



EAGLE MOUNTAIN CITY COUNCIL MEETING

April 16, 2019, 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. PRESENTATION - Eagle Mountain City Branding
This is not an action item.
- 1.B. PRESENTATION - 2019-2020 Preliminary Budget
This is not an action item.
- 1.C. DISCUSSION - Blasting
This is not an action item.
- 1.D. DISCUSSION - Upcoming Code Amendments
This is not an action item.

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.

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.

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. PROCLAMATION

9.A. Proclamation

Proclaiming the last Friday in April as Arbor Day in Eagle Mountain City.

[Arbor Day Proclamation](#)

CONSENT AGENDA

10. AGREEMENT

10.A. Services Agreement Farmers Market Management

[Utah Farmers Market RFP Submittal](#)

[Farmers Market Agreement](#)

11. BOND RELEASES

11.A. Lake View Estates Phase A Plat 1 - Out of Warranty Bond Release

[Bond Release Lake View Estates Phase A Plat 1 Out of Warranty](#)

[Lake View Estates Phase A Plat 1 Recorded Plat Map](#)

11.B. Evans Ranch K-5 - Out of Warranty Bond Release

[Bond Release Evans Ranch K-5 Out of Warranty](#)

[Evans Ranch K-5 Recorded Plat Map](#)

12. CHANGE ORDERS

- 12.A. Change Order - Pony Express Parkway 2019 Widening Project
Kenny Seng
[Horrocks Proposal for Pony Express Widening](#)

13. **MINUTES**

- 13.A. April 2, 2019 Minutes
Regular City Council Meeting
[04.02.2019 City Council Minutes - DRAFT](#)

14. **RESOLUTIONS**

- 14.A. Fireworks Map
Restricted Areas within Eagle Mountain City
[2019 Firework Restrictions](#)
[Fireworks Notice](#)
[City Center Firework Restrictions](#)
[Ranches Firework Restrictions](#)
- 14.B. Utah County Interlocal Agreement
2019 Municipal Election Administration
[Election Administration Agreement with Utah County](#)
[2019 Exhibit B Eagle Mountain](#)
[2019 Scope of Work Exhibit A](#)
[Eagle Mountain ILA 2019](#)

SCHEDULED ITEMS

15. **ORDINANCES/PUBLIC HEARINGS**

- 15.A. An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Chapter 17.38 for the Commercial Storage Zone.

BACKGROUND: (Presented by Planning Staff) This is an applicant proposed amendment to section 17.38.090 Commercial Storage Zone development standards of the Eagle Mountain Municipal Code increasing the number of moving vehicles that may be stored in front of a wall.
[Draft Code Amendment](#)
[Ordinance for Commercial Storage Zone](#)
- 15.B. An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Chapter 17.20 Agriculture Zone and 17.10 Definitions.

BACKGROUND: (Presented by Planning Staff) This applicant proposed Code amendment adds a conditional use to the Agriculture Zone and creates a definition for an "Equine Assisted Therapy Center."

[Proposed Code Change](#)
[Potential Concept Plan](#)
[Ordinance for Agriculture Zone](#)
[MIN--DRAFT PC 04.09.2019 \(Agriculture and Definitions Amendment\)](#)

- 15.C. An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Chapter 16.15 for Concept Plans.

BACKGROUND: (Presented by Planning Staff) This staff proposed development code amendment clarifies that concept plans, in addition to being reviewed by the Planning Commission, may also be reviewed by the City Council.

[Draft Code](#)

[MIN--DRAFT PC 04.09.2019 \(Concept Plans Amendment\)](#)

16. MOTION/PUBLIC HEARING

- 16.A. Significant Land Disposal - Portion of Parcel 46:543:0075

BACKGROUND: (Presented by Staff) This staff proposed disposal of a portion of parcel 46:543:0075 will increase the size of lot 23 in the Ranches Estates Plat C subdivision, providing adequate frontage for the lot. The developer has agreed to build a single story home on the lot in exchange for the property, which otherwise couldn't be built. Development of specific portions of the golf course was approved with its sale, which will enable Vanguard to generate funds necessary to build a clubhouse. The property is located south of Mt. Airey Drive.

[Ranches Estates Plat C.pdf](#)

17. MOTION

- 17.A. Hidden Hollow Blasting Permit Application

BACKGROUND: (Presented by City Engineer Chris Trusty) Cadence Capital, the developers of the Hidden Hollow subdivision, received a blasting permit approved by the City Council in 2018. The applicant performed blasts in accordance with the approved permit, but needed to clear blasted materials before completing all requested blasts. Because the approved permit included a completion date which was not met, the applicant will need to reapply to complete blasting for that site.

[Blast Permit for Utility Trenching 4-3-19](#)

[2019 Blasting Plan for Hidden Hollow](#)

[Hidden Canyon Blasting Permit Application](#)

- 17.B. Juniper Springs Blasting Permit Application

BACKGROUND: (Presented by City Engineer Chris Trusty) Westates Companies has submitted a blasting application to blast for earthwork at the Juniper Springs project, which is

located east of Hidden Hollow Elementary, on the south side of Pony Express Parkway. City Council approval is required as the blasting would occur within 1320 feet of existing structures. This item was tabled at the March 19, 2019 City Council meeting.

[Juniper Springs Completed Blasting Permit Application](#)

[Juniper Springs Blasting Narrative](#)

[Juniper Springs Blasting Permit Recommendation for Denial](#)

[Response to Recommendation for Denial Letter sent by City](#)

[ASD Conditions for Blasting](#)

[Updated Layout with Aerial](#)

[Updated Layout with no Aerial](#)

17.C. Juniper Springs Request for Partial Waiver of Application Fees

BACKGROUND: (Presented by Planning Staff) The applicant for the Juniper Springs project is proposing some modifications to the layout of a portion of the project in order to reduce the necessary earthwork and blasting. Since this would require applications for an amended preliminary plat and an amended site plan, and he is only changing a small portion of the project, he is requesting a partial waiver of the application fees for those applications.

[Juniper Springs Concept](#)

[Juniper Springs Concept Aerial](#)

17.D. Glenmar Ranches Phase B Request for Waiver of Streetlight Requirements

BACKGROUND: (Presented by Planning Staff) The applicant for the Glenmar Ranches Phase B project is requesting a waiver or a partial waiver of streetlight requirements. According to Chapter 17.25.110 EMMC, subdivisions developed at a "base density" may be exempted from installing streetlights at the discretion of the City Council.

[Glenmar Ranches Phase B](#)

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. Financial Report

This is not an action item.

[Executive Summary of Revenues and Expenses March 2019](#)

20.B. Upcoming Agenda Items

This is not an action item.

Upcoming Agenda Items

21. **ADJOURNMENT**

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above agenda notice was posted on this **11th day of April, 2019**, 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 CITY
CITY COUNCIL MEETING
APRIL 16, 2019**

TITLE:	PRESENTATION - Eagle Mountain City Branding		
ITEM TYPE:	Presentation		
FISCAL IMPACT:	N/A		
APPLICANT:			
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:
No

REQUIRED FINDINGS:

**PLANNING COMMISSION
ACTION /
RECOMMENDATION**

PREPARED BY:

Evan Berrett, Admin

RECOMMENDATION:

BACKGROUND:

Eagle Mountain City has gone through a few logos and brands already in only 23 years. Our current logo and brand standards were developed and implemented in 2008-2009. Since the introduction of our current branding, remnants of our old branding still exist throughout the City. Additionally, since that time, a lot has changed with Eagle Mountain City including the sale of our utilities, a new middle school and high school, an entirely new fiscal path, and more. A discussion has arisen regarding the need to reevaluate our brand to make it more effective, meaningful, and match the vision for the City. It was determined that a concept for a new logo be designed to demonstrate the possibilities in a new brand. The combined efforts of Jibe Media and Eagle Mountain City staff have created a concept for Council's review and to initiate the discussion of a brand overhaul.

Attachments:



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
APRIL 16, 2019**

TITLE:	DISCUSSION - Upcoming Code Amendments		
ITEM TYPE:	Discussion		
FISCAL IMPACT:			
APPLICANT:			
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

REQUIRED FINDINGS:

**PLANNING COMMISSION
ACTION /
RECOMMENDATION**

PREPARED BY:

Steve Mumford,
Planning

RECOMMENDATION:

BACKGROUND:

BACKGROUND: (Presented by Planning Staff) A brief discussion of upcoming Code amendments, including the Extractive Industries Overlay Zone, Residential Zone, Residential Bonus Density Entitlements and Hillside Development Standards.

Attachments:



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
APRIL 16, 2019**

TITLE:	Proclamation		
ITEM TYPE:	Proclamation		
FISCAL IMPACT:	None		
APPLICANT:	Brad Hickman		
GENERAL PLAN DESIGNATION N/A	CURRENT ZONE N/A	ACREAGE N/A	COMMUNITY City Wide

PUBLIC HEARING:

No

REQUIRED FINDINGS:

N/A

**PLANNING COMMISSION
ACTION /
RECOMMENDATION**

N/A

PREPARED BY:

Brad Hickman, Parks and
Recreation

RECOMMENDATION:

That the City Council approves and proclaims the last Friday in April as Arbor Day in Eagle Mountain City.

BACKGROUND:

As part of the Tree City USA guidelines, the City will need to participate in an annual Arbor Day event. This proclamation fulfills a requirement to adopt an official proclamation designating the last Friday in April as Arbor Day.

Attachments:

[Arbor Day Proclamation](#)

PROCLAMATION

ARBOR DAY ANNUALLY THE LAST FRIDAY IN APRIL

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of topsoil, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource providing paper, building materials, fuel and countless other wood products; and

WHEREAS, trees in our city increase property values, enhance the economic vitality of our business areas, and beautify our community; and

WHEREAS, Eagle Mountain City has been recognized as a Tree City USA by the National Arbor Day Foundation and desires to continue its tree-planting practices;

NOW, THEREFORE, I, Tom Westmoreland, Mayor of Eagle Mountain City, and the Eagle Mountain City Council do hereby proclaim the last Friday of April annually as Arbor Day in Eagle Mountain City and urge all citizens to celebrate Arbor Day, to support efforts to protect our trees and woodlands and to plant trees promote the well-being of this and future generations.

Tom Westmoreland, Mayor

Stephanie Gricius, Councilmember

Donna Burnham, Councilmember

Colby Curtis, Councilmember

Benjamin Reaves, Councilmember

Melissa Clark, Councilmember



**EAGLE MOUNTAIN CITY
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TITLE:	Services Agreement		
ITEM TYPE:	Agreement		
FISCAL IMPACT:	None		
APPLICANT:	Aaron Sanborn		
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY Cory B. Wride Memorial Park

PUBLIC HEARING:

No

REQUIRED FINDINGS:

**PLANNING COMMISSION
ACTION /
RECOMMENDATION**

PREPARED BY:

Aaron Sanborn, Admin

RECOMMENDATION:

That the City Council approves an agreement between the Utah Farmers Market and Eagle Mountain City for the management of a farmers market at Cory B. Wride Memorial Park.

BACKGROUND:

Residents have requested a farmers market but the City has not been able to provide the management of such an event. The Utah Farmers Market group responded to an RFP asking for individuals to provide the management of a farmers market to be held at Cory B. Wride Memorial Park. This event would be wholly managed by Utah Farmers Market on Saturday mornings from June - October. The City would provide space at the park for them to be able to carry out this event.

Attachments:

[Utah Farmers Market RFP Submittal](#)
[Farmers Market Agreement](#)

Cover Page

Utah Farmers Market

Utah Farmers Market is hereby putting forth this proposal in response to the Request For Proposal (RFP) posted by Eagle Mountain City to organize and manage a Farmers Market in Eagle Mountain.

The Utah Farmers Market company was formed with the intention of managing farmers markets, particularly in Eagle Mountain. The company is owned by Becky and Tim Painter of Eagle Mountain, Utah.

We became aware of interest in the community of Eagle Mountain to have a Farmer's Market in the spring of 2018 and have since that time been researching, organizing, networking and preparing with the intention of becoming Farmers' Market managers.

We look forward to a Farmers Market in Eagle Mountain becoming a local event that our citizens and neighbors will look forward to attending where they can find friends, food, and community building activities to enrich their lives, not only nutritionally, but socially, spiritually, physically and financially.

Company and General Information

Utah Farmers Market Company

2536 Valley Drive
Eagle Mountain, Utah 84005

Tim Painter (Owner)
Becky Painter (Owner)
801-471-4506
Bpainter13@gmail.com

The undersigned, as owners of the Utah Farmers Market company, have read the RFP To Provide Farmers Market Management and will comply with all terms and conditions of the RFP.

Signed: Tim Painter Date: Mar 6, 2019
Signed: Becky Painter Date: Mar 6, 2019

The Utah Farmers Market Management Company consists of:

Becky Painter
Tim Painter

Other employees and volunteers will be hired to run the market as we determine the needs, size and scope of the market. One or more members of our staff will be in attendance at every event.

Qualifications and Experience

Background

Becky and Tim are experienced small business owners having previously owned and run a business in Eagle Mountain named Everything Logos. They successfully ran that business for 10 years providing services for many people in Eagle Mountain and surrounding communities.

They have sold that business and Becky has now moved on to found **I C A N Academy**. I C A N Academy is a non-profit organization which is an agricultural and equestrian academy in Eagle Mountain that is intended to benefit the lives of special needs youth and adults. The Agricultural Academy runs a market garden farm on the Painter's property in Cedar Pass Ranch with the intention of training and employing special needs youth and adults to be farmers in an urban setting.

In order to support our non-profit organization, I C A N Academy needs venues to sell the produce grown on the farms. A farmers' market is a great place to do that selling. Since there is not an active Farmers Market in Eagle Mountain or the surrounding area, Eagle Mountain city was contacted with the aim of making the market a reality. In speaking with other farmers market managers in the area, we felt it would be best to have a separate company to manage the farmers market and so the Utah Farmers Market Management Company was created.

As you can see the success of the Eagle Mountain Farmers Market is important to us and we therefore have a vested interest in making it successful. Through conversations with other market managers we have come to understand the challenges we face in starting a new farmers market. Farmers want to sell in markets that will have high attendance, be close to their farm and have good and fair management practices. As farmers ourselves we can see both sides of the issue and will work to make the market attractive to both the farmer and the citizens.

Education and Collaboration

In an effort to get a greater understanding of farmers markets, Becky attended the **Utah State University Urban and Small Farms Conference** in February of 2019. A breakout session was held with 28 Farmers Market Managers in attendance. Regan Emmons is the Farmers Market Promotion Program Coordinator for Utah State University and she led the session. All the market managers voiced their ideas, concerns, suggestions and assistance to each other to support the Farmers Markets in Utah and to organize as a group to support each other and help to provide resources and collaboration to promote farmers markets in existence as well as to new farmers markets. Future education, webinars and meetups were among the topics covered.

We have attended numerous farmers markets, talked to the farmers and vendors, assessed the sites, infrastructure, amenities, support systems, and activities. We have researched what the

people like and what they don't like. Each market has its unique qualities and challenges. The scope of the markets are varied in practice and design. No two markets are the same, nor are they run the same. Each one is run by the management company and the policies and practices are varied. We have researched as much as possible, all of the options and feel we have gained a good understanding of the practices that will be required to manage the market and provide a safe and inviting venue for the vendors and the attendees.

We are also connected with other Farmers Market Managers on a Utah Farmers Market Managers Facebook group where we share ideas and ask questions and support each other in our efforts.

Although we have not been the managers of a farmer's market before this time, we feel we have an elevated interest in making this market successful and have put in a lot of time and effort into understanding the best practices of farmers markets and how to make them successful.

Proposal for the Eagle Mountain Farmer's Market

In response to the desire of Eagle Mountain City and its citizens to have a well-functioning, well attended, and engaging Farmers' Market, we are presenting our plans and organizational ideas to accomplish this goal. We understand that Eagle Mountain is providing the venue for the Farmers' Market at Cory Wride Memorial Park. The plans presented here are intended be implemented at that location.

I. Overview

Our vision for the Farmers' Market is to attract as many local farmers and artisans as possible, support their enterprises and provide availability for our citizens to have access to quality, locally grown food. We have contacted many farmers, assessing their interest in becoming a vendor at an Eagle Mountain Farmers market and it is going to be a challenge to get them to attend a new market because of the distance from their farms and the possibility of low traffic volumes for a new market. With this understanding we will continue to network with these farmers and invite them to participate and continue to update them and encourage their participation.

II. Venue and Schedule

Our understanding is that Eagle Mountain City will not charge for the use of the facilities at the Cory Wride Memorial Park. A contract will be created outlining the use of the facility and guidelines for the care and use of the properties.

The time frame of the market we propose will begin the Saturday of the week of the Pony Express Days events (June 1, 2019) and run to the end of October. The hours of operation are proposed to be from 9 am to 1 pm, rain or shine.

III. Compliance

It will be the responsibility of the management team to obtain the permits from the Utah County Health Department and adhere to all Utah state and Utah State Department of Agriculture (USDA) regulations for farmers markets. A market manager will be on site throughout the market to be available for inspections by the USDA.

The Farmers' Market Management Company will oversee the setting up and taking down of the market each week and will have an information booth set up at each market to answer questions and have first aid supplies available with personnel or volunteers to assist vendors and market customers as needed.

IV. Vendors

We propose to invite a variety of vendors to the market and will vet them through an application process. We propose to only have local (Utah) farmers and producers as vendors at the market. The specifics for each vendor category is as follows:

1. **Farmers:** Farmers will be our highest priority to attract and support at the markets. We will require that they adhere to the state requirements for any necessary insurance, inspection and safety regulations as outlined by the UDAF and County Health Department.

Fees: No charge

2. **Cottage Industries/Home Production:** This vendor category includes two types of home production.

Home Production and Homemade Food Act Products

The state of Utah has passed the Home Consumption and Homemade Food Act HB 181 in the 2018 General Session. This act allows for the sale of products produced at home to be sold at direct-to-consumer markets. See the bill on the Utah State government web site for more details.

Cottage Industry

Cottage industries are also homebased food production businesses that are licensed and regulated by the USDA. Information and details about cottage industries can be found at ag.utah.gov/cottage-food-production.html

Many existing Farmers' Markets in the state of Utah have not allowed these producers to sell at their markets, but we believe it is in the interest of supporting our citizens and encouraging the entrepreneurial growth of business in our community to invite small enterprising individuals to bring their goods to a local market. As directed in the bill, we will have a designated area of the market that will, according to the bill, be sectioned off and labeled to make the public aware of the regulations concerning the goods sold in this area.

Fees: \$20/per day or \$300 for the season.

3. **Youth Vendor:** Youth farmers and producers will be encouraged to bring their products to market and will be offered a reduced rate for their booths.

Youth vendors must follow the same rules and regulations as the category above.

Fees: \$5/per day or \$75/season

4. **Other Vendors:** Other vendors will be accepted as space permits. They will be vendors selling non-food products produced by the vendor. We will reserve the right to vet the products that are sold, with preference for products by those living closer to the market and those who have unique products.

Fee: \$25/per day or \$360/season

5. **Food Trucks:**

Fee: \$50/per day or \$800 season

V. **Entertainment**

Entertainers of all types will be sought after to come and provide an atmosphere of fun and to liven up the scene.

Fee: No charge

VI. **Marketing**

Good marketing will be vital to the success of the market. To keep marketing costs down social media and other digital avenues will be used to reach the citizens of Eagle Mountain and surrounding areas.

A website just for Eagle Mountain Farmers Market will be created. This website will be the location where vendors can download an application and handbook of instructions for the market. It will also be a place where citizens can see information about vendors, attractions, and schedule. We will include video and interviews of people coming to the market.

We propose that the Eagle Mountain City participate in the market by listing information on their website, sending emails and texts and other mediums under their control to make people aware of the market.

