,000	Facilities	City Facilities Master Plan - revenue source is General Fund revenue
140,697	Public Safety	Increase to Sheriff Contract - revenue source is General Fund revenue
526,684	Public Safety	3 Patrol Deputies - revenue source is General Fund revenue
7,186	Public Safety	Crossing Guard for additional crossing location at Mountain Trails Elementary
(70,183)	Communications	Removal of requested Content Marketing Writer 1 FTE
(624,384)	General Fund	Reduce transfer to Capital Project fund equal to items listed above.
125,000	Capital Projects	Design/Alignment connection from Lone Tree area to Old Airport Road - revenue source is fund balance
300,000	Capital Projects	Traffic Signal at Woodhaven - revenue source is fund balance
2,000,000	Capital Projects	High T Intersection at Campus Drive and Traffic Signal at Stonebridge - revenue source is fund balance
(3,049,384)	Capital Projects	Reduce appropriated increase to fund balance
2,000,000	Wastewater Capital Outlay	Headworks Project for Sewer Treatment Plant - funding source is impact fees
1,700,000	Wastewater Capital Outlay	Effluent Disposal Project. Type 1 water needs to be addressed from Effluent with RO treatment. - funding source impact fees
1,700,000	Impact Fee Fund	Transfer from Wasterwater Impact Fee Fund for capital project

$ 4,775,616 Total Change in Expenditures

CHANGES FROM PUBLIC HEARING (05/17/22 VERSION)

Amount	Department	Detail
$ 725,933	Park & Trails Impact Fee Fund	Appropriated increase to fund balance reserves
300,000	Public Safety Impact Fee Fund	Appropriated increase to fund balance reserves
159,000	Fleet Fund	Vehicles for Water Dept new hires 3- ½ ton pick-up trucks $53,000 each
180,000	Fleet Fund	Vehicles for Parks/Rec new hires 3- ¾ ton pick-up trucks $60,000 each
53,000	Fleet Fund	Vehicles for Engineering new hire 1-½ ton pick-up truck $53,000 each
106,000	Fleet Fund	Vehicles for Planning new hires 2 –½ ton pick-up trucks $53,000 each
30,000	Fleet Fund	Vehicle for Planning new hire 1 – SUV $30,000
30,500	Communications	Citizen Response Management Software
1,000,000	Wastewater Capital Outlay	Headworks Project for Sewer Treatment Plant - funding source is impact fees total project cost est. at $3mil. Original request was for $2 mil.
108,500	Wastewater	Land purchase option agreement
4,000	Public Safety	Crossing guard supplies
7,000	Public Safety	Communities that Care
300,000	Capital Projects - Streets	Walden Park Road
35,092	Legislative	Placeholder Full-Time Legislative Assistant - Proposed January Hire
$ 2,584,433	**Total Change in Expenditures**	

CHANGES FROM PUBLIC HEARING (06/07/22 VERSION)

Amount	Department	Detail
$ 2,000	Finance	Training and Professional Services - Training for Springbrook Software and increase cost for participating in Government Finance Officers Association award programs
250,000	Water	Retrofit all A/C units for Well House Cooling
50,000	Information Services	Electronic equipment for new hires (computers, monitors, phone, etc)
50,000	Information Services	Technology infrastructure upgrade (server/wiring project)
1,284	Public Safety	Increase to reflect EMC portion of Northern Utah Animal Shelter ($31,284)
(28,000)	Wastewater	Reduce estimated cost for tipping fees from 4,745 to 3,000 tons.
46,200	Wastewater	SL`RAT 6 Months of full access to Transmissive Acoustic Rapid Assessment Tool (SL-RAT) and Online Data Organizer (SL-DOG) for the purpose of performing rapid sewer line assessments. Assessment Footage Limit up to 600,000 ft . This will allow us to complete our collection system inspection as required by State. This is also an approved method of inspection from the state
65,000	Wastewater	13 acre land disposal needs to be completed for irrigation. This includes final grade, piping and seed to be planted.
100,000	Wastewater	Increase funding for treatment plant design work - professional services
34,000	Planning	Wildlife/Environmentail projects
$ 536,484	**Total Change in Expenditures**	

EAGLE MOUNTAIN	**EAGLE MOUNTAIN CITY** **CITY COUNCIL MEETING** **JUNE 7, 2022**
TITLE:	ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Rezoning Certain Lands Known as Mochila Technology Park.
ITEM TYPE:	Rezone
APPLICANT:	Christine Mikell

ACTION ITEM:
Yes

PUBLIC HEARING:
Yes

PREPARED BY:
Robert Hobbs, Planning

BACKGROUND:

The property in question is zoned Agriculture, the future land use designation is Business Park/Light Industry.