Eagle Mountain Farmers Market Facebook Page has already been created and will be reactivated by the new management team. Pictures, videos and updated information will be posted there.

Other Social Media avenues will be utilized to spread the word.

Flyers will be created and posted in local business establishments

VII. Volunteers

There will be opportunities for volunteer to participate in making the market run smoothly. We will be seeking greeters, information booth personnel, set up and clean-up crew members, advertising volunteer members to place signs, etc.

Eagle Mountain City Collaboration and Communication

We have and will continue to value the communication, cooperation and collaboration with the city of Eagle Mountain and in particular Aaron Sanborn. We appreciated the use of the facility to host the farmers market for the citizens of Eagle Mountain and surrounding areas and hope that this will continue to grow throughout the coming years and become an amazing event to be attended each week during many summers to come.

We appreciate the opportunity to submit this proposal and look forward to participating in a great farmers market in Eagle Mountain.

CONTRACT FOR FARMERS MARKET MANAGEMENT

This Contract for Farmers Market Management (this “**Agreement**”) is entered into as of the date first executed below between **Tim Painter and Becky Painter (d.b.a. Utah Farmers Market)**, with their principal place of business located at 2536 Valley Drive, Eagle Mountain, Utah 84005 (“**Independent Contractor**”) and **EAGLE MOUNTAIN CITY**, a Utah municipal corporation with its principal place of business located at 1650 E. Stagecoach Run, Eagle Mountain, Utah 84005 (“**City**”).

RECITALS

This Agreement is entered by the Parties with respect to the following facts:

1. In February 2019, City noticed a *Request for Proposals to Provide Farmers Market Management* (the “**RFP**”) to manage and operate a farmers market at Cory Wride Memorial Park.
2. On or about March 6, 2019, Independent Contractor provided a response to the RFP (the “**Response**”).
3. City desires to retain Independent Contractor to provide the services set forth in the RFP and the Response (the “**Services**”), subject to the terms and conditions set forth in this Agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the promises, the mutual covenants and undertakings of the parties hereto, and for other good and valuable consideration, the receipt and legal sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. **Operation of Market.** Independent Contractor agrees to manage and operate a farmers market (the “**Market**”) in Cory Wride Memorial Park (the “**Park**”) each Saturday (except as altered below) from 9 a.m. to 1 p.m. beginning on June 1, 2019 and continuing through October 26, 2019. The City shall designate an area in the Park that is suitable for the Market, and shall provide the use of the Park (including the parking lot, restrooms and facilities) to Independent Contractor free of charge. If the City has other events at the Park that conflict with the Market, City shall attempt to provide, but is not required to provide, an alternative location at the Park, or at another location close to the Park, for the Market. City shall notify Independent Contractor as soon as possible if Independent Contractor is required to move the location of the Market.
2. **Vendors.** Independent Contractor shall be responsible to organize all vendors for the Market. Independent Contractor shall be entitled to retain all the fees from vendors for Independent Contractor’s services, but Independent Contractor shall not charge vendors fees in excess of the fees set forth in paragraph IV of the Response without the written consent of the City Administrator of Eagle Mountain City. Independent Contractor shall provide, or require

vendors to provide, garbage service and electricity sufficient for each vendor. Independent Contractor shall be responsible to assure that vendors comply with all other conditions as detailed in the Response, including, but not limited to, assuring that vendors comply with all Utah County Health Department and Utah State Department of Agriculture regulations.

3. **Marketing.** Independent Contractor shall be responsible for all advertising and marketing of the Market. Independent Contractor agrees that City may, in City's sole discretion, assist Independent Contractor in marketing the Market, and Independent Contractor hereby grants to City an irrevocable license to utilize any and all marketing material of Independent Contractor related to the Market.

4. **Services Performed in a Professional, Reasonable Manner.** The Services shall be provided by Independent Contractor in a professional manner in compliance with all rules, regulations, and laws and applicable standards of performance, including, but not limited to, the status verification system requirements for contractors set forth in Utah Code Ann. § 63G-11-103. Subject to the foregoing, the exact nature of how the Services are to be performed and other matters incidental to providing the Services shall remain with Independent Contractor.

5. **Equipment and Facilities.** For purposes of performing the Services, Independent Contractor shall furnish and supply at its sole cost all necessary labor, supervision, equipment, tools, and supplies necessary and incident to performing the Services.

6. **Alcohol and Drug-free Work Place.** All personnel during such time that they provide Services shall not be under the influence of alcohol, any drug, or combined influence of alcohol or any drug to a degree that renders the person incapable of safely providing the Services. Further, all personnel during such time that they provide Services shall not have sufficient alcohol in his body, blood, or on his breath that would constitute a violation of UTAH CODE ANN. § 41-6a-502 (without giving any consideration to or establishing the requirement of operating or being in physical control of a vehicle) or any measurable controlled substance in his body that would constitute a violation of UTAH CODE ANN. § 41-6a-517 (without giving any consideration to or establishing the requirement of operating or being in physical control of a vehicle).

7. **Disclosure of Records.** Independent Contractor agrees that at the request of City, Independent Contractor shall provide to City all financial records of Independent Contractor related to the Market.

8. **Public Information.** Independent Contractor understands and agrees that this Agreement and related documents, will be public records as provided in Utah Code Ann. § 63G-2-103, et seq.

9. **Indemnity.** Independent Contractor shall defend, indemnify, save, and hold harmless City, including its elected and appointed officials, employees, agents, and contractors from and against any and all demands, liabilities, claims, damages, actions, or proceedings, in law or in equity, including reasonable attorneys' fees and costs of suits, relating to or arising from Independent Contractor providing the Services.

10. **Term.** This Agreement shall be effective as of the date hereof and shall terminate on October 30, 2019; provided, however, upon the written consent of the parties hereto and subject to the right to terminate as provided herein, this Agreement may be renewed for successive one (1) year terms.

11. **Assignment and Delegation.** Independent Contractor will not assign or delegate the performance of its duties under this Agreement without the prior written approval of City.

12. **Employment Status.**

a. **Official Status.** Independent Contractor shall have complete control and discretion over all personnel providing Services hereunder. All such personnel shall be and remain employees of Independent Contractor and shall be considered to be independent contractors.

b. **Salary and Wages.** City shall not have any obligation or liability for the payment of any salary or other compensation to personnel providing Services hereunder.

c. **Employment Benefits.** All personnel providing Services hereunder are and shall remain employees of Independent Contractor. All personnel providing Services shall have no right to any City pension, civil service, or any other City benefits pursuant to this Agreement or otherwise.

13. **Termination.** City may terminate this Agreement if City, in City's sole discretion, determines that Independent Contractor has materially breached any provision of the Agreement, and Independent Contractor fails to cure such breach within seven (7) days written notice to Independent Contractor of such breach.

14. **Claims and Disputes.** Claims, disputes, and other issues between the parties arising out of or related to this Agreement, shall be decided by litigation in the Fourth Judicial District Court in and for Utah County, Utah. Unless terminated pursuant to provisions hereof or otherwise agreed in writing, Independent Contractor shall continue to perform the Services during any such litigation and City shall continue to make payments to Independent Contractor in accordance with the terms of this Agreement.

15. **Counterparts.** This Agreement may be executed in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

16. **Applicable Law.** The provisions hereof shall be governed by and construed in accordance with the laws of the state of Utah.

17. **Exhibits and Recitals.** The recitals set forth above and all exhibits to this Agreement (including the RFP and Response) are incorporated herein to the same extent as if such items were set forth herein in their entirety within the body of this Agreement.

18. **Conflicts of Interest.** Independent Contractor represents and certifies that it has not offered or given any gift or compensation prohibited by law to any officer or employee of City to secure favorable treatment with respect to being awarded this Agreement.

DATED this _____ day of _____, 2019.

EAGLE MOUNTAIN CITY

Tom Westmoreland, Mayor

ATTEST:

APPROVED AS TO FORM:

Fionnuala B. Kofoed, MMC
City Recorder

Jeremy R. Cook, City Attorney

DATED this _____ day of _____, 2019.

**TIM PAINTER AND BECKY PAINTER
(D.B.A. UTAH FARMERS MARKET)**

Tim Painter

Becky Painter

EXHIBIT A



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

Monday, April 8, 2019

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

SUBJECT: Lake View Estates phase "A" plat 1 out of warranty Bond Release

City Recorder:

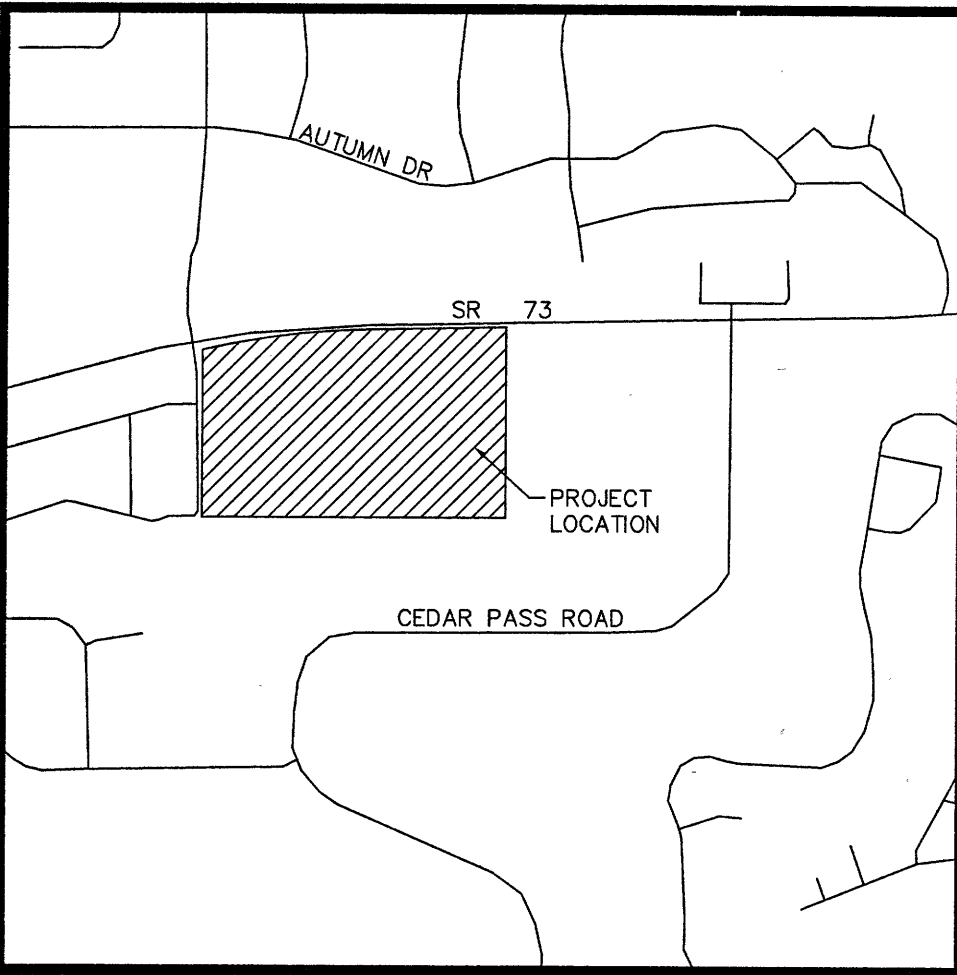
The above referenced subdivision has completed the required one year maintenance period as required in their development agreement. After performing a walkthrough of this subdivision, I would recommend that the city accepts the subdivision as complete and release all bonds still held by the developer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

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

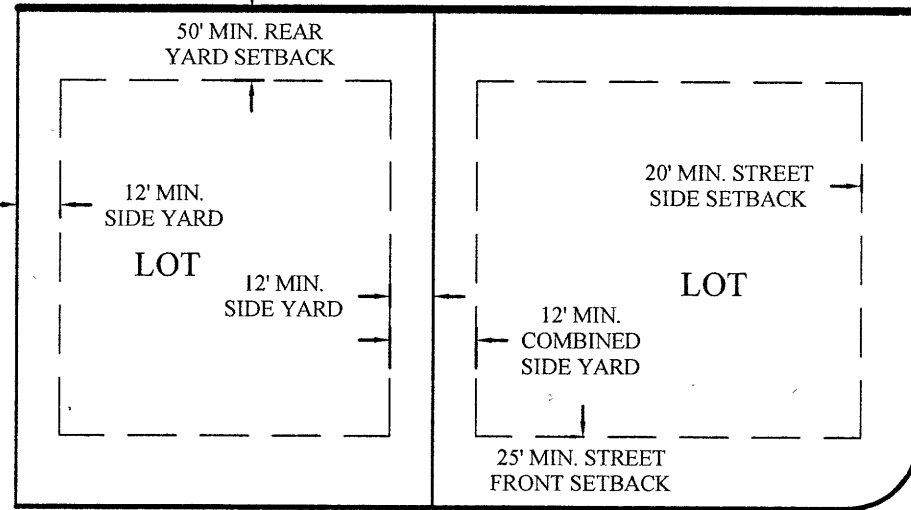
Sincerely,

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

Cc: Fionnuala Kofoed, City Recorder



VICINITY MAP
N.T.S.



TYPICAL BUILDING SETBACKS
N.T.S.

NOTES:

1. STREET MONUMENT TO BE SET
2. #5 REBAR AND CAP (FOCUS ENG) TO BE SET AT ALL LOT CORNERS. LEAD PLUGS TO BE SET IN THE TOP BACK OF CURB ON THE PROJECTION OF SIDE LOT LINES.
3. P.U. & D.E. = PUBLIC UTILITY & DRAINAGE EASEMENT
4. PARCEL A IS HEREBY DEDICATED TO EAGLE MOUNTAIN CITY AS A DRAINAGE EASEMENT AND PARK.

PLAT CALCULATIONS

TOTAL ACREAGE:	27.96± ACRES
BUILDABLE ACREAGE:	22.12± ACRES
TOTAL ACREAGE IN LOTS:	22.12± ACRES
TOTAL OPEN SPACE:	1.65± ACRES
TOTAL IMPROVED OPEN SPACE:	0.69± ACRES
AVERAGE LOT SIZE:	1.50± ACRES
LARGEST LOT SIZE:	0.50± ACRES
SMALLEST LOT SIZE:	1.15 LOTS/ACRE
OVERALL DENSITY:	32 LOTS
TOTAL # OF LOTS:	

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. 1 Tariff.

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

ROCKY MOUNTAIN POWER

DATE

QUESTAR GAS COMPANY

Questar approves this plat solely for the purposes of confirming that the plat contains public utility easements. Questar 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 acknowledgment 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 Questar's Right-of-way department at 1-800-366-8532.

Approved this 30 day of June, 2017, Questar Gas Company

By: *Caplan*

Title: *Pres-Const*

SURVEYOR'S CERTIFICATE

I, DENNIS P. CARLISLE, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 172675 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 THE MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAT, AND THAT THIS PLAT IS TRUE AND CORRECT.

Dennis P. Carlisle
DENNIS P. CARLISLE
PROFESSIONAL LAND SURVEYOR
CERTIFICATE NO. 172675

January 27, 2017
DATE

BOUNDARY DESCRIPTION

A portion of the SE1/4 of Section 18, Township 5 South, Range 1 West, Salt Lake Base & Meridian, located in Eagle Mountain, Utah, more particularly described as follows:

Beginning at the Southeast Corner of Section 18, T5S, R1W, S1B& M; thence N89°29'31"W 2,653.73 feet along the Section line and the north line of Plat "K", CEDAR PASS RANCH Subdivision, according to the Official Plat thereof on file in the Office of the Utah County Recorder to the South 1/4 Corner of said Section 18 and the easterly line of WESTVIEW HEIGHTS Subdivision, according to the Official Plat thereof on file in the Office of the Utah County Recorder; thence N0°26'33"E along said plat 966.64 feet; thence S8°39'26"E 78.28 feet; thence along the arc of a 526.00 foot radius curve to the right 83.54 feet through a central angle of 9°05'59" (chord: S4°06'27"E 83.45 feet); thence S0°26'33"W 36.78 feet; thence along the arc of a 15.00 foot radius curve to the left 23.56 feet through a central angle of 90°00'00" (chord: S44°33'27"E 21.21 feet); thence S89°33'27"E 161.00 feet; thence S0°26'33"W 300.50 feet; thence S89°33'27"E 237.50 feet; thence S0°26'33"W 47.22 feet; thence N89°12'29"E 1,885.35 feet; thence N89°02'44"E 334.65 feet to the east line of said Section 18; thence S0°13'20"W along the Section line and the westerly line of a portion of said Plat "K", CEDAR PASS RANCH Subdivision 458.47 feet to the point of beginning.

Contains: 27.96± acres

OWNER'S 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.

Steven F. Allred
RCA68, LC

BY: *Steven F. Allred* (PRINTED NAME)

ITS: *Manager*

ENT. 66972:2017 File # 1
JEFFERY SMITH
UTAH COUNTY REC'D
2017 JUN 11 2:51 PM
RECEIVED FOR EAGLE MOUNTAIN CITY

LIMITED LIABILITY ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF UTAH

ON THE 29 DAY OF June, A.D. 2017 PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY OF Utah, *Steven F. Allred*, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS THE *Manager* OF *RCA68, LC*, LLC, AND THAT HE SIGNED THE OWNERS DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID LIMITED LIABILITY COMPANY FOR THE PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES *1/1/2020*

68677
NOTARY ADDRESS

Jeffery B. Smith
A NOTARY PUBLIC COMMISSIONED IN UTAH
Jeffery B. Smith
PRINTED FULL NAME OF NOTARY

ACCEPTANCE BY LEGISLATIVE BODY

THE CITY COUNCIL OF EAGLE MOUNTAIN CITY, COUNTY OF 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 June, 2017.

Caplan
APPROVED BY MAYOR

Caplan
APPROVED BY CITY ATTORNEY

Christopher J. Trusty
APPROVED BY CITY ENGINEER
(SEE SEAL BELOW)

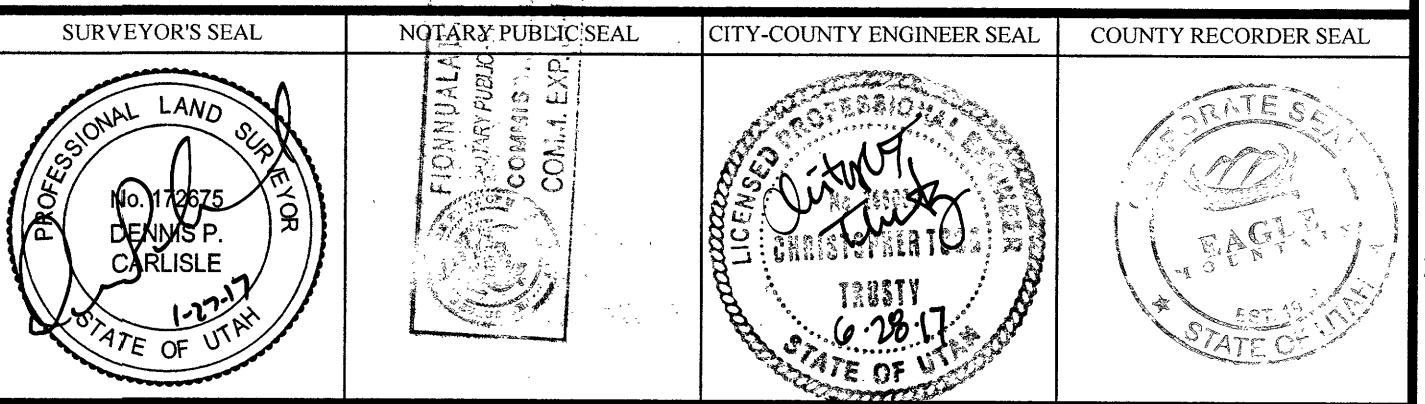
Caplan
ATTEST BY CITY RECORDER
(SEE SEAL BELOW)

SHEET 1 OF 2

PHASE "A" PLAT 1
LAKE VIEW ESTATES
SUBDIVISION

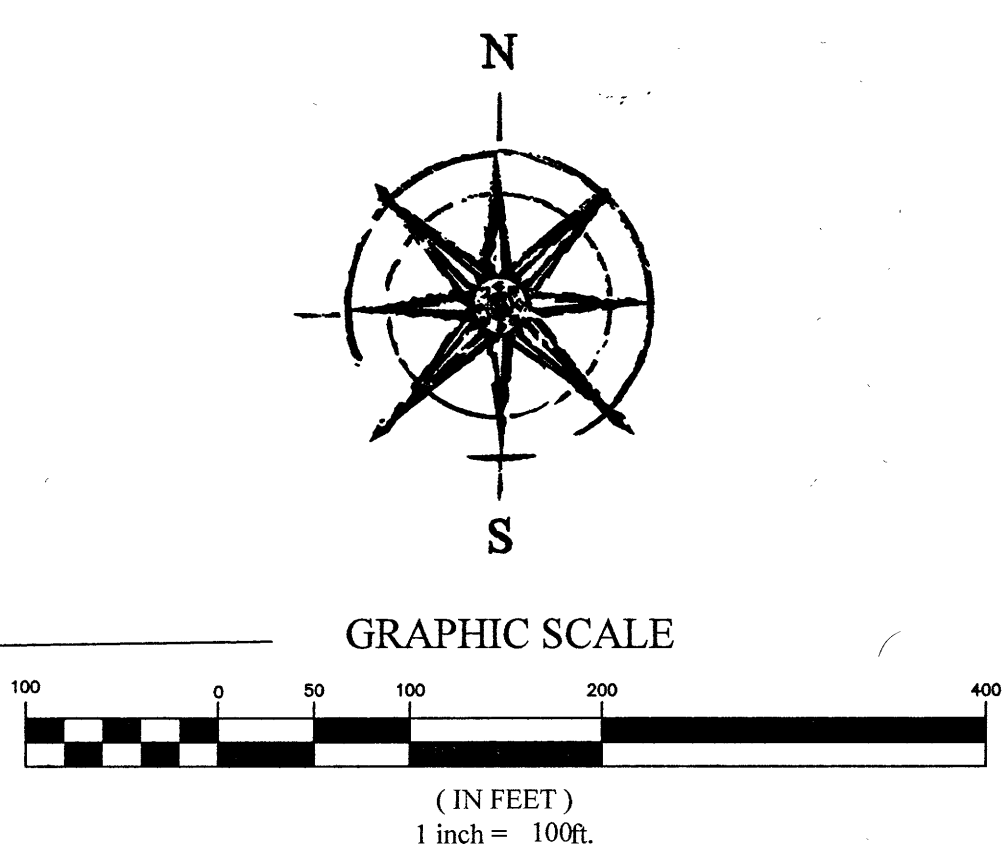
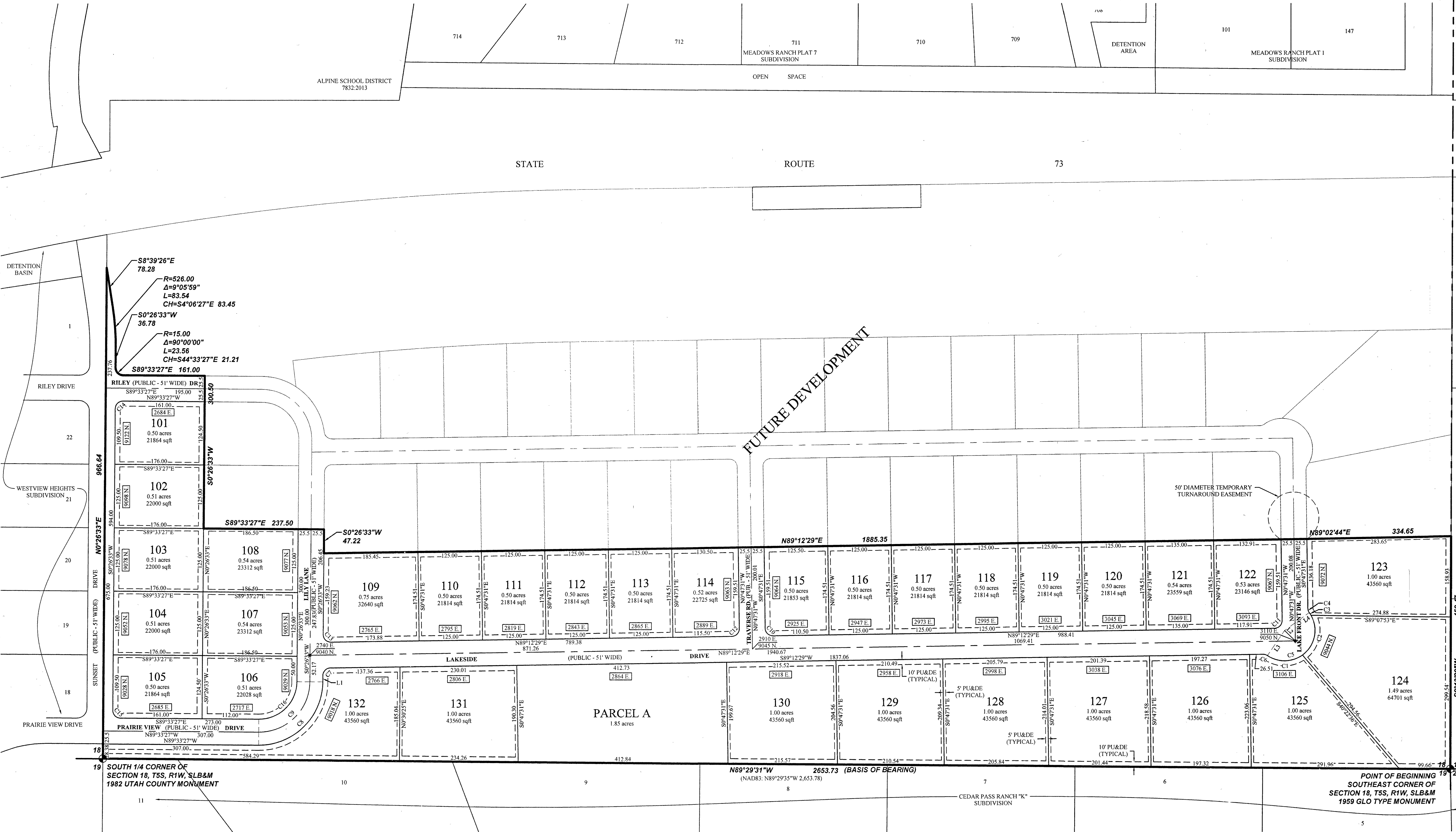
EAGLE MOUNTAIN, UTAH COUNTY, UTAH

SCALE: 1"=150'



PREPARED BY

FOCUS
ENGINEERING AND SURVEYING, LLC
32 WEST CENTER STREET
MIDVALE, UTAH 84047 PH: (801) 352-0075
www.focusutah.com



Curve Data:
S8°39'26"E 78.28
R=526.00
Δ=9°05'59"
L=83.54
CH=S4°06'27"E 83.45
S0°26'33"W 36.78
R=15.00
Δ=90°00'00"
L=23.56
CH=S44°33'27"E 21.21
S89°33'27"E 161.00

19 SOUTH 1/4 CORNER OF SECTION 18, T5S, R1W, SLB&M 1982 UTAH COUNTY MONUMENT

POINT OF BEGINNING SOUTHEAST CORNER OF SECTION 18, T5S, R1W, SLB&M 1959 GLO TYPE MONUMENT

Curve Table					
CURVE	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	60.00	70°15'30"	73.57	S89°09'25"W	69.05
C2	60.00	83°53'02"	87.84	S12°05'09"W	80.21
C3	60.00	6°00'50"	6.30	S32°51'47"E	6.29
C4	15.00	35°04'41"	9.18	S18°19'51"E	9.04
C5	60.00	160°09'22"	167.71	N44°12'29"E	118.21
C6	15.00	35°04'41"	9.18	N73°15'11"W	9.04
C7	15.00	88°45'56"	23.24	S44°49'31"W	20.98
C8	125.50	90°00'00"	197.13	N45°26'33"E	177.48
C9	100.00	90°00'00"	157.08	N45°26'33"E	141.42
C10	15.00	90°00'00"	23.56	S45°47'31"E	21.21
C11	15.00	90°00'00"	23.56	N44°12'29"E	21.21
C12	15.00	90°00'00"	23.56	N44°12'29"E	21.21
C13	15.00	91°14'04"	23.89	S45°10'29"E	21.44
C14	15.00	90°00'00"	23.56	S45°26'33"W	21.21
C15	15.00	90°00'00"	23.56	S44°33'27"E	21.21
C16	74.50	90°00'00"	117.02	N45°26'33"E	105.36

Line Table		
LINE	DIRECTION	LENGTH
L1	S00°26'33"W	12.53
L2	S45°47'31"E	29.53
L3	N34°17'10"E	60.00
L4	N54°07'48"E	60.00

PREPARED BY
FOCUS
ENGINEERING AND SURVEYING, LLC
32 WEST CENTER STREET
MIDVALE, UTAH 84047 PH: (801) 352-0075
www.focusutah.com

SHEET 2 OF 2

**PHASE "A" PLAT 1
LAKE VIEW ESTATES
SUBDIVISION**

EAGLE MOUNTAIN, UTAH COUNTY, UTAH
SCALE: 1"=100'

SURVEYOR'S SEAL	NOTARY PUBLIC SEAL	CITY-COUNTY ENGINEER SEAL	COUNTY RECORDER SEAL

15615 SHEET 2 of 2



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

Monday, April 01, 2019

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

SUBJECT: Evans Ranch plat "K-5" exit warranty Bond Release

City Recorder:

The above referenced subdivision has completed the all required improvements. With the approval of the installed infrastructure, we are recommending this subdivision exit the required one year warranty period. Release any remaining bond.

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

Sincerely,

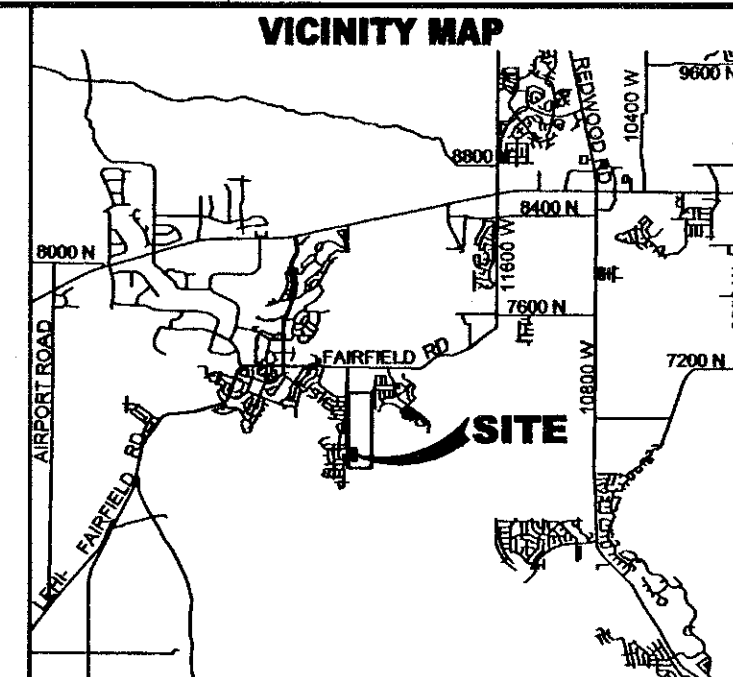
Christopher T. Trusty, P.E.
Engineering Director
Eagle Mountain City

Cc: Fionnuala Kofoed, City Recorder
Chris Cozens, DAI

EVANS RANCH

PLAT "K-5"

A PORTION OF THE SOUTHWEST QUARTER
OF SECTION 28, T5S, R1W SLB&M



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 SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT LOCATED N0°37'03"E ALONG THE SECTION LINE 1004.55 FEET & EAST 50.99 FEET FROM THE SOUTHWEST CORNER OF SECTION 28, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE N78°10'16"E 69.18 FEET; THENCE ALONG THE ARC OF A 456.50 FOOT RADIUS CURVE TO THE RIGHT 101.47 FEET THROUGH A CENTRAL ANGLE OF 12°44'07" (CHORD: N64°32'19"E 101.26 FEET); THENCE ALONG THE ARC OF A 97.00 FOOT RADIUS CURVE TO THE RIGHT 107.00 FEET THROUGH A CENTRAL ANGLE OF 10°57'59" (CHORD: S83°36'38"E 106.71 FEET); THENCE S0°37'03"W 638.23 FEET; THENCE N89°22'57"W 141.00 FEET; THENCE N0°37'03"E 32.10 FEET; THENCE N89°22'57"W 170.00 FEET; THENCE N0°37'03"E 451.99 FEET; THENCE ALONG THE ARC OF A 398.00 FOOT RADIUS CURVE TO THE LEFT 125.29 FEET THROUGH A CENTRAL ANGLE OF 18°02'11" (CHORD: N87°03'37"W 124.77 FEET); THENCE N61°54'06"W 24.84 FEET; THENCE ALONG THE ARC OF A 26.50 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT 12.67 FEET (RADIUS BEARS: N70°22'01"E) THROUGH A CENTRAL ANGLE OF 27°39'28" (CHORD: N5°48'14"W 12.67 FEET) TO THE POINT OF BEGINNING.

CONTAINS: 44.57 ACRES

OWNERS DEDICATION

WE, THE UNDERSIGNED OWNERS OF ALL THE REAL PROPERTY DEPICTED ON THIS PLAT AND DESCRIBED IN THE SURVEYOR'S 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-807, 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.

OWNERS: Evans Ranch, LLC
By: DAI Managers, LLC
By: Nathan Ship Management

LIMITED LIABILITY COMPANY ACKNOWLEDGEMENT

STATE OF UTAH S.S.
COUNTY OF UTAH
ON THIS 9th DAY OF DECEMBER, A.D. 2016, PERSONALLY APPEARED BEFORE ME, Nathan Ship, THE SIGNER OF THE FOREGOING INSTRUMENT, WHO DULY ACKNOWLEDGED TO ME THAT (S)HE IS THE MANAGER OF THE LIMITED LIABILITY COMPANY, AND IS AUTHORIZED TO EXECUTE THE FOREGOING AGREEMENT IN ITS BEHALF AND THAT HE OR SHE EXECUTED IT IN SUCH CAPACITY.

Mindy Dansie
NOTARY PUBLIC FULL NAME: Mindy Dansie
COMMISSION NUMBER: 491627
MY COMMISSION EXPIRES: 11-19-2020
A NOTARY PUBLIC COMMISSIONED IN UTAH

ENT 126445/2016 Map 15333
JEFFERY SMITH
UTAH COUNTY RECORDER
2016 Dec 16 10:08 AM FEE \$0.00 BY SW
RECORDED FOR EAGLE MOUNTAIN CITY

ACCEPTANCE BY LEGISLATIVE BODY

THE City Council OF Eagle Mountain City, COUNTY OF 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.

APPROVED BY MAYOR: [Signature]
APPROVED BY CITY ATTORNEY: [Signature]
APPROVED BY ENGINEER: [Signature]
ATTEST: [Signature]
CITY CLERK/RECORDER

PLAT "K-5"

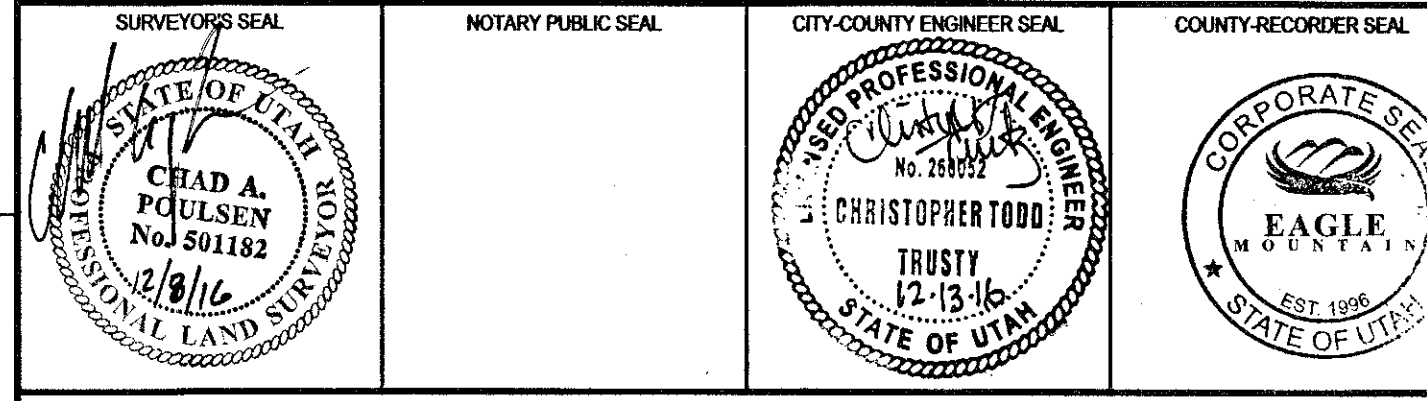
EVANS RANCH

SUBDIVISION

EAGLE MOUNTAIN

UTAH COUNTY, UTAH

SCALE: 1" = 40'



This form approved by Utah County and the municipalities therein.

NOTES:

- TYPE II MONUMENT (ALUMINUM CAP AND REBAR) TO BE SET. 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.
- ALL SITE PLANS SUBMITTED WITH BUILDING PERMIT APPLICATION SHALL SHOW THE LOCATION OF UTILITY CONNECTIONS. NO WATER METERS ALLOWED IN DRIVEWAYS.
- THE ENDS OF ALL PRIVATE ROADS (HATCHED AREA) TO BE USED AS SNOW STORAGE AREA AND ARE SUBJECT TO ASSOCIATED RESTRICTIONS.
- STREET LIGHT
- FIRE HYDRANT
- PRIVATE DRIVE / COMMON AREA MAINTAINED BY THE EVANS RANCH SOUTH OWNERS ASSOCIATION LOCATED AT 212 E. CROSSROADS BLVD #511, SARATOGA SPRINGS, UT 84045.
- ENTRY MONUMENT EASEMENT

TABULATIONS

ZONE: R, SFD/SFA
TOTAL AREA: 4.57 ACRES
OF LOTS: 29 UNITS
DENSITY: 6.35 LOTS/ACRE
LARGEST LOT: 6,590 SF
AVERAGE LOT: 5,199 SF
SMALLEST LOT: 4,840 SF

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	950.05	4°20'53"	72.10	N80°14'29"W 72.08
C2	15.01	96°54'28"	25.39	S49°07'52"W 22.47
C3	15.00	87°56'00"	23.02	N43°20'57"W 20.83
C4	977.00	1°46'40"	30.32	N88°12'17"W 30.31
C5	456.50	1°54'44"	15.23	S89°57'01"W 15.23
C6	456.50	6°56'05"	55.25	S85°31'36"W 55.22
C7	456.50	3°53'18"	30.98	S80°06'55"W 30.97
C8	26.00	95°36'46"	43.39	S30°21'53"W 38.53
C9	398.00	8°07'28"	56.44	S13°21'24"E 56.39
C10	398.00	1°53'25"	13.13	S8°20'58"E 13.13
C11	398.00	1°53'25"	13.13	S6°27'33"E 13.13
C12	398.00	6°07'53"	42.59	S2°26'54"E 42.57
C13	977.00	2°24'22"	41.03	N86°06'46"W 41.03
C14	977.00	2°33'16"	43.56	N83°37'57"W 43.55

ROCKY MOUNTAIN POWER APPROVAL

- 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.
- PURSUANT TO UTAH CODE ANN § 17-27A-803A(C)(1) 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 EASEMENT AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENT, 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

APPROVED THIS 12th DAY OF DECEMBER, 2016
QUESTAR GAS COMPANY
BY: [Signature]
TITLE: [Signature]

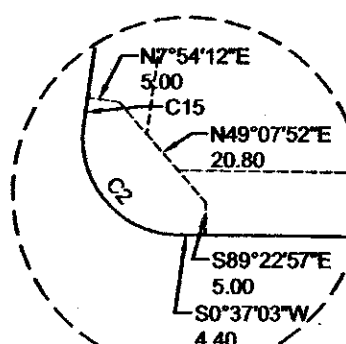
DIRECT COMMUNICATIONS APPROVAL

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. 11 TABSET.