The RTI Overlay zone has been applied to property to the north and east of this proposed rezone.

ITEMS FOR CONSIDERATION:

The rezone criteria (found in 17.90.060) shall be considered when making a recommendation for rezone applications:

- Compliance with the General Plan (17.90.060 A). The request to add the RTI Overlay zone is compliant with the General Plan which designates the area for Business Park/ Light Industry. The adjacent parcels are designated: Business Park / Light Industry and property to the North and East already contain the RTI Overlay zone. Staff feels the request *complies* with this provision.
- Compatibility Determination (17.90.060 B). All surrounding property is in the same future land use designation, and the RTI Overlay and active RTI Overlay Building sites are adjacent therefore it is the opinion of Staff that the proposal is compatible with neighboring properties and *complies* with this provision.
- City Services (17.90.060 C). The proposed use is not anticipated to overburden City Services.
- Traffic Generation (17.90.060 D). The use is not anticipated to

generate significant traffic, thus it *complies* with this provision.

- Property Values (17.90.060 E). The proposed use is not expected to have a significant negative impact on surrounding property values; therefore, it *complies* with this provision

REQUIRED FINDINGS:

Rezones are legislative decisions and are considered valid if reasonably debatable and not illegal. Criteria for approval are found in EMMC 17.90.060

RECOMMENDATION:

On May 10th 2022 the Eagle Mountain Planning Commission held a public hearing regarding this item. One comment was received -- the comment was in favor of the project but wanted to make sure fencing was provided when the project is developed to keep the animals from his neighboring farm from wandering onto the site. Ultimately the Planning Commission voted **4-0 (1 Commissioner excused)** to recommend approval of the Rezone with no conditions or changes to what is/was proposed.

ATTACHMENTS:

ORD--Mochila Technology Park Rezone

Rezone Exhibit

Area Map

ORDINANCE NO. O-07-2022

AN ORDINANCE OF EAGLE MOUNTAIN CITY, UTAH, REZONING CERTAIN LANDS KNOWN AS MOCHILA TECHNOLOGY PARK

PREAMBLE

WHEREAS, the City Council of Eagle Mountain City finds that it is in the public interest to rezone certain lands known as Mochila Technology Park, as set forth more specifically in Exhibit A.

BE IT ORDAINED by the City Council of Eagle Mountain City, Utah:

1. The City Council finds that all required notices, public hearings, and other requirements have been completed for the City Council to consider and approve the rezone of certain lands known as Mochila Technology Park, as set forth in Exhibit A.

2. The lands depicted and described in Exhibit A are hereby rezoned to the density and uses as set forth more specifically in Exhibit A.

3. This Ordinance shall take effect upon its first posting or publication.

ADOPTED by the City Council of Eagle Mountain City this 7th day of June, 2022.

EAGLE MOUNTAIN CITY, UTAH

_____
Tom Westmoreland, Mayor

_____
Fionnuala B. Kofoed, MMC
City Recorder

CERTIFICATION

The above Ordinance was adopted by the City Council of Eagle Mountain City, Utah on this 7th day of June, 2022.

Those voting yes:	Those voting no:	Those excused:	Those abstaining:
☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham
☐ Colby Curtis	☐ Colby Curtis	☐ Colby Curtis	☐ Colby Curtis
☐ Jared Gray	☐ Jared Gray	☐ Jared Gray	☐ Jared Gray
☐ Carolyn Love	☐ Carolyn Love	☐ Carolyn Love	☐ Carolyn Love
☐ Brett Wright	☐ Brett Wright	☐ Brett Wright	☐ Brett Wright