QUESTAR APPROVAL

QUESTAR APPROVES THE PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. QUESTAR MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ASSURANCE OR WARRANTY OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGMENT 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 QUESTAR'S RIGHT OF WAY DEPARTMENT AT 1-800-366-8532.

APPROVED THIS 9th DAY OF DECEMBER, 2016
QUESTAR GAS COMPANY
BY: [Signature]
TITLE: [Signature]



PARCEL A
MAINTAINED BY
EVANS RANCH SOUTH OWNERS ASSOCIATION,
212 E. CROSSROADS BLVD #511
SARATOGA SPRINGS, UT 84045
1700 S.F.
0.04 AC.

WATERMILL DRIVE

(33' WIDE - PUBLIC)

PORTERS CROSSING

(26' WIDE - PRIVATE)

GOOSEGRASS WAY

(26' WIDE - PRIVATE)

DRYLAND WAY

(26' WIDE - PRIVATE)

FURROW WAY

(26' WIDE - PRIVATE)

WEST 1/4 CORNER SECTION 28, T5S, R1W, SLB&M

(1669 UTAH COUNTY MONUMENT)

POINT OF BEGINNING

EAST 50.99

PARCEL B

(DEDICATED TO EAGLE MOUNTAIN CITY AS PORTERS CROSSING RIGHT-OF-WAY) 532 S.F. 0.01 AC.

WEST 1/4 CORNER SECTION 28, T5S, R1W, SLB&M

(1669 UTAH COUNTY MONUMENT)

POINT OF BEGINNING

EAST 50.99

PARCEL A

(MAINTAINED BY EVANS RANCH SOUTH OWNERS ASSOCIATION, 212 E. CROSSROADS BLVD #511, SARATOGA SPRINGS, UT 84045) 1700 S.F. 0.04 AC.

PARCEL B

(DEDICATED TO EAGLE MOUNTAIN CITY AS PORTERS CROSSING RIGHT-OF-WAY) 532 S.F. 0.01 AC.

POINT OF BEGINNING

EAST 50.99

PARCEL A

(MAINTAINED BY EVANS RANCH SOUTH OWNERS ASSOCIATION, 212 E. CROSSROADS BLVD #511, SARATOGA SPRINGS, UT 84045) 1700 S.F. 0.04 AC.

PARCEL B

(DEDICATED TO EAGLE MOUNTAIN CITY AS PORTERS CROSSING RIGHT-OF-WAY) 532 S.F. 0.01 AC.

POINT OF BEGINNING

EAST 50.99

PARCEL A

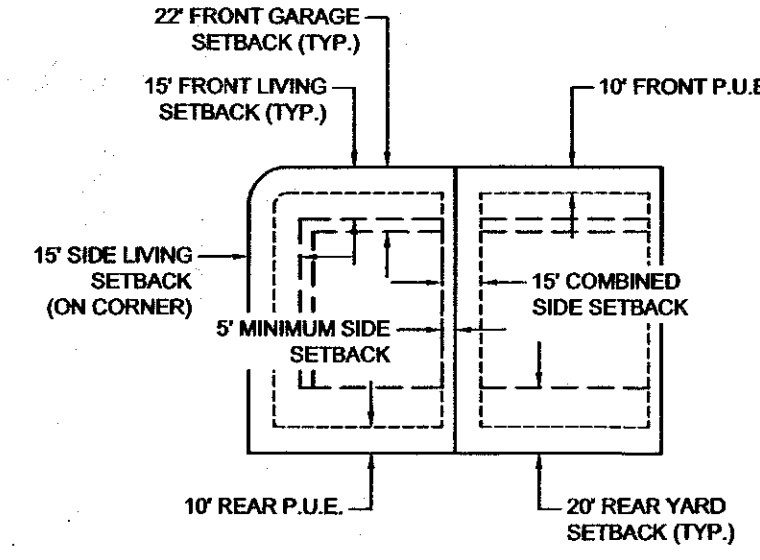
(MAINTAINED BY EVANS RANCH SOUTH OWNERS ASSOCIATION, 212 E. CROSSROADS BLVD #511, SARATOGA SPRINGS, UT 84045) 1700 S.F. 0.04 AC.

PARCEL B

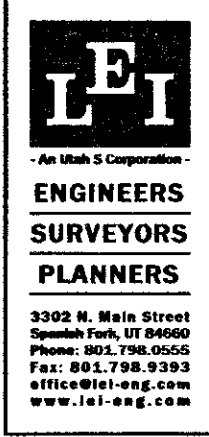
(DEDICATED TO EAGLE MOUNTAIN CITY AS PORTERS CROSSING RIGHT-OF-WAY) 532 S.F. 0.01 AC.

POINT OF BEGINNING

EAST 50.99



BUILDING SETBACK & EASEMENT DETAIL





**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
APRIL 16, 2019**

TITLE:	Change Order - Pony Express Parkway 2019 Widening Project		
ITEM TYPE:	Change Order		
FISCAL IMPACT:	\$2,000,000		
APPLICANT:	Paul Jerome		
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

No

REQUIRED FINDINGS:

N/A

**PLANNING COMMISSION
ACTION /
RECOMMENDATION**

N/A

PREPARED BY:

Paul Jerome, Admin

RECOMMENDATION:

City staff recommends that City Council approve a change order for Kenny Seng Construction in the amount of \$2,000,000 to extend the previously approved widening of Pony Express Parkway from the currently approved end at Lake Mountain Road to Mid Valley Road at Frontier Middle School. The \$2,000,000 is based on Horrocks Engineers' estimate of the cost for the construction of the road and necessary storm drain system (\$1.82M plus contingency).

BACKGROUND:

Earlier this year, City Staff engaged Horrocks Engineers to do a traffic study on Pony Express Parkway to determine if Pony Express Parkway could handle the traffic that would come with the opening of Cedar Valley High School in August 2019. The study stated that with the already approved widening project to Lake Mountain Road and traffic lights at Aviator Road and Mid Valley Road, Pony Express Parkway would need to be widened from Lake Mountain Road to Mid Valley Road at a mid-date of 2020 (likely needing to be done by the start of the 2020-21 school year). With legislation making state funding available for Pony Express Parkway likely to come again during a special session this summer, the initial recommendation was to hold off until the recommended 2020 timeframe to widen Pony Express and utilize state funding to pay for it. However, as Kenny Seng is already mobilized, and the likelihood that waiting until 2020 would still mean the city having to pay for the widening, it is recommended that we proceed to have the widening done in concurrence with the current project. The funding for this will come for approval at a subsequent Council meeting in May. The funding mechanisms will be either a combination of a transfer from funds and loans from other city funds with a 10-year payback using transportation impact fees or a loan from the Utah State Infrastructure Bank.

Attachments:

[Horrocks Proposal for Pony Express Widening](#)

2162 West Grove Parkway Ste 400
Pleasant Grove, Utah 84062
www.horrocks.com



Tel: 801.763.5100
Salt Lake line: 801.532.1545
Fax: 801.763.5101
In state toll free: 800.662.1644

February 26, 2019

Christ Trusty, P.E.
City Engineer
Eagle Mountain City
2565 N Pony Express Parkway
Eagle Mountain, Utah 84005

Subject: Proposal to Provide Engineering Services Pony Express Parkway Improvements

Dear Chris,

Thank you for the opportunity to submit this proposal to provide engineering services to improve Pony Express Parkway. Based on our conversations, we have separated the design into four separate tasks:

1. Mobile LiDAR Survey Services
2. Phase 4 Improvements – Lake Mountain Road to Mid Valley Road
3. Phase 5 Improvements – Mid Valley Road to Bobby Wren Boulevard
4. Phase 6 Improvements – Bobby Wren Boulevard to Eagle Mountain Boulevard

Based on our previous work and our understanding of Eagle Mountain's needs, we have been able to provide engineering design cost estimates far below a typical project design cost. We are confident that we can provide a set of construction design drawings that will allow a contractor to perform the work based on existing specifications for the attached estimated amounts.

We can begin work immediately. If you have any questions or need any additional information, please let me know. I can be reached at (801) 763-5168 or brentv@horrocks.com.

Sincerely,
HORROCKS ENGINEERS

A handwritten signature in blue ink, appearing to read "Brent Ventura".

Brent R. Ventura, P.E.
Principal

Exhibit A
Pony Express Widening
Phases 4-6 - Scope of Work

Task 1: Provide Supplemental Survey on Pony Express Parkway

Provide mobile LiDAR Survey from Lake Mountain Road to Eagle Mountain Boulevard. Horrocks will utilize Mobile LiDAR survey technology to provide survey along Pony Express Parkway supplemental to the existing survey base that provides survey at a minimum of 30 feet past the existing pavement

Survey Fee: **\$6,100**

Task 2: Roadway Design Services

We will provide construction drawings for phases requested by the City. We understand that Phase 4 is likely the only package that will be designed at this time.

Phase 4 – Lake Mountain Road to Mid Valley Road

Design the widening of Pony Express to accommodate a 5-Lane cross-section which includes the following items:

1. Typical Sections
2. Removals
3. Roadway Plan and Profile
 - Approx. 900' of Trail modifications
4. Signing and Striping
5. Storm Drain
 - Storm Drain from Lake Mountain Road to detention basin at Cory Wride Park
6. Details

*Note there are three (3) power poles which will be required to be moved during construction located approximately 70', 215', and 460' south of Lake Mountain Road.

Anticipated Construction Cost
\$1,820,000

Design Fee
\$39,500 (2.2% of Construction)

Phase 5 –Mid Valley Road to Bobby Wren Boulevard

Design the widening of Pony Express to accommodate a 5-Lane cross-section which includes the following items:

1. Typical Sections
2. Removals
3. Roadway Plan and Profile
 - Design will incorporate any traffic signal designs in the area
4. Trail modifications where needed
 - Design trail to be re-built the entire length with pedestrian ramps at all intersections
5. Signing and Striping
6. Details

Anticipated Construction Cost
\$2,670,000

Design Fee
\$45,500 (1.7% of Construction)

Phase 6 –Bobby Wren Boulevard to Eagle Mountain Boulevard

Design the widening of Pony Express to accommodate a 5-Lane cross-section which includes the following items:

1. Typical Sections
2. Removals
3. Roadway Plan and Profile
 - Connection to Existing Accesses (2)
 - Design will incorporate any traffic signal designs in the area
4. Roundabout Design
 - Tie into existing roundabout with slight modifications to match 5-lane cross-section
5. Pedestrian Crossings (2)
6. Trail modifications where needed
 - Approx. 875' of new trail
7. Signing and Striping
8. Details

Anticipated Construction Cost
\$1,100,000

Design Fee
\$29,300 (2.7% of Construction)

Meetings

We anticipate that there will be two (2) team meetings during each design phase.

Exhibit B
Pony Express Widening
Phase 4 - 6 Fee Estimate

		<u>Principal Engineer IV</u>	<u>Engineer II, P.E.</u>	<u>Engineer, P.E.</u>	<u>EIT II</u>	<u>EIT</u>	<u>CAD Technician II</u>	<u>Licensed Surveyor II</u>	<u>Surveyor/RO W Technician III</u>	<u>Associate Engineer, P.E.</u>
		<i>Brent Ventura</i>	<i>Kevin Croshaw</i>	<i>Drew Geiger</i>	<i>Jeff Mortime</i>	<i>Alyssa Garlick</i>	<i>Adam Lethco</i>	<i>Lonnie Olson</i>	<i>Joe Carr</i>	<i>Trevor Youd</i>
		\$199	\$123	\$109	\$94.00	\$83.00	\$80	\$152	\$94	\$125
Task 1: Survey	58	0	0	0	0	0	0	10	48	0
Mobile LiDAR Survey	48								48	
Data Processing	10							10		
<u>Survey Total</u>	\$6,032	\$0	\$0	\$0	\$0	\$0	\$0	\$1,520	\$4,512	\$0

Phase 4: Lake Mountain to Mid Valley Road	413	17	38	16	80	52	186	0	0	24
1.1 Typical Sections	39	1	4		8		26			
1.2 Removal Sheets	22		2		4		16			
1.3 Roadway Plan and Profile	114	2	12		40		60			
1.4 Trail Design	37	1	4		8		24			
1.5 Signing and Striping	32		4		12		16			
1.6 Storm Drain Plan and Profile	111	3		16		52	40			
1.7 Details	18	2	4		8		4			
1.8 QC/QA	40	8	8							24
<u>Phase 4 Total</u>	\$39,517	\$3,383	\$4,674	\$1,744	\$7,520	\$4,316	\$14,880	\$0	\$0	\$3,000

Phase 5: Mid Valley Road to Bobby Wren	477	17	42	20	96	60	212	0	0	30
1.1 Typical Sections	39	1	4		8		26			
1.2 Removal Sheets	26		2		4		20			
1.3 Roadway Plan and Profile	134	2	16		48		68			
1.4 Trail Design	53	1	4		16		32			
1.5 Signing and Striping	36		4		12		20			
1.6 Storm Drain Plan and Profile	123	3		20		60	40			
1.7 Details	20	2	4		8		6			
1.8 QC/QA	46	8	8							30
<u>Phase 5 Total</u>	\$45,443	\$3,383	\$5,166	\$2,180	\$9,024	\$4,980	\$16,960	\$0	\$0	\$3,750

Phase 6: Bobby Wren to Eagle Mountain Blvd	304	12	30	0	80	0	158	0	0	24
1.1 Typical Sections	39	1	4		8		26			
1.2 Removal Sheets	22		2		4		16			
1.3 Roadway Plan and Profile	97	1	4		32		60			
1.4 Trail Design	35	1	2		8		24			
1.5 Signing and Striping	34		2		12		20			
1.6 Roundabout Connection	20		4		8		8			
1.7 Details	17	1	4		8		4			
1.8 QC/QA	40	8	8							24
<u>Phase 6 Total</u>	\$29,238	\$2,388	\$3,690	\$0	\$7,520	\$0	\$12,640	\$0	\$0	\$3,000

Exhibit C **Pony Express Widening** **Phase 4 - Schedule**

We understand that the City would like to complete the improvements before school begins in mid-August. We are confident that we can complete the design within 8-10 weeks of Notice to Proceed. This will allow the Contractor 12-14 weeks to complete construction. We recommend discussing this possibility with the Contractor. If construction can be completed in this time frame, the schedule would be as follows:

Task	MAR		APR		MAY		JUN		JULY		AUG	
Produce Design Plans*												
Roadway Construction**												

* Design Plans to be completed by May 10th

** Design completion allows 12-14 weeks for construction to be completed before mid-August



EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

April 2, 2019, 4:00 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

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

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

CITY STAFF PRESENT: Paul Jerome, Assistant City Administrator/Finance Director; Jeremy Cook, City Attorney; Melanie Lahman, Chief Deputy Recorder; Lianne Pengra, Recording Secretary; Aaron Sanborn, Economic Development Director; Steve Mumford, Community Development Director; Mike Hadley, Planning Manager; Tayler Jensen, Planner; Chris Trusty, City Engineer; Linda Peterson, Communications Director; Brad Hickman, Parks and Recreation Director; David Mortensen, Treasurer/Assistant Finance Director; Zac Hilton, Streets and Storm Drain Manager; and Eric McDowell, Chief Deputy.

Mayor Westmoreland called the meeting to order at 4:10 p.m.

1. CITY ADMINISTRATOR INFORMATION ITEMS

1.A. DISCUSSION - Heatherwood Clubhouse

Brian Haskell, representative for the Heatherwood on the Green developer, introduced Nicole Dowland and Janelle Groneman, members of the Heatherwood on the Green Homeowners Association Board. Ms. Dowland stated she and additional residents contacted the builder to research options other than the required pool and pool house. She stated residents have been working on this plan for over a year, and the consensus is to build a community center instead of the pool and pool house, as the proposed plan will keep HOA dues to a minimum. The community center will hold up to 200 people and will have an outdoor pavilion area.

Mr. Haskell said the HOA board obtained feedback from the residents at the four previous quarterly HOA meetings and the last annual HOA meeting. The majority of the residents agreed upon this plan. The proposed facility will require lower monthly HOA dues than a pool and pool house. The facility will have two private rooms for gatherings, a large common area that can be partitioned for an exercise area, and areas for basketball and volleyball inside. He explained the developer will provide funds at least the amount a pool and pool house would have cost.

Councilmember Curtis asked how the proposed plan compares with a pool and pool house, as far as amenities are concerned. Mr. Haskell said the cost of the pool and pool house ranged from \$190,000 to \$215,000, so the developer will spend that amount on the community center. The HOA board will use that budget to identify what will be provided within the community center.

Councilmember Clark asked for the building size and maintenance costs. Mr. Haskell said the

building will be 5,000 square feet. They have analyzed maintenance and operations costs and found this facility will cost approximately \$20 per month less in HOA dues than a pool and pool house. The HOA board will create policies and procedures regarding rentals and building use.

Councilmember Reaves asked how much the HOA dues will increase at the completion of the project, and asked how the residents were notified of the plan. Mr. Haskell said the HOA monthly assessment will increase \$11 a month. The residents were notified in the quarterly HOA board meetings, as well as the annual HOA meeting; the majority of residents preferred this concept. An email explaining the board's intention to move forward with this plan, along with detailed information regarding the facility was sent to all residents, with a request for feedback. Out of 85 potential respondents, 15 responses were received with 67% being in favor of the proposed plan, 13% being neutral, 13% preferred a pool and pool house, and 7% were against any improvements at all.

1.B. DISCUSSION - Ivory Homes Club Ivory

Bryon Prince with Ivory Development said Club Ivory is being designed and Ivory Homes is working with City staff regarding the plans and construction. He said the master development agreement for Village One requires a 5-acre park with a clubhouse in the northeast corner of Pony Express Parkway and future Airport Road. They are ready to begin construction and are now presenting renderings to the Council to obtain feedback. They hope to begin construction this summer.

Mr. Prince said the clubhouse is a 5,000- to 6,000-square foot building and will have a barn-style design. The facility is much larger than originally anticipated when the master development agreement was drafted. The planned site is located in the corner of Village One, but is central to the entire Overland subdivision. Mr. Prince presented renderings of the building and designs for the overall project site. They will vacate lots in order to include a water feature and landscaping. The building will have an office, gathering areas, and a large hall. They envision utilizing the covered patio to host summer concerts. The pool will be maintained by the HOA and will be seasonal; the remainder of the facility will be open year-round. The facility does not include an exercise area as they do not have room for a large enough fitness center to accommodate the development; additionally, they believe a commercial company will eventually build a fitness center in the area. The clubhouse will be one story and will be likely be over 35 feet tall.

Councilmember Burnham asked what area will be open to the public. Mr. Prince explained the public park with playground equipment is located in an area that is easily accessible and will be usable year-round. The rest of the site will be a private HOA-maintained facility.

Councilmember Clark asked how many units the amenities will serve and what the clubhouse capacity will be. Mr. Prince said this amenity is for Village One and will serve 540 units. There are twelve other parks planned for the subdivision. The pool is 3,200 square feet (80 feet by 40 feet). The main room in the clubhouse will hold a couple hundred seats in a conference setting, and they believe they have sufficient parking. Ivory Development also provided a \$1.71 million contribution for Cory Wride Memorial Park.

Councilmember Curtis asked how much water will be used in the water feature. Mr. Prince said the design presented is only a rendering, but the plan is that it will only be one to three feet

deep. They are working with staff to possibly utilize storm water for its operation. The civil engineering is not yet completed.

Community Development Director Steve Mumford explained that staff will work with both Ivory Development on Club Ivory, and with Mr. Haskell on the final plans for community center as an exception to the pool and pool house requirement for Heatherwood on the Green. The items will not return to a future meeting.

SKYLINE RIDGE BLASTING MITIGATION FUND

The following discussion regarding blasting in the Skyline Ridge subdivision took place after item 15.A. during the work session.

City Attorney Jeremy Cook said a form has been created for residents to apply for blasting damage mitigation funds. He proposes allowing residents to submit claim forms for 45 days, beginning April 3, 2019. He recommended reiterating to residents that the funds are very limited. The City will analyze claims received and will distribute the funds accordingly.

Councilmember Clark clarified this fund is specifically for Skyline Ridge blasting damage.

2. AGENDA REVIEW

10. BOND RELEASE

10.A. Evans Ranch Plat K-6 - Out of Warranty

Councilmember Clark expressed appreciation to City Recorder Fionnuala Kofoed for including maps in bond release agenda items.

12. PRELIMINARY PLAT

12.A. Lone Tree Plat F

This item was discussed after the Skyline Ridge Blasting Mitigation Fund item.

Councilmember Curtis requested this item be removed from the consent agenda.

Planning Manager Michael Hadley explained a preliminary plat was initially approved March 12, 2006. He presented the original preliminary plat and the proposed amended plat. Staff worked with the applicant to adjust a trail in the plan to connect with an existing City trail. The Planning Commission recommended approval with the following conditions: 1. If any retaining walls are required, the maximum height of the retaining wall shall be five feet with a maximum of four tiers. Retaining walls shall not be located any closer than ten feet from a home; 2. An updated landscape/park plan shall be provided, addressing the changes discussed in the meeting; 3. Bench drains shall be installed on the top of any retaining wall area and above steep lots; 4. The average slope for each lot shall be calculated and submitted, with each lot maintaining a significant building envelope; 5. All dead-end roads include sufficient turn-around areas, as required by Fire and Municipal

Code; 6. The name of the plat remains Lone Tree F; 7. All blasting complies with Municipal Code; and 8. All lots show building envelopes.

Councilmember Curtis expressed concerns that smaller lots are located next to existing residences in the updated plan.

Developer representative Brian Haskell explained Walnut Drive connects to a stub road in the Circle 5 Ranch preliminary plan; this was required for connectivity. He said while the road is steep, it does meet City ordinances.

Councilmember Curtis noted it has been reported that material has been removed from the mountainside and taken offsite. Mr. Haskell said material was taken from a lot in Lone Tree and was contained onsite; material has not been moved outside of Lone Tree. Any aggregate created onsite will be used within the project. He said approximately five loads of rock have been hauled away because it was not stockpiled, and he can ensure the future aggregate remains onsite.

Councilmember Clark said residents have reported drilling and testing work being done on the hillside and asked what work has taken place over the last two weeks. Mr. Haskell said they have not been doing any work on the site. City Engineer Chris Trusty said the City is not doing work there, either.

13. EAGLE HEIGHTS VILLAGE

13.A. CONDITIONAL USE PERMIT APPEAL

Planner Tayler Jensen explained the Planning Commission approved the conditional use permit with the condition that the eastern row of homes be changed to single-family homes, according to current Municipal Code. The Planning Commission discussed the following findings during the meeting: the Tier III dwelling units in this location conflict with the intent of the Eagle Mountain City General Plan (EMMC 17.95.060(D)), and the Tier III dwelling units create a population density that is not compatible with planned uses for this property and adjacent properties.

Mr. Jensen said the City Council shall determine if the land use authority in this situation (the Planning Commission) applied a reasonable condition on the conditional use permit that reasonably relates to mitigating anticipated detrimental effects of the proposed use. This determination should include findings of what detrimental effects are being mitigated, how the condition mitigates the detrimental effects, and what applicable standards in Municipal Code support the condition.

Legal counsel for the applicant Bruce Baird said in the Planning Commission meeting minutes, he cannot find the Planning Commission's discussion of finding of fact number two regarding density. He stated density is not a per se detrimental effect and said the Planning Commission minutes do not note any reference to any detrimental effect. He explained the General Plan is advisory and zoning ordinances are mandatory. The proposed plan complies with the zoning ordinance, which means no detrimental effects exist. He stated if the plan did not comply with the General Plan, a detrimental effect such

as noise, traffic or transportation needs to be in place. He said there is no legal basis for the condition the Planning Commission imposed. Dislike of density is not grounds for denial of a conditional use permit.

Mr. Mumford clarified finding of fact number two came from a Municipal Code reference, and he will provide that during the policy session. He said he believes it is EMMC 17.95.060(D)6.

Applicant Kirt Peterson said he believes the Municipal Code Mr. Mumford is referring to references items that must be addressed in the conditional use permit. Mr. Baird said concerns regarding connectivity were dealt with in the plan design.

13.B. ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Approving the Eagle Heights Village Master Development Plan.

13.C. SITE PLAN

Mr. Jensen said the applicant has proposed that the master development plan also serve as the preliminary plat. The proposed development is for 308 duplex units located on approximately 51.38 acres, for a project density of 5.99 dwelling units per acre.

Mr. Jensen explained the applicant will need to dedicate 5.5 feet of right-of-way for Eagle Mountain Boulevard. He said the nearest trail to Mountain Trails Elementary, the school these residents will attend, is 1,800 feet away. If the Council requires the applicant to tie into this trail, the applicant should receive amenity points for the connection. The plan largely meets connectivity codes, with one block being 42 feet too long. This is due to the curve in the road.

Mr. Jensen said the applicant is proposing 3.17 acres of improved open space with 3.95 acres being bought down. Municipal Code allows a buy down by providing 150% amenity points for the buy down portion. The project requires 1,299.5 amenity points; the applicant is proposing 1,976 points. The proposed points include points for the clubhouses and lighting; points have not been given for those items in the past. The Planning Commission did not feel the clubhouse should be awarded amenity points, but did feel the lighting warranted points. The plan includes two clubhouses, raised gardens, a basketball court, and playground areas. The Planning Commission recommended approval of the project.

Councilmember Clark asked if an applicant has ever requested and been allowed to provide more than half of the required amenity points with a fee-in-lieu. Mr. Mumford said that has happened with smaller developments, such as Hidden Hollow. Mr. Jensen explained Oak Hollow had almost half of the required points provided in this way.

Councilmember Curtis suggested the Council hold their questions for the applicant until the policy session.

Mr. Mumford informed the Council the updated plan has parking in the pool and splash pad area. The applicant will need to provide updated landscape plans in order to move on

to the final plat process. The master development agreement is being negotiated with staff and will be presented to the Council for approval at a later meeting.

14. ORDINANCE

- 14.A. ORDINANCE - An Ordinance of Eagle Mountain City, Utah, Amending Chapter 2.15.060(I) of the Municipal Code for Rules of Procedure.

This item was discussed after item 16.A.

Mayor Westmoreland asked if items 14.A. and 15.A. could be placed on the consent agenda. Mr. Cook confirmed that was allowed, if the Council desired as much.

Mr. Cook said item 14.A. amends procedures regarding City Council meetings. It allows an item to be brought back if three Councilmembers request it. This allows items to be brought back to a current meeting. It also allows the Council to reconsider items if additional information is received.

15. PRELIMINARY PLAT & SITE PLAN

- 15.A. MOTION - Scenic Mountain Phase B Preliminary Plat and Site Plan.

Councilmember Curtis asked that this item be placed on the consent agenda.

Mr. Cook said item 15.A. has been discussed at length. New information was presented that changed the analysis with respect to the number of units the applicant requested. Councilmember Curtis confirmed the applicant is maintaining 91 units.

16. AGREEMENT

- 16.A. MOTION - An Agreement between Eagle Mountain City, Utah, and ACE Disposal, Inc. for Solid Waste Disposal and Recycling Services.

This item was discussed after item 10.A.

Councilmember Clark asked that this item be placed on the consent agenda.

Assistant City Administrator/Finance Director Paul Jerome explained Ace Disposal, Inc. submitted the lowest bid to the City for solid waste disposal. Ace has offered a 5% discount if the contract is extended from five years to eight years. B&D Development, a plant that specializes in municipal waste recycling, recycles 100% of material received from municipalities. They use the material to produce a substance to be used in coal-fired power plants and road base. B&D Development has communicated to the City that once they have a local plant, they will take solid waste streams for no charge. Ace currently transfers solid waste to Intermountain Regional Landfill, and would transport waste to the B&D plant once that is in operation. The City has the option to cancel its agreement with Intermountain Regional Landfill.

Councilmember Clark commended Ace for their customer service and stated they treat residents well.

3. ADJOURN TO A CLOSED EXECUTIVE SESSION

MOTION: *Councilmember Gricius moved to adjourn into a closed executive session for the purpose of discussing reasonably imminent litigation pursuant to Section 52-4-205(1) of the Utah Code, Annotated. Councilmember Clark seconded the motion. Those voting aye: Donna Burnham, Colby Curtis, Benjamin Reaves, Stephanie Gricius, and Melissa Clark. The motion passed with a unanimous vote.*

The meeting was adjourned at 5:26 p.m.

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

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

CITY STAFF PRESENT: Paul Jerome, Assistant City Administrator/Finance Director; Jeremy Cook, City Attorney; Melanie Lahman, Deputy Recorder; Lianne Pengra, Recording Secretary; Aaron Sanborn, Economic Development Director; Steve Mumford, Community Development Director; Mike Hadley, Planning Manager; Tayler Jensen, Planner; Chris Trusty, City Engineer; Linda Peterson, Communications Director; Ross Fowlks, Fire Chief; and Eric McDowell, Chief Deputy.

4. CALL TO ORDER

Mayor Westmoreland called the meeting to order at 7:03 p.m.

5. PLEDGE OF ALLEGIANCE

Councilmember Curtis led the Pledge of Allegiance.

6. INFORMATION ITEMS/UPCOMING EVENTS

- **Easter Egg Hunt** – The City Easter Egg Hunt will be held Saturday, April 13 at 10:30 a.m. at Nolen Park. Come get a photo with the Easter Bunny between 10:00 and 11:30 a.m. Check all eggs collected for prizes! More details at emcity.org/easter.
- **Household Hazardous Waste Collection Day** – Utah County residents with household hazardous waste items such as old gasoline, paint, fluorescent light bulbs, batteries and unused medications will be offered safe disposal of these items at a Household Hazardous Waste Collection Day on Saturday, April 13, from 9:00 a.m. to 3:00 p.m. The collection will take place in the west parking lot of the Provo Towne Centre Mall in Provo. For details, including a list of what will or will not be collected, please visit the Utah County Health Department's website.

- **Red Cross Blood Drive** – There is an urgent need for blood donors. A blood drive for the Utah Red Cross will be held at City Hall on Monday, April 22 from 11:30 a.m. to 5:30 p.m. Register at redcrossblood.org and use sponsor code Eagle Mountain City.
- **Community Cleanup** – Volunteer registration is open now for the City’s annual Community Cleanup event on Saturday, May 4. At this event, the City invites volunteers from the community to sign up to help with cleanup projects that improve public spaces in Eagle Mountain. Volunteers may register as an individual or group and receive snacks, hats and other giveaways, and a free lunch. Since the event falls on May 4th this year, any volunteers sporting Star Wars apparel or gear will receive a bonus giveaway. Following the cleanup event, the Utah County Sheriff’s Office – Eagle Mountain Division will host a Meet and Greet event at the park from noon to 2 p.m., featuring various departments, vehicles and equipment, and information about community programs and services. This event is open to everyone, even if not participating in the cleanup.
- **Spring Cleanup Dumpsters** – Spring cleanup dumpsters for yard, e-waste, and light household waste will be provided by Eagle Mountain City from Thursday, May 2 at 4:00 p.m. through Sunday, May 5 at 8:00 p.m. Dumpsters will be located off of Mid Valley Road, west of Cory Wride Memorial Park. Dumpsters will be hosted by volunteers from Mortenson Construction/Facebook.
- **Pony Express Days** – Registrations are open for Pony Express Days food vendors, carnival boutique vendors, businesses and services info booths at Family Fun Night, parade entries, 5K participants, and Motorcycle Adventure Ride & Campout participants. Visit emcity.org/ped for details and registration links.
- **Pony Express Days Rodeo & Demolition Derby** – Tickets are on sale now for the Pony Express Days Rodeo, held Memorial Day weekend, and the Demolition Derby, held June 1. Visit ponyexpressevents.com for ticket information.
- **Summer Youth Theater Camp** – Registration is open for Eagle Mountain Community Theater’s summer youth camp – Robin Hood: Legend of the Sherwood Bandit. The camp is for ages 8 to 18 and will be held in June. Early bird pricing of \$50 is available through May 1. For more information, please visit eaglemountainarts.com.
- **City Notifications** – We encourage residents to sign up for City notifications to be aware of public safety emergencies and stay informed about road construction projects, City news and events. Register at www.emcity.org/notifyme. Notifications can be received by email and/or text.

7. PUBLIC COMMENTS

Mayor Westmoreland opened public comment at 7:10 p.m.

Mare Burningham spoke against development encroaching on City hillsides.

Mayor Westmoreland read the following email from a resident:

My name is TJ Moyes and my husband, Chad, and I live in Cedar Pass Ranch. I am writing to you regarding tonight's meeting agenda item 12. Please have my comments read during the public comments period at tonight's meeting. We did not build our home but we do know what problems we have as a result of the home being built upon the hillside at the end of Cedar Drive. When we bought our home, the garage had been built below our home, down the hillside about 30 yards and it was a steep uphill walk to our home from the garage. A rough and uneven terrain "road" was the only access to our home other than rock steps up the hill. We learned this was done because leveling, excavating, and removing the dense and solid rock proved to be too expensive for the young couple building the home. The driveway into the existing garage was very rough with large rocks protruding into the driveway surface. The water draining on this hillside channels across this area and washes away the gravel surface and makes it impossible to pave because the water would erode away the base under the pavement, causing the pavement to sink when driven over. We've spent a lot of time and money addressing these problems. We recently leveled a 35' x 70' area next to our home in order to build a garage closer to the house. We had three large pieces of equipment, including jackhammers and backhoes, working for 3 days to do this, and it was no small undertaking or expense. It doesn't make sense to allow new developers to build roads or develop new lots up the hillsides, especially if blasting or other extreme measures need to be taken in for homeowners to build upon or enjoy their property. The problems a homeowner may face likely won't even be discovered until building has started or they've lived through all the seasons on their property. We encourage development that makes sense for our environment, our natural and open spaces, and on the abundance of land more suitable to housing and roads. We should not be scarring our hillsides and leaving unintended consequences upon the homeowners and our city. Thank you, TJ Moyes

Mayor Westmoreland said it is challenging to find a balance between property rights and maintaining the health and safety of City residents. The City has a slope ordinance in place to clarify permitted building on slopes. The ridgeline ordinance identifies protected ridgelines in the City. He stated things can be complicated regarding developments that were approved prior to these ordinances taking effect.

Councilmember Curtis stated the Lone Tree plat on the meeting's agenda was originally approved along with the entire Lone Tree subdivision. The slope and ridgeline ordinances cannot apply to this application.

Amy Peterson said her family chose to build in Lone Tree due to the larger lot sizes. She expressed concerns regarding the sizes of the lots, the possibility of blasting, and disturbance of ridgelines in the new preliminary plat. She said smaller lots bring low-income housing and high turnover to the neighborhood.

Kevin O'Donnal said the original preliminary plat for Lone Tree is better suited for the area. The lot adjacent to his is now much smaller than originally planned. He expressed gratitude that blasting is restricted within 1,360 feet of residences.

Mr. Cook explained that if blasting is within a certain distance of existing structures, a blasting

permit is required to be approved by the City Council. If approved, many conditions are placed to mitigate issues associated with blasting.

Mayor Westmoreland closed public comment at 7:30 p.m.

8. CITY COUNCIL/MAYOR'S ITEMS

Councilmember Gricius

Councilmember Gricius welcomed those in attendance.

Councilmember Clark

Councilmember Clark said every second Thursday of the month, a training is held at City Hall regarding emergency preparedness. On April 11, the Earthquake Lady will offer a training regarding earthquake preparedness. Following that training, a HAM radio informational training will take place. In June on Wednesday nights from 7:00 p.m. to 9:00 p.m., classes will be held for HAM radio operators and a test will be held at the completion of those classes. She thanked the residents for communicating with the Council and thanked the Planning Commissioners for their service.

Councilmember Reaves

Councilmember Reaves thanked those in attendance. He said much work goes into the Council's decisions. He said there are times where the Council's hands are tied in the decisions they can make, but the Lone Tree preliminary plat may not be one of those times.

Councilmember Burnham

Councilmember Burnham thanked those in attendance. She said she researches items and tries to visit the sites under discussion prior to meetings. She is excited for the events offered by Pony Express Events and the Eagle Mountain Arts Alliance.

Councilmember Curtis

Councilmember Curtis informed those in attendance that it is World Autism Awareness Day. He said the Youth Council meets the second and fourth Wednesday at 6:00 p.m. at City Hall. Elections will be held for the Youth Council on the second Tuesday in May.

Mayor Westmoreland

Mayor Westmoreland welcomed those in attendance. He said the City hopes to have information in an upcoming newsletter regarding what traffic will be like along Pony Express Parkway once the high school is open.

CONSENT AGENDA

9. BID AWARD

9.A. Well #6 Development - Widdison Turbine

10. BOND RELEASE

10.A. Evans Ranch Plat K-6 - Out of Warranty

11. MINUTES

11.A. March 19, 2019 Minutes - Regular City Council Meeting

12. PRELIMINARY PLAT

12.A. Lone Tree Plat F

14. ORDINANCE

14.A. ORDINANCE - An Ordinance of Eagle Mountain City, Utah, Amending Chapter 2.15.060(I) of the Municipal Code for Rules of Procedure.

15. PRELIMINARY PLAT & SITE PLAN

15.A. MOTION - Scenic Mountain Phase B Preliminary Plat and Site Plan.

16. AGREEMENT

16.A. MOTION - An Agreement between Eagle Mountain City, Utah, and ACE Disposal, Inc. for Solid Waste Disposal and Recycling Services.

(Motion discussion starts at 1:53; motion made at 1:54)

MOTION: *Councilmember Curtis moved to approve the consent agenda, removing item 12.A. for further discussion, and adding items 14.A., 15.A., and 16.A. Councilmember Clark seconded the motion. Those voting aye: Donna Burnham, Colby Curtis, Benjamin Reaves, Stephanie Gricius, and Melissa Clark. The motion passed with a unanimous vote.*

SCHEDULED ITEMS

12. PRELIMINARY PLAT

12.A. Lone Tree Plat F

Planning Manager Michael Hadley said a preliminary plat with 163 units was approved for Lone Tree Plat F on March 12, 2006; 106 units have been platted so far. The applicant is proposing a new layout for the remaining 57 lots. The updated plan now shows a road connection to the Circle 5 Ranch preliminary plat. He presented the proposed landscape plan and showed the location of the trail system and exercise areas. The Planning Commission recommended approval of the project with the following conditions: 1. If any retaining walls are required, the maximum height of retaining wall is five feet with a maximum of four tiers; retaining walls shall not be located any closer than ten feet from a home; 2. An updated landscape/park plan shall be provided, addressing the changes discussed in the meeting; 3. A bench drain on the top of any retaining wall area and above steep lots shall be installed; 4. The average slope for each lot shall be calculated and submitted, with each lot maintaining a significant building envelope; 5. All dead-end roads

include sufficient turn-around areas, as required by Fire and Municipal Code; 6. The name of the plat remains Lone Tree F; 7. All blasting complies with Municipal Code; and 8. All lots show building envelopes.