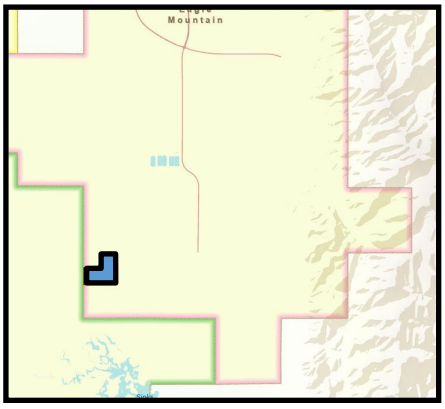
_____

Fionnuala B. Kofoed, MMC
Director of Administrative Services/City Recorder

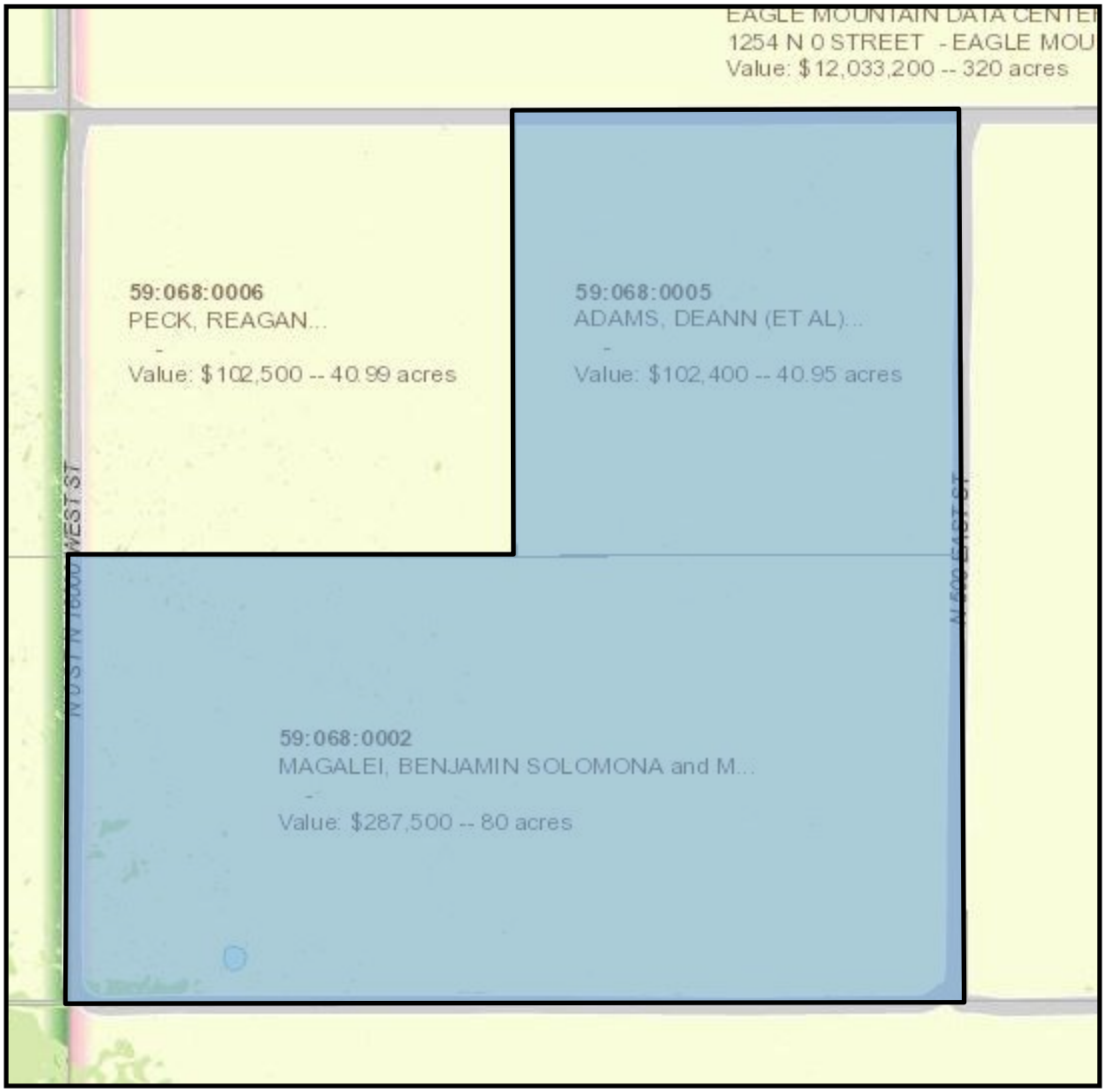
Posted on _____ by _____ .

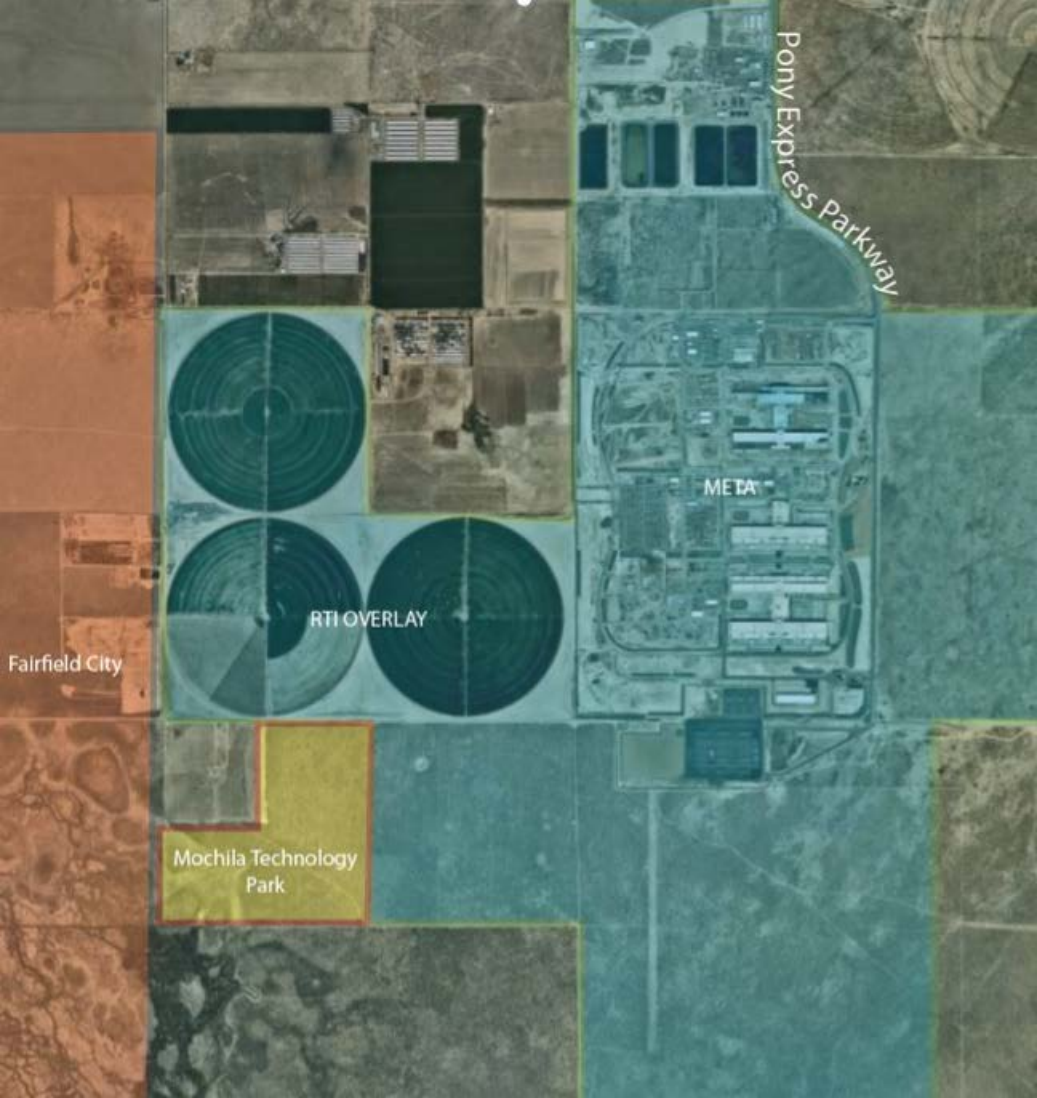
Exhibit A

Vicinity Map



Regional Technology and Industry Overlay Zone
applied to Parcels 59:068:0002 & 59:068:0003




Pony Express Parkway
META
RTI OVERLAY
Fairfield City
Mochila Technology Park

UPCOMING PLANNING-RELATED AGENDA ITEMS

Active Projects
7-Eleven Rezone and Site Plan
America First Credit Union Site Plan
Browns Meadow Preliminary Plat
Eagle Plaza (Formerly Betos) Site Plan
Family First Dentistry Site Plan
Harmony Phase A, Plat 14 Site Plan
Mountain America Credit Union Site Plan
Parkway Fields Phase C Site Plan and Preliminary Plat

Code Amendments
Commercial District Node Overlay
Industrial Zone
Landscaping Timing Requirements
Multifamily Commercial Design Standards
Neighborhood Improvement Codes
Private Road Standards/Intersections
Water-wise Landscaping