Applicant Brian Haskell explained the plan was modified due to a survey examining the rock depth throughout the property. They redesigned the road layout to avoid the rock areas, as the previous preliminary plat went through those areas. With the new layout, Walnut Road is the only road that goes through the rock bed. This will minimize the amount of rock mitigation the project requires. Mr. Haskell explained their desire to finish the park to provide a nice completed amenity for the community. They worked with staff to incorporate the detention/park area in one large park in order to create a more usable area with walking paths and exercise stations. The redesign adds additional costs to the construction. Utilities will be relocated as a result of the redesign. He stated the additional work is worth the expense because they desire to create a better community. City staff and the adjacent landowner requested the road connection to Circle 5 Ranch.

Councilmember Gricius asked if the original plat was feasible, as she prefers that design. She expressed concern regarding the higher density next to existing residences. Mr. Haskell said the old plan will have a more significant impact to residents and will require more rock mitigation.

Councilmember Curtis expressed concern regarding smaller lots adjacent to existing homes. He said this is a change to what existing homeowners were expecting.

Councilmember Clark asked if the applicant had any other creative solutions to the issues the original plat presents. She explained she wants to respect the fact that adjacent landowners purchased properties when the original preliminary plat was in place. Mr. Haskell explained the presented plat is not their first draft; they have been working on this plan for almost a year. They are trying to balance usability and minimize impact to the community. He said twelve of the 57 lots are below 6,000 square feet in this plan. He said the Lone Tree subdivision has lots that are smaller than 6,000 square feet; this plan is consistent with the subdivision. He stated he is open to options or alternatives.

Councilmember Gricius asked if a lot could be removed with the land included in the surrounding lots, and expressed concerns regarding the reduced lot sizes adjacent to existing homes. Mr. Haskell said they could consider that option.

Mr. Haskell explained the existing preliminary plat did not take the slope or rock into consideration when it was designed, and stated it will have a much more significant impact to the hillsides. This is what drove the decision to change the layout. Councilmember Clark stated there are surprises that come up in the development process which require the developer to adjust plans.

Councilmember Burnham asked if the lots also were adjusted to avoid rock, or if they only made changes to the roads. She expressed concern that residents would encounter significant expenses due to rock to improve their properties. Mr. Haskell said they have mapped out the rock areas and designed the lots to ensure they are not significantly

impacted with rock, as described by a resident during public comment. He said he can show the Council where he believes the rock exists.

Councilmember Reaves asked why the applicant is proposing this change now. Mr. Haskell said market conditions are such that the demand exists, so the natural course is to begin this phase of development. He said they would like to finish the park and the only way to complete that park area is to develop the surrounding homes and bring in utilities and infrastructure. He does not know when construction of the third phase will begin.

Mr. Mumford explained if the original plat is developed, current park standards would not apply to the project. If the plat is amended, the project would need to comply with current standards. Mr. Haskell explained the proposed park has significantly more trail than required by Municipal Code, but stated it is the right thing to do, as it ties the parks together.

Councilmember Reaves asked the applicant why he is willing to comply with the park requirements but not the ridgeline ordinances. Mr. Haskell stated they have not communicated to staff or the Council that they will not comply with the ridgeline ordinance. Councilmember Reaves stated the proposed plan does not comply. Mr. Mumford clarified that the ridgelines are protected in the updated plan and explained the slopes are calculated with an average for each lot. The plan complies with the slope ordinance.

Councilmember Burnham asked if the applicant would comply with the blasting ordinance. Mr. Haskell said they will comply with all City ordinances.

Councilmember Curtis confirmed with the applicant where the rock shelf exists in the project. Discussion ensued regarding blasting in other areas of the City.

Mr. Haskell said Walnut Road has been designed to follow land contours in order to minimize cuts and necessary rock mitigation.

Councilmember Curtis asked Mr. Haskell if he would be willing to table the item to find a solution to the smaller lots near existing homes. Mr. Haskell stated that is not his preference, but he is willing to work with the City to accomplish their goals.

Councilmembers Gricius and Burnham agreed that a lot should be removed to increase the lot sizes adjacent to existing homes. Councilmember Burnham expressed appreciation that the applicant moved the roads to minimize rock mitigation. She clarified that even though the City has a blasting ordinance, blasting permits are not always approved.

Councilmember Curtis asked if a condition of approval can be placed that allows the applicant to finalize the preliminary plat with City staff. Councilmember Reaves asked if staff is prepared to discuss concessions with the applicant if a lot is removed from the plan. Mr. Mumford stated the applicant has made several changes to the plans according to Development Review Committee feedback.

Councilmember Clark stated residents expressed concerns regarding the curve of Walnut

Road and asked Fire Chief Ross Fowlks to address those concerns. Chief Fowlks stated the road design does not present a problem for emergency access. He said the secondary egress is a benefit to the Fire Department, as well.

Councilmember Gricius asked if the applicant has something in mind that the City could offer in order to remove a lot from the plan. Mr. Haskell said he would prefer to evaluate options regarding removing a lot in order to discuss potential City concessions. He stated if the plan is feasible without asking anything of the City, they are willing to adjust the plan as needed.

Resident Tyler Woodward expressed concerns regarding drainage. Mr. Cook recommended Mr. Woodward contact City Engineer Chris Trusty regarding his concerns.

Motion: 2:35

MOTION: *Councilmember Gricius moved to table the Lone Tree Plat F Preliminary Plat to allow the applicant to lessen the impact the smaller lots have on existing houses. Councilmember Reaves seconded the motion.*

Councilmember Reaves asked that the motion include alternative measures other than blasting. Councilmember Clark asked that the motion also include direction to staff and the applicant to address and mitigate flooding concerns in the area.

AMENDED MOTION: *Councilmember Gricius moved to table the Lone Tree Plat F Preliminary Plat with the following conditions:*

- 1. The applicant shall review and adjust the plan to lessen the impact the smaller lots have on existing homes;*
- 2. The plan shall include alternative measures other than blasting for rock mitigation; and*
- 3. The applicant and staff shall address and mitigate flooding concerns.*

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

Councilmember Burnham stated an adjacent property was draining to her property, causing flooding, and she explained properties must retain water and not drain to adjacent lots. She requested residents with drainage issues contact the City. Mr. Mumford clarified there is little the City can do regarding flooding between existing homes, as that is a civil issue between property owners; however, staff can work with developers regarding drainage during construction. He said he will follow up with Mr. Trusty regarding this property's drainage.

13. EAGLE HEIGHTS VILLAGE

13.A. CONDITIONAL USE PERMIT APPEAL

13.B. ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Approving the Eagle Heights Village Master Development Plan.

13.C. SITE PLAN

Mr. Jensen said the applicant-proposed plan for 308 duplex units is located on approximately 51.38 acres, for a project density of 5.99 dwelling units per acre. The applicant has proposed that the master development plan also serve as the preliminary plat. The applicant will be required to dedicate 5.5 feet along Eagle Mountain Boulevard for the road's required right-of-way width. Regarding safe routes to school, the nearest trail to Mountain Trails Elementary School on the south side of Eagle Mountain Boulevard is 1,800 feet away; there is a trail on the north side of Eagle Mountain Boulevard. If the Council requires the applicant to install a trail on the south side of the road, the applicant should receive amenity points for the connection. The plan largely meets connectivity requirements with one block being 42 feet too long, which is due to the curvature of the road. The Council can allow an exception for that road length or require a mid-block connection.

Mr. Jensen explained the applicant is proposing an open space buy down of 3.95 acres, with 3.17 acres of open space provided in the project. The applicant is proposing 1,976 amenity points, which includes points for clubhouses and lighting. The Planning Commission did not feel the clubhouses warranted amenity points, but did feel the lighting was an appropriate use for points.

Mr. Jensen presented landscape plans for the project, and stated staff has not received updated plans showing the pool and splash pad parking area. The plan includes two clubhouses, tot lots, community gardens, a basketball court, and playground areas.

The Planning Commission recommended approval of the project with the following seven conditions: 1. Rock/stone shall make up at least 30% of the building and be used on all sides of the buildings; 2. Five and a half feet of right-of-way along Eagle Mountain Boulevard shall be dedicated to the City at the time of plat recording; 3. An additional road connection shall be provided between Oak Boulevard and Stallion Street (in the northern section of the project); 4. Collector road fencing shall be required adjacent to Eagle Mountain Boulevard, Lake Mountain Road, and future Airport Road; 5. Applicant shall comply with any traffic mitigation required by the City Engineer; 6. Additional open space shall be provided, combined with an existing open space area to create a larger, more usable park area with a grass play field; and 7. Parking stalls shall be added to the pool area according to current parks and open space master plan.

Kirt Peterson with Horizon Development explained his company owns and operates 1,200 similar units across the Wasatch Front, and has been in operation since 2003. He said they include a large number of amenities in their projects as it provides a high standard of living. He described the units, landscaping, and the planned amenities for this project. He explained some features of the project include decorative concrete block wall fencing, two community centers, a full-size basketball court, parks with gazebos and built-in barbeques, playgrounds, and concrete garden boxes available for resident use. He presented the planned amenities in the community centers and explained they intend to use high-end finishes. He explained rather than including two smaller swimming pools, they have planned one pool that is larger than the two required pools combined. He said they have designed a splash pad which will use recirculated water, and they have added sixteen parking stalls at the Planning Commission's request.

Councilmember Clark asked for dimensions on the splash pad. Mr. Peterson said he does not have dimensions at this time; they have not built splash pads in previous projects, but added it to Eagle Heights Village as they received a request for one, and they have budgeted \$130,000 for the splash pad project. Councilmember Clark stated she researched splash pads while on the Parks and Recreation Board and she understands the expense and components of splash pads. She would like to see more concrete plans for their splash pad design. The system at Cory Wride Memorial Park cost over \$150,000. She stated developers have committed to installing splash pads in the past which were not built due to the high cost of construction.

Mr. Peterson explained Horizon Development has an estimator who has estimated billions of dollars of projects. He said if they commit to providing a splash pad, they will construct it, and the City can hold them to their plans. They can bring the splash pad details with the master development agreement. He explained he has worked with Mr. Mumford during Mr. Mumford's time with Logan City and stated Horizon Development always fulfills their commitments. He invited the Councilmembers to visit his other projects.

Councilmember Reaves said the Municipal Code requires two pools based on the number of units within this project. Mr. Peterson said the square footage of the single pool exceeds the requirement of the two pools. Mr. Mumford said the pool requirement in Municipal Code is a minimum of 1,000 square feet for up to 250 units. He explained the SilverLake developer requested to build a single pool, instead of the two required pools. Staff researched recent City Council discussions regarding that subdivision's pool, and the Council recommended it be four square feet per unit. He said Mr. Peterson sized this development's pool to the four square feet per unit requirement applied to SilverLake. Mr. Peterson said the four square feet per unit size would be 1,200 square feet and the pool they are proposing is approximately 1,340 square feet. Councilmember Curtis said the Council was told the decision on the SilverLake pool would not set a precedent. Mr. Mumford clarified the four square feet per unit is not required in Municipal Code, and said the Council has discretion regarding this decision.

Mayor Westmoreland opened the public hearing at 8:43 p.m.

Jeff Ruth spoke against the proposed plan and expressed concerns that the applicant is only improving two thirds of the roadway width along Lake Mountain Road, and regarding the entrance on Eagle Mountain Boulevard.

Mayor Westmoreland closed the public hearing at 8:48 p.m.

Mr. Mumford clarified developers are required to complete half width plus ten feet of roadway; this provides enough asphalt for two lanes of traffic. This may add up to the two thirds width, as stated during the public hearing. Regarding the Eagle Mountain Boulevard entrance, an island is located at Eagle Point I which spread out the access points. The Planning Commission asked the applicant to install a similar entry point across from this island, but it is not required in Municipal Code. He said the City Engineer will look at the area to ensure a safe crossing exists.

Regarding item 13.A., the conditional use permit condition appeal, Mr. Jensen explained the applicant is appealing the Planning Commission's condition that states the eastern row of homes shall be changed to single-family homes, according to Municipal Code. He said the Planning Commission discussed the following findings during the meeting: the Tier III dwelling units in this location conflict with the intent of the Eagle Mountain City General Plan (EMMC 17.95.060(D)), and the Tier III dwelling units create a population density that is not compatible with planned uses for this property and adjacent properties.

Mr. Jensen explained the Council shall determine if the land use authority in this situation (the Planning Commission) applied a reasonable condition on the conditional use permit that reasonably relates to mitigating anticipated detrimental effects of the proposed use. This determination should include findings of what detrimental effects are being mitigated, how the condition mitigates the detrimental effects, and what applicable standards in Municipal Code support the condition.

Mr. Peterson said the optional condition noted in Section 17.95.80(D)6 of Municipal Code states population density of land use limitations or land capability and/or vicinity relationship make it appropriate to do so to protect health, safety, and welfare. He stated the proposed plan meets Municipal Code. He explained the General Plan designation of Foothill Residential does not govern the proposal, and said he does not understand how changing one row of homes provides health, safety, or welfare for the City.

Motion at 3:07

MOTION: *Councilmember Gricius moved that the City Council decision be as follows: in accordance with Eagle Mountain City Code 17.05.180, the appeal authority may remand the application with their findings back to the land use authority for further action. As the appeal authority, the City Council finds that the Planning Commission failed to issue written findings of fact and conclusions of law regarding the detrimental impacts of the conditional use or how the conditions imposed by the Planning Commission mitigate the reasonable anticipated detrimental effects. Therefore, it is the decision of the City Council to remand the conditional use permit back to the Planning Commission to issue written findings of fact and conclusions of law in support of the approval and the conditions imposed by the Planning Commission. Councilmember Burnham seconded the motion.*

Councilmember Reaves suggested adding "while the Planning Commission acting according to Code" before the statement that the Planning Commission failed to issue written findings of fact and conclusions of law. Mayor Westmoreland stated it is not necessary to add that point to the motion, but appreciated the clarification.

Mr. Peterson asked if the motion only sends the condition back to the Planning Commission, or if it will be a new discussion regarding the conditional use permit. Mr. Cook clarified the motion remands the item to the Planning Commission to issue findings of fact and conclusions of law, and the Commission may determine how to address those findings.

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

Mr. Cook suggested the Council table items 13.B and 13.C., contingent upon the Planning Commission's decision regarding item 13.A.

Motion at 3:11

MOTION: *Councilmember Burnham moved to table the ordinance of Eagle Mountain City, Utah, approving the Eagle Heights Village Master Development Plan and the Eagle Heights Village Site Plan contingent upon the Planning Commission's decision regarding the Eagle Heights Village Conditional Use Permit appeal. Councilmember Curtis seconded the motion.*

Mr. Peterson asked that Council have a discussion regarding items 13.B. and 13.C., as he would like comments from the Council to ensure they address concerns moving forward. Councilmember Curtis said depending on the decision of the Planning Commission, the Council's direction may change.

Mr. Cook stated it is at the Council's discretion to have a discussion with the applicant. He stated it would be appropriate for the Council to provide direction to the applicant, so that if the conditional use permit is approved, the applicant may begin working towards meeting the Council's directives.

Councilmember Clark stated her preference to hold any discussion until after the Planning Commission has made a decision. She asked the applicant to provide an updated parks plan for review.

Mr. Peterson clarified he only wanted to discuss the amenities and how they are being treated, the buy down of amenity points, and the block that is over the length limit of connectivity standards. Councilmember Curtis said he will not grant a buy down and said he will not approve amenity points for amenities that do not currently have points assigned in Municipal Code. He stated the applicant needs to abide by Municipal Code.

Councilmember Reaves said sufficient feedback has been given to the applicant and directed Mr. Peterson to follow Municipal Code to the letter.

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

Mayor Westmoreland asked the Council if they would like to continue discussion, as per the applicant's request. Councilmember Clark said two Councilmembers were clear regarding feedback and stated the Council is ready to move on to the next item.

17. CITY COUNCIL/MAYOR'S BUSINESS

18. CITY COUNCIL BOARD LIAISON REPORTS

Councilmember Curtis

Councilmember Curtis expressed appreciation for the Senior Council and said they have many activities planned.

Councilmember Burnham

Councilmember Burnham informed residents Soda Shack is now open in City Center.

Councilmember Reaves

None.

Councilmember Clark

Councilmember Clark said she attended a previous Youth Council meeting and they expressed a desire to shadow the City Council during an upcoming Council meeting.

Councilmember Gricius

Councilmember Gricius said United Fire Authority is updating the fireworks restriction map and it should be presented soon.

Mayor Westmoreland

None.

19. COMMUNICATION ITEM

19.A. Upcoming Agenda Items

20. ADJOURNMENT

MOTION: *Councilmember Reaves moved to adjourn the meeting at 9:08 p.m. Councilmember Clark seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Benjamin Reaves, Donna Burnham, and Melissa Clark. The motion passed with a unanimous vote.*

Approved by the City Council on April 16, 2019.

Fionnuala B. Kofoed, MMC
City Recorder



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
APRIL 16, 2019**

TITLE:	Fireworks Map		
ITEM TYPE:	Resolution		
FISCAL IMPACT:	NA		
APPLICANT:	Eagle Mountain City		
GENERAL PLAN DESIGNATION NA	CURRENT ZONE City Wide	ACREAGE NA	COMMUNITY EM City

PUBLIC HEARING:

No

REQUIRED FINDINGS:

NA

**PLANNING COMMISSION
ACTION /
RECOMMENDATION**

NA

PREPARED BY:

Fionnuala Kofoed,
Recorder's Office

RECOMMENDATION:

Staff recommends that the City Council approves the proposed Resolution for Eagle Mountain City, Utah, regulating the discharge of fireworks within the City.

BACKGROUND:

State statute allows municipalities to restrict the discharge of fireworks in locations of existing or historical hazardous environmental conditions within the City and to designate dates, throughout the year, when fireworks may be discharged. UFA requires the City to provide a map showing restricted areas prior to May 1st. The deadline for UFA to submit changes to the County, according to the statute, is prior to June 1st.

The Council may amend the map to add or remove restricted areas.

Attachments:

[2019 Firework Restrictions](#)

[Fireworks Notice](#)

[City Center Firework Restrictions](#)

[Ranches Firework Restrictions](#)

RESOLUTION NO. R- - 2019

A RESOLUTION OF EAGLE MOUNTAIN CITY, UTAH ESTABLISHING FIREWORKS RESTRICTIONS FOR 2019

WHEREAS, in accordance with Utah Code §53-7-225, Class C common state approved explosives (fireworks) may only be discharged beginning on July 2 and ending on July 5, and beginning on July 22 and ending on July 25; and

WHEREAS, if existing or historical hazardous environmental conditions exist within the boundaries of Eagle Mountain City, Utah Code §15A-5-202.5 allows the City Council to prohibit the ignition and use of fireworks in the following areas: (1) mountainous, brush-covered, forest-covered, or dry grass-covered areas; (2) within 200 feet of waterways, trails, canyons, washes, ravines, or similar areas; (3) wildland urban interface area, which means the line, area, or zone where structures or other human development meet or intermingle with undeveloped wildland or land being used for an agricultural purpose; or (4) a limited area outside the hazardous areas.

NOW, THEREFORE, BE IT RESOLVED by Eagle Mountain City, Utah, as follows:

1. The City Council hereby determines that historical hazardous environmental conditions have existed in the areas designated on the *Eagle Mountain City 2019 Firework Closed Area Map* before July 1 of at least two of the preceding five years, which map is attached hereto as Exhibit A and incorporated herein.
2. All fireworks will be prohibited during calendar year 2019 in the areas designated as “Closed” on the *Eagle Mountain City 2019 Firework Closed Area Map*.
3. In accordance with Utah Code §15A-5-202.5, on or before May 1, 2019, the *Eagle Mountain City 2019 Firework Closed Area Map* shall be provided to Utah County.
4. Designated firework locations are established in the asphalt parking area above Silverlake Amphitheater and asphalt parking areas at Pony Express Park. All residents who live close to perimeter streets with adjacent fields or hills are encouraged to move as far as possible away from fields or hills or to the designated firework locations.
5. In addition to any other fines, penalties, or liability allowed under Utah law, in accordance with Utah Code §53-7-225, a person is guilty of an infraction, punishable by a fine of up to \$1,000, if the person discharges a Class C common state approved explosive: (a) outside the legal discharge dates and times described in Utah Code §53-7-225(3); or (b) in an area designated as “Closed” on the *Eagle Mountain City 2019 Firework Closed Area Map*.

PASSED and APPROVED this 16th day of April, 2019.

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 16th day of April, 2019.

Those voting aye:

- ☐ Donna Burnham
- ☐ Melissa Clark
- ☐ Colby Curtis
- ☐ Stephanie Gricius
- ☐ Benjamin Reaves

Those voting nay:

- ☐ Donna Burnham
- ☐ Melissa Clark
- ☐ Colby Curtis
- ☐ Stephanie Gricius
- ☐ Benjamin Reaves

Those excused:

- ☐ Donna Burnham
- ☐ Melissa Clark
- ☐ Colby Curtis
- ☐ Stephanie Gricius
- ☐ Benjamin Reaves

Fionnuala B. Kofoed, MMC
City Recorder

Exhibit A



UNIFIED FIRE AUTHORITY

March 21, 2019

To all Legislative Bodies,

Utah Code Title 15A-5-202.5 (Controlled use of ignition sources including fireworks, lighters, sky lanterns, matches, and smoking materials):

Key points in current fireworks and ignition source law:

Discharge dates for fireworks in July:

- July 2-5 and July 22-25
- Prior to May 1st, municipal legislative bodies (cities, townships, county) may designate locations of existing or historical hazardous environmental conditions in which the use of fireworks is restricted and are to provide this information to the county for inclusion in a county-wide map showing restricted areas on county website and distributed to sellers for display. The County shall produce a map showing those restrictions received from the municipal legislative bodies prior to June 1st.
- Provides civil liability for negligent, reckless, or intentional conduct for fire damage caused by fireworks, including use in prohibited areas.
- Clarifies areas where cities can restrict fireworks discharge using readily identifiable features.
- Establishes an infraction (up to \$1,000 fine) for:
 - Discharge of fireworks outside of legal dates.
 - Discharge of fireworks in an area where fireworks are prohibited.

Please review your municipality's restricted areas for accuracy and proper alignment. If you wish to make changes to any boundary for restrictions, it is important to proceed as quickly as possible to make those changes via ordinance or resolution. Changes must be in accordance with the guidelines in HB 38. Historically restricted areas are allowed.

- The County is required to have a map in place before June 1st, available to the public and fireworks vendors.
- If UFA Fire Prevention Division does not receive notice of any changes prior to May 1st, the map we provide to the County will be the same historical map for your city as last year, 2017. (Red areas on UFA website at http://www.unifiedfire.org/stations/fireworks_restrictions_map.asp)

Here is the link to Utah Code Title 15A amendment regarding fireworks law.

https://le.utah.gov/xcode/Title15A/Chapter5/15A-5-S202.5.html?v=C15A-5-S202.5_2018050820180508

For reference, this is the link to HB 38 which enacted the amendment.

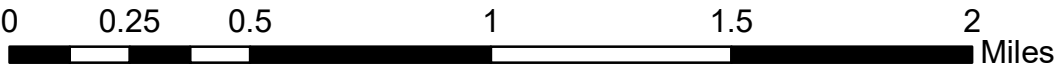
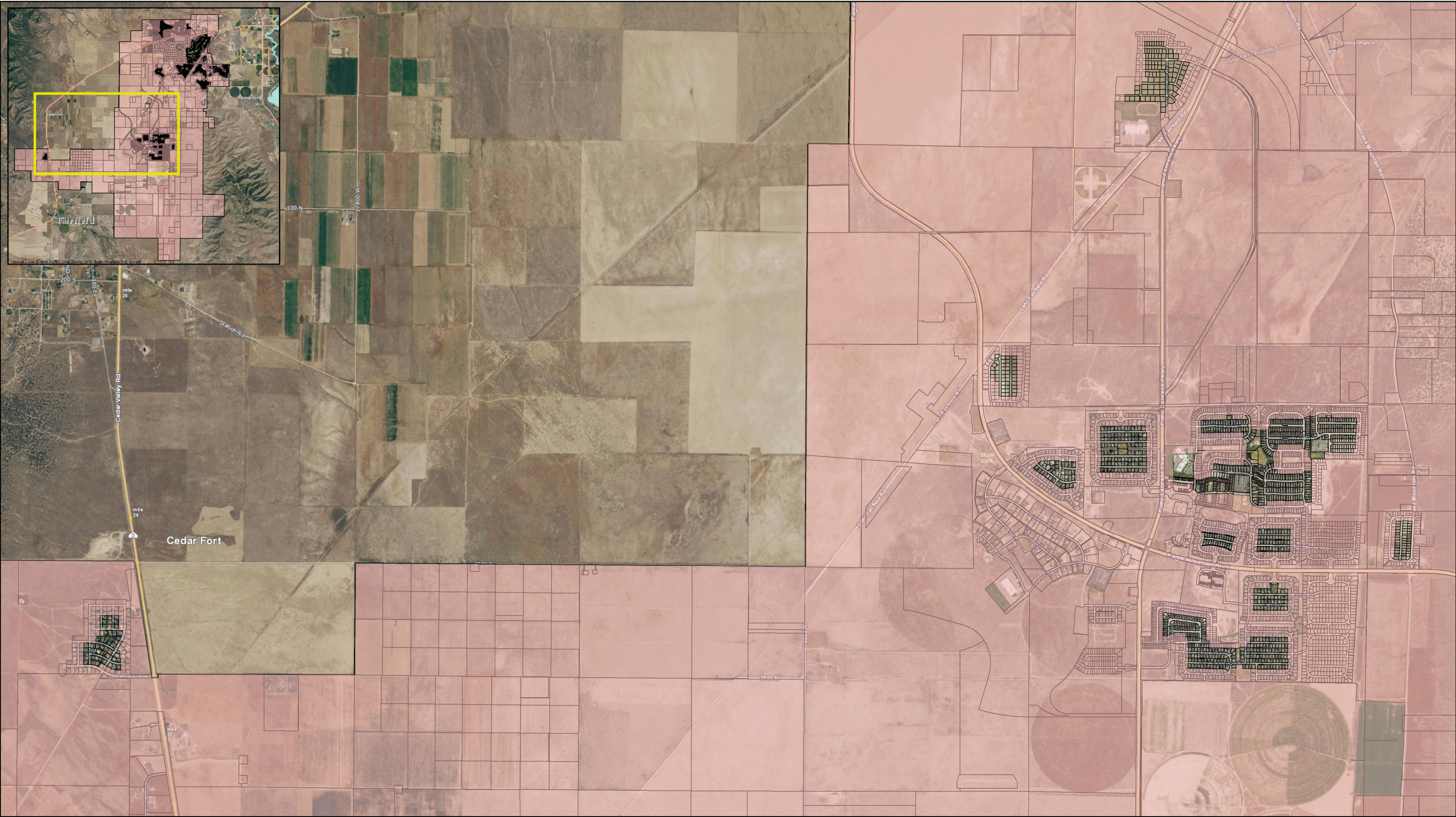
<https://le.utah.gov/~2018/bills/static/HB0038.html>

Please feel free to contact me or your Area Fire Marshal at any time should you have any questions.

Thank you.

Brad Larson / Fire Marshal
Unified Fire Authority
4965 S Redwood Rd / Taylorsville, UT 84123
801-743-7227 o / 801- 205-4080 c
blarson@unifiedfire.org

Eagle Mountain City Firework Restrictions Map: City Center



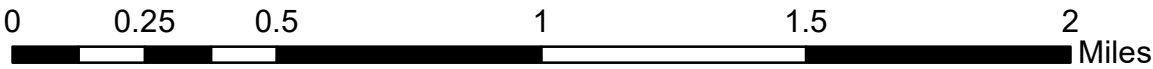
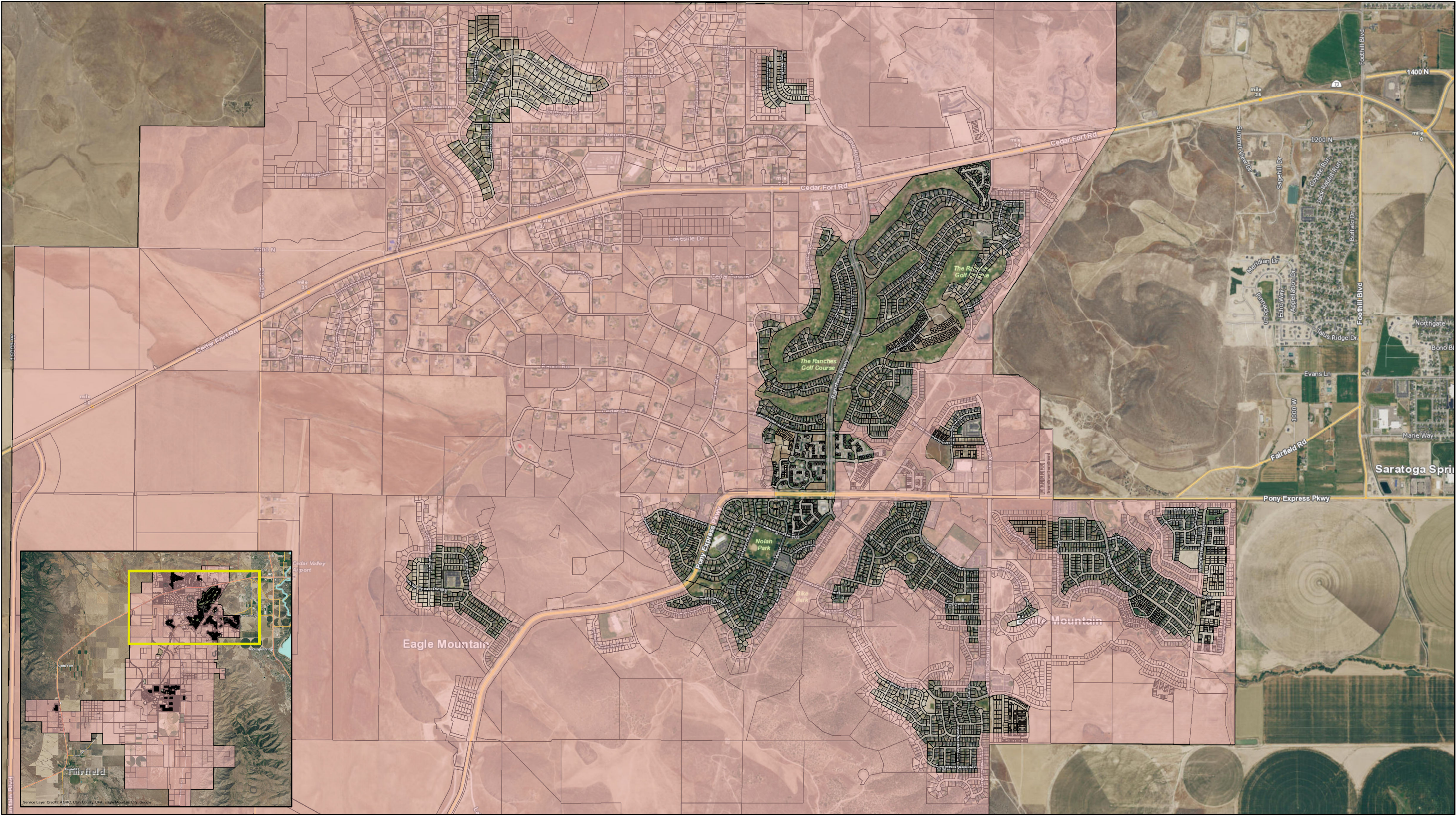
 Restricted Firework Areas



Disclaimer: Eagle Mountain City makes no warranty with respect to the accuracy, completeness, or usefulness of these maps. Eagle Mountain City assumes no liability for direct, indirect, special, or consequential damages resulting from the use or misuse of these maps or any of the information contained herein. Portions may be copied for incidental uses, but may not be resold.

Contact Eagle Mountain City
Engineering/GIS Department
801-789-6662

Eagle Mountain City Firework Restrictions Map: The Ranches



 Restricted Firework Areas



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Contact Eagle Mountain City
Engineering/GIS Department
801-789-6662



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
APRIL 16, 2019**

TITLE:	Utah County Interlocal Agreement		
ITEM TYPE:	Resolution		
FISCAL IMPACT:	44,931.60 for both the primary and general election		
APPLICANT:	Eagle Mountain City		
GENERAL PLAN DESIGNATION NA	CURRENT ZONE NA	ACREAGE NA	COMMUNITY City Wide

PUBLIC HEARING:

REQUIRED FINDINGS:
NA

**PLANNING COMMISSION
ACTION /
RECOMMENDATION**

NA

PREPARED BY:

Fionnuala Kofoed,
Recorder's Office

RECOMMENDATION:

That the City Council adopts a resolution approving an interlocal agreement with Utah County for the administration of the 2019 Municipal Primary Election to be held August 13, 2019 (if necessary) and the Municipal General Election to be held November 5, 2019.

.

BACKGROUND:

According to the terms of the interlocal agreement, Utah County would administer a countywide vote by mail process for the 2019 Municipal Election for all municipalities that enter into an interlocal agreement. All registered voters would receive a ballot in the mail which would be mailed back to Utah County to be processed. Secured drop boxes for ballots would be located at several locations within the county. There would also be a ballot box at the Eagle Mountain City Recorder's Office at which ballots could be dropped off rather than being mailed to the County Elections Office.

The County is offering to administer vote by mail or ranked choice voting for municipalities that choose to contract for those services. Eagle Mountain's Election Official is not recommending ranked choice voting for this election and will observe the outcome for future elections if other municipalities choose to administer that type of election. Early voting will be offered at a designated vote center prior to the primary (if needed) and general elections. Voters may come to Eagle Mountain's vote center at City Hall on the day of the election and vote in person.

The the mailed ballot will include both outbound and return postage. While the cost of vote by mail is higher than a traditional election, the cost is reduced significantly by contracting with the County as they qualify for reduced, bulk rate mailing that municipalities do not qualify for. Additionally, vote by mail typically increases voter participation. Voter returns increased from 16.12% in the 2015 General Election to 28.75% in the 2017 General Election. As of

March 1, 2019 Eagle Mountain City has 12,481 registered voters.

There are three 4-year councilmember terms to be voted on and the candidate filing period begins June 3, 2019 and ends at 5:00 p.m. on June 7, 2019. A Primary election will be held August 13, 2019, if necessary and the General election will be held November 5, 2019.

Attachments:

Election Administration Agreement with Utah County

2019 Exhibit B Eagle Mountain

2019 Scope of Work Exhibit A

Eagle Mountain ILA 2019

RESOLUTION NO. R- -2019

**A RESOLUTION OF THE CITY COUNCIL OF EAGLE MOUNTAIN CITY, UTAH,
APPROVING AN INTERLOCAL COOPERATION AGREEMENT FOR JOINT
ADMINISTRATION OF THE 2019 MUNICIPAL ELECTION**

WHEREAS, the Eagle Mountain City Municipal Primary and General Elections will be held on August 13, 2019 and November 5, 2019; and

WHEREAS, the City desires to have Utah County provide manpower and equipment to count all ballots;

NOW, THEREFORE, be it resolved by the City Council of Eagle Mountain City, Utah as follows:

1. The Interlocal Cooperation Agreement for Joint Administration of the 2019 Municipal Election, attached hereto as Exhibit 1 and incorporated herein, is hereby approved.

ADOPTED by the City Council of Eagle Mountain, Utah, this 16th day of April, 2019.

EAGLE MOUNTAIN CITY, UTAH

Tom Westmoreland, Mayor

Fionnuala B. Kofoed, MMC
City Recorder

CERTIFICATION

The above Resolution was adopted by the City Council of Eagle Mountain City, Utah on this 16th day of April, 2019.

Those voting aye:

- ☐ Donna Burnham
- ☐ Melissa Clark
- ☐ Colby Curtis
- ☐ Stephanie Gricius
- ☐ Benjamin Reaves

Those voting nay:

- ☐ Donna Burnham
- ☐ Melissa Clark
- ☐ Colby Curtis
- ☐ Stephanie Gricius
- ☐ Benjamin Reaves

Those excused:

- ☐ Donna Burnham
- ☐ Melissa Clark
- ☐ Colby Curtis
- ☐ Stephanie Gricius
- ☐ Benjamin Reaves

Fionnuala B. Kofoed, MMC
City Recorder

Exhibit 1

2019 Municipal Elections

Exhibit B

Active Voters for billing purposes, will be calculated 7 days before each Election Day

EAGLE MOUNTAIN

Election		Not to exceed \$1.80 per voter per election	
Active Voters as of 3/1/19			
Primary	12481	\$	22,465.80
General	12481	\$	22,465.80
Estimated Cost as of 3/1/2019		\$	44,931.60

Exhibit A
2019 Municipal Elections
Scope of Work for Election Services
Revised 3/26/2019

The County shall provide to the City an Official Register as required by Utah Code Ann. § 20A-5-401, (as amended).

Services the City will provide, but are not limited to:

- All administrative functions related to candidate filing.
- All administrative functions related to financial disclosure required by state code and/or city code.
- Publish Public Notices required by law. The City may work with the County to publish notices jointly with other jurisdictions.
- Accept responsibility to keep candidates and the public up to date and current on all legal requirements governing candidates and campaigns.
- Thoroughly examine and proof all election programming done for the 2019 City Municipal Election. Final approval of ballots and programming will rest with the City.
- Host on the official City web site a link to or copy of the official reported results as hosted on the County Elections web page.
- City will not change the format or otherwise alter the official reported results, only displaying them in the form and format as provided by the County.
- City will canvas the final elections results.

The City will provide the County Clerk with information, decisions, and resolutions and will take appropriate actions required for the conduct of the election in a timely manner.

The City agrees to consolidate all elections administration functions and decisions in the office of the County Clerk to ensure the successful conduct of multiple, simultaneous municipal elections. In a consolidated election, decisions made by the County regarding resources, procedures and policies are based upon providing the same scope and level of service to all the participating jurisdictions and the City recognizes that such decisions, made for the benefit of the whole, may not be subject to review by the City.

Services the County will perform for the City include, but are not limited to:

- Ballot Layout and Design
- Ballot Printing
- Ballot Mailings
- Return Postage
- Ballot Processing
- Printing Optical Scan Ballots
- Program and Test Voting Equipment
- Program Electronic Voter Register
- Poll Worker Recruitment and Training
- Compensate Vote Center Poll Worker
- Delivery of Supplies and Equipment
- Tabulate and Report Election Results on County Website
- Provisional Ballot Verification
- Update Voter History Database
- Conduct Audits (as required)
- Conduct Recounts (as needed)
- Election Day Administrative Support
- Operation of county wide vote centers.
- Provide final, canvass report of Official Election Results. The city is responsible to canvass their municipal election on the date designated by the county.
- Such results will constitute the final Official Results of the Election.

The County will provide a good faith estimate for budgeting purposes. Election costs are based upon the offices scheduled for election, the number of voters, and the number of jurisdictions participating. The City will be invoiced for its share of the actual costs of the elections which will not exceed the estimated rate in Exhibit B.

In the event of a state or county special election being held in conjunction with a municipal election, the scope of services and associated costs, and the method of calculating those costs, will remain unchanged.

The City acknowledges that this Interlocal Agreement relates to a municipal ballot and election and as required by state statute, the City Clerk/Recorder is the Election Officer.

**INTERLOCAL COOPERATION AGREEMENT BETWEEN UTAH COUNTY
AND EAGLE MOUNTAIN CITY
FOR THE ADMINISTRATION OF THE 2019 MUNICIPAL ELECTIONS**

THIS IS AN INTERLOCAL COOPERATION AGREEMENT (Agreement), made and entered into by and between Utah County, a political subdivision of the State of Utah, and EAGLE MOUNTAIN City, a Utah municipality and political subdivision of the State of Utah, hereinafter referred to as CITY.

WITNESSETH:

WHEREAS, pursuant to the provisions of the Interlocal Cooperation Act (“Act”), Title 11, Chapter 13, Utah Code, public agencies, including political subdivisions of the State of Utah as therein defined, are authorized to enter into written agreements with one another for joint or cooperative action; and

WHEREAS, pursuant to the Act, the parties desire to work together through joint and cooperative action that will benefit the residents of both Utah County and CITY; and

WHEREAS, the parties to this Agreement are public agencies as defined in the Act; and

WHEREAS, Utah County and CITY desire to successfully conduct the 2019 CITY Municipal Primary (August 13, 2019) and General (November 5, 2019) Elections (collectively “2019 CITY Municipal Elections”); and

WHEREAS, it is to the mutual benefit of both Utah County and CITY to enter into an agreement providing for the parties’ joint efforts to administer the 2019 CITY Municipal Elections.

NOW, THEREFORE, the parties do mutually agree, pursuant to the terms and provisions of the Act, as follows:

Section 1. EFFECTIVE DATE; DURATION

This Agreement shall become effective and shall enter into force, within the meaning of the Act, upon the submission of this Agreement to, and the approval and execution thereof by Resolution of the governing bodies of each of the parties to this Agreement. The term of this Agreement shall be from the effective date hereof until the completion of the parties' responsibilities associated with the 2019 CITY Municipal Elections or until terminated but is no longer than 1 year from the date of this Agreement. This Agreement shall not become effective until it has been reviewed and approved as to form and compatibility with the laws of the State of Utah by the Utah County Attorney and the attorney for CITY. Prior to becoming effective, this Agreement shall be filed with the person who keeps the records of each of the parties hereto.

Section 2. ADMINISTRATION OF AGREEMENT

The parties to this Agreement do not contemplate nor intend to establish a separate legal entity under the terms of this Agreement. The parties hereto agree that, pursuant to Section 11-13-207, Utah Code, Utah County, by and through the Utah County Clerk/Auditor Elections Office, shall act as the administrator responsible for the administration of this Agreement. The parties further agree that this Agreement does not anticipate nor provide for any organizational changes in the parties. The administrator agrees to keep all books and records in such form and manner as Utah County shall specify and further agrees that said books shall be open for examination by the parties hereto at all reasonable times. The parties agree that they will not acquire, hold nor dispose of real or personal property pursuant to this Agreement during this joint undertaking.

Section 3. PURPOSES

This Agreement has been established and entered into between the parties for the purpose of administering the 2019 CITY Municipal Elections. This Agreement contemplates basic,

traditional primary and general elections for the 2019 CITY Municipal Elections. All other election-related services, including but not limited to services for special elections or elections for subsequent years, will need to be agreed to in a separate writing signed by both parties.

Section 4. RESPONSIBILITIES

The parties agree to fulfill the responsibilities and duties as contained in Exhibit A which is attached hereto and by this reference is incorporated herein for the 2019 CITY Municipal Elections.

CITY agrees to pay to Utah County the actual cost of County's administration of the 2019 CITY Municipal Elections which cost shall not exceed the estimated costs as contained in Exhibit B which is attached hereto and by this reference is incorporated herein. CITY agrees to pay to County the cost as contemplated herein within 30 days of receiving an invoice from County.

Section 5. METHOD OF TERMINATION

This Agreement will automatically terminate at the end of its term herein, pursuant to the provisions of paragraph one (1) of this Agreement. Prior to the automatic termination at the end of the term of this Agreement, any party to this Agreement may terminate the Agreement sixty days after providing written notice of termination to the other parties. Should the Agreement be terminated prior to the end of the stated term, CITY will be responsible for any costs incurred, including costs not then incurred but which are contemplated herein and irreversible at the time of termination such as return mailing costs, through the time of termination. The Parties to this Agreement agree to bring current, prior to termination, any financial obligation contained herein.

Section 6. INDEMNIFICATION

The parties to this Agreement are political subdivisions of the State of Utah. The parties agree to indemnify and hold harmless the other for damages, claims, suits, and actions arising out

of a negligent error or omission of its own officials or employees in connection with this Agreement. It is expressly agreed between the parties that the obligation to indemnify is limited to the dollar amounts set forth in the Governmental Immunity Act, Section 63G-7-604.

Section 7. FILING OF INTERLOCAL COOPERATION AGREEMENT

Executed copies of this Agreement shall be placed on file in the office of the County Clerk/Auditor of Utah County and with the official keeper of records of CITY, and shall remain on file for public inspection during the term of this Agreement.

Section 8. ADOPTION REQUIREMENTS

This Agreement shall be (a) approved by Resolution of the governing body of each of the parties, (b) executed by a duly authorized official of each of the parties (c) submitted to and approved by an Authorized Attorney of each of the parties, as required by Section 11-13-202.5, Utah Code, and (d) filed in the official records of each party.

Section 9. AMENDMENTS

This Agreement may not be amended, changed, modified or altered except by an instrument in writing which shall be (a) approved by Resolution of the governing body of each of the parties, (b) executed by a duly authorized official of each of the parties, (c) submitted to and approved by an Authorized Attorney of each of the parties, as required by Section 11-13-205.5, Utah Code, and (d) filed in the official records of each party.

Section 10. SEVERABILITY

If any term or provision of the Agreement or the application thereof shall to any extent be invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision to circumstances other than those with respect to which it is invalid or unenforceable, shall not be affected thereby, and shall be enforced to the extent permitted by law. To the extent

permitted by applicable law, the parties hereby waive any provision of law which would render any of the terms of this Agreement unenforceable.

Section 11. NO PRESUMPTION

Should any provision of this Agreement require judicial interpretation, the Court interpreting or construing the same shall not apply a presumption that the terms hereof shall be more strictly construed against the party, by reason of the rule of construction that a document is to be construed more strictly against the person who himself or through his agents prepared the same, it being acknowledged that each of the parties have participated in the preparation hereof.

Section 12. HEADINGS

Headings herein are for convenience of reference only and shall not be considered any interpretation of the Agreement.

Section 13. BINDING AGREEMENT

This Agreement shall be binding upon the heirs, successors, administrators, and assigns of each of the parties hereto.

Section 14. NOTICES

All notices, demands and other communications required or permitted to be given hereunder shall be in writing and shall be deemed to have been properly given if delivered by hand or by certified mail, return receipt requested, postage paid, to the parties at the addresses of the City Mayor or County Commission, or at such other addresses as may be designated by notice given hereunder.

Section 15. ASSIGNMENT

The parties to this Agreement shall not assign this Agreement, or any part hereof, without the prior written consent of all other parties to this Agreement. No assignment shall relieve the

original parties from any liability hereunder.

Section 16. GOVERNING LAW

All questions with respect to the construction of this Agreement, and the rights and liability of the parties hereto, shall be governed by the laws of the State of Utah.

IN WITNESS WHEREOF, the parties have signed and executed this Agreement, after resolutions duly and lawfully passed, on the dates listed below:

UTAH COUNTY

Authorized by Resolution No. 2019 - ___, authorized and passed on the ____ day of _____ 2019.

BOARD OF COUNTY COMMISSIONERS
UTAH COUNTY, UTAH

By: _____
WILLIAM C. LEE, Chairman

ATTEST: AMELIA A. POWERS
Utah County Clerk/Auditor

By: _____
Deputy

APPROVED AS TO FORM AND COMPATIBILITY
WITH THE LAWS OF THE STATE OF UTAH:
DAVID O. LEAVITT, Utah County Attorney

By: _____
Deputy County Attorney

CITY

Authorized by Resolution No. _____, authorized and passed on the _____ day of
_____ 2019.

Mayor, CITY

ATTEST:

NAME
CITY Recorder

APPROVED AS TO FORM AND COMPATIBILITY
WITH THE LAWS OF THE STATE OF UTAH
CITY Attorney

By: _____



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
APRIL 16, 2019**

TITLE:	An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Chapter 17.38 for the Commercial Storage Zone.		
ITEM TYPE:	Development Code Amendment		
FISCAL IMPACT:	n/a		
APPLICANT:	Scott Weber		
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

Yes

REQUIRED FINDINGS:

**PLANNING COMMISSION
ACTION /
RECOMMENDATION**

PREPARED BY:

Taylor Jensen, Planning

RECOMMENDATION:

If you (the Council) feels the Code is appropriate you may use the following motion:

I move that we approve the Commercial Storage Zone 17.38.090 Development Code amendment with the following changes:
(1) Any changes that you deem appropriate

If you (the Council) do not feel the Code change is appropriate you may use the following motion:

I move that we deny the Commercial Storage Zone 17.38.090 Development Code amendment.

BACKGROUND:

This Item was originally presented to the Eagle Mountain Planning Commission on December 11, 2018, asking for the only limit on the number of moving and storage vehicles permitted on a site to be the site's layout itself. The Planning Commission recommended denial (4:1)

On January 15, 2019 the City Council considered the applicant's request and tabled the item, giving the applicant feedback to work with staff on a compromise Code to bring forward. Staff conducted research and made a recommendation that the Code allow for 6 moving trucks and/or box trailers and up to 4 additional flat bed trailers in front of a wall. The applicant felt this did not fulfill their need and has drafted the proposed Development Code amendment.

Attachments:

[Draft Code Amendment](#)

17.38.090

E. A maximum of ~~six~~ twelve moving vehicles (eight trucks and/or box trailers and up to four flatbed trailers) may be displayed outside of a building or in front of a six-foot privacy fence or wall. All vehicles must be parked upon an improved parking area within designated parking stalls. Additional rental vehicles may be placed inside a structure or behind a minimum of a six-foot privacy fence or wall.

1. Vehicles located outside of a structure and in front of a wall or fence shall be located in a manner so as to not obstruct drive aisles, doors, or pedestrian pathways. [Ord. O-21-2018 § 2 (Exh. A); Ord. O-02-2011 § 2 (Exh. A)].

ORDINANCE NO. O- -2019

**AN ORDINANCE OF EAGLE MOUNTAIN CITY, UTAH
AMENDING CHAPTER 17.38 OF THE
EAGLE MOUNTAIN MUNICIPAL CODE FOR
COMMERCIAL STORAGE ZONE**

PREAMBLE

WHEREAS, the Eagle Mountain City Council (the “Council”) met in regular meeting on April 16, 2019 to consider, among other things, amending Chapter 17.38 of the Eagle Mountain Municipal Code for Commercial Storage Zone;

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

1. The City Council finds that all required public hearings have been held and all legal requirements have been met to amend Chapter 17.38 of the Eagle Mountain Municipal Code for Commercial Storage Zone, as set forth in Exhibit A.
2. Chapter 17.38 of the Eagle Mountain Municipal Code for Commercial Storage Zone is hereby amended, 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, Utah, on this 16th day of April, 2019.

EAGLE MOUNTAIN CITY, UTAH

Tom Westmoreland, Mayor

ATTEST:

Fionnuala B. Kofoed, MMC
City Recorder

CERTIFICATION

The above Ordinance was adopted by the City Council of Eagle Mountain City on this 16th day of April, 2019.

Those voting aye:

- ☐ Donna Burnham
- ☐ Melissa Clark
- ☐ Colby Curtis
- ☐ Stephanie Gricius
- ☐ Benjamin Reaves

Those voting nay:

- ☐ Donna Burnham
- ☐ Melissa Clark
- ☐ Colby Curtis
- ☐ Stephanie Gricius
- ☐ Benjamin Reaves

Those excused:

- ☐ Donna Burnham
- ☐ Melissa Clark
- ☐ Colby Curtis
- ☐ Stephanie Gricius
- ☐ Benjamin Reaves

Fionnuala B. Kofoed, MMC
City Recorder

Exhibit A



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
APRIL 16, 2019**

TITLE:	An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Chapter 17.20 Agriculture Zone and 17.10 Definitions.		
ITEM TYPE:	Development Code Amendment		
FISCAL IMPACT:	n/a		
APPLICANT:	Marley Juarez		
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

Yes

REQUIRED FINDINGS:

**PLANNING COMMISSION
ACTION /
RECOMMENDATION**

The Eagle Mountain Planning Commission recommended approval of the Code amendment as presented (5-0).

PREPARED BY:

Tayler Jensen, Planning

RECOMMENDATION:

The Eagle Mountain Planning Commission held a public hearing on this proposal on April 9, 2019. No one from the public, except the applicant, made comment during the meeting. The Planning Commission discussed if it was appropriate to add this as a conditional use within the Code or not. Staff informed the Commission if this was a use that they would feel comfortable approving within the Agriculture Zone then it would be appropriate.

There was discussion on the concept plan that was submitted. It was discussed that parking, access, and number of visitor issues would be appropriate to address on a case by case basis through conditional use permits.

The Planning Commission ultimately felt comfortable recommending approval of this Code amendment.

BACKGROUND:

The applicant wishes to provide equine based therapy, and is seeking to add it as a conditional use within the Agriculture Zone. Pending an approval of the Code amendment the applicant will be submitting a Site Plan and a Conditional Use permit for an equine based therapy business in the barn currently owned by Lee Brown, located west of the SR 73 highway, southwest of the White Hills Country Estates neighborhood.

Attachments:

[Proposed Code Change](#)

[Potential Concept Plan](#)

[Ordinance for Agriculture Zone](#)

[MIN--DRAFT PC 04.09.2019 \(Agriculture and Definitions Amendment\)](#)

17.10.030 Definitions

“Equine Assisted Therapy Center” means a facility that offers therapeutic equestrian riding, clinical therapy services, equine assisted services, and equine facilitated therapeutic services.

17.20.050 Conditional Uses

The following conditional uses and such uses as the planning director and planning commission may recommend as similar and consistent with the scale, character and impact of the area will be considered:

- A. Limited processing of agricultural products.
- B. Religious or cultural meeting hall.
- C. Radio, microwave or other transmission towers.
- D. Home businesses (as allowed by this title).
- E. Accessory apartments in accordance with the standards contained in this title.
- F. Commercial hunting areas as a temporary land use with no long-term vesting.
- G. Stables.
- H. Commercial riding arena.
- I. Equestrian center.

J. Equine Assisted Therapy Center

Strides Pediatric Therapy Concept Plan

Strides Pediatric Therapy will be a therapy center providing occupational therapy, physical therapy, speech therapy, and psychotherapy to individuals under 21 with disabilities.

Below is a google earth image of the property now:



Here is a roughly drawn picture of what we intend:



The yellow line represents the property line. I have drawn it wider than the current property line because we plan to buy a few extra acres that Mr. Lee Brown has offered next to the property. Mr. Brown told us that the driveway (in blue) that runs past the house to the east is on our property, however I am unsure of how that works and therefore did not include it in the property line.

The blue represents where we plan to lay asphalt.

The pink rectangle is a small metal eight stall barn that we currently own and plan to place on the property.

The green rectangles represent portable classroom/office buildings which we plan to place on the property. These will be offices for our therapists to work with patients when they are doing activities that can be done in an office.

We will keep horses in the stalls and any equine assisted therapy activities will take place in the indoor arena.

All of the other open space will just be pastures for the horses.

We are prepared to put a closed fence along the property line that backs onto the house so as to prevent disruption for them. We will also mitigate parking so that it is organized and controlled.

We intend to make other small renovations to the property (fixing fences, repairing doors to the arena, planting grass, etc.) but this concept plan outlines the major changes and our intentions with the property.

ORDINANCE NO. O- -2019

**AN ORDINANCE OF EAGLE MOUNTAIN CITY, UTAH
AMENDING CHAPTER 17 OF
THE EAGLE MOUNTAIN MUNICIPAL CODE
FOR DEFINITIONS AND AGRICULTURE ZONE**

PREAMBLE

WHEREAS, the Eagle Mountain City Council finds it is in the public interest to amend sections of the Eagle Mountain Municipal Code;

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

1. The City Council finds that all required public hearings have been held and all legal requirements have been met to amend sections of the Municipal Code which are attached to this Ordinance as Exhibit A.
2. Chapter 17.10 for Definitions and Chapter 17.20 for the Agriculture Zone hereby amended 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, Utah, this 16th day of April, 2019.

EAGLE MOUNTAIN CITY, UTAH

Tom Westmoreland, Mayor

ATTEST:

Fionnuala B. Kofoed, MMC
City Recorder

CERTIFICATION

The above ordinance was adopted by the City Council of Eagle Mountain City on this 16th day of April, 2019.

Those voting aye:

- ☐ Donna Burnham
- ☐ Melissa Clark
- ☐ Colby Curtis
- ☐ Stephanie Gricius
- ☐ Benjamin Reaves

Those voting nay:

- ☐ Donna Burnham
- ☐ Melissa Clark
- ☐ Colby Curtis
- ☐ Stephanie Gricius
- ☐ Benjamin Reaves

Those excused:

- ☐ Donna Burnham
- ☐ Melissa Clark
- ☐ Colby Curtis
- ☐ Stephanie Gricius
- ☐ Benjamin Reaves

Fionnuala B. Kofoed, MMC
City Recorder

April 9, 2019 Planning Commission Meeting
Draft Excerpt – Agriculture and Definitions Development Code Amendment

4.B. Agriculture and Definitions Development Code Amendment, Public Hearing

Mr. Jensen presented the applicant-proposed Municipal Code amendment. The applicant is proposing to add “Equine Assisted Therapy Center” to the Code’s definition chapter. The proposed definition is, “A facility that offers therapeutic equestrian riding, clinical therapy services, equine-assisted services, and equine-facilitated therapeutic services.” The applicant is proposing this use be added as a conditional use in the Agriculture zone.

Applicant Marley Juarez explained her desire to open an equine-assisted pediatric therapy clinic at a facility on Wride Memorial Highway. They plan to offer therapeutic riding, and equine-assisted physical, occupational, speech and psychotherapy. They will also offer clinical therapeutic activities.

Commissioner Gray asked how many stalls on the property would be leased out. Ms. Juarez said there are currently seventeen stalls on site and the property has been used as a boarding and training facility for the last several years. They will likely add a few more stalls and some of those stalls will be leased by able-bodied riders. They will offer an able-bodied riding academy alongside the therapeutic riding.

Mr. Jensen explained if the amendment is approved, the applicant will apply for a site plan and conditional use permit. Details surrounding the specific site can be discussed at that time.

Commissioner Gray asked where the applicant’s potential therapy site is located. Ms. Juarez said it is near Cedar Fort and the property is currently owned by Lee Brown.

Commissioner Wright asked who would be served at the applicant’s therapy site, and Commissioner Wood asked if the program will be similar to Hoofbeats to Healing in Saratoga Springs. Ms. Juarez said it will serve those under 21 years of age. Hoofbeats to Healing offers therapeutic riding, but does not offer physical, occupational or speech therapy, and none of their sessions are run by a professional therapist. She explained their sessions will be supervised and ran by a licensed therapist, and a certified therapeutic riding instructor will be present at all therapeutic riding sessions. Their sessions will be research-based and more clinical than a basic therapeutic ride.

Commissioner Wright asked why the amendment is necessary as the Municipal Code currently has definitions for commercial riding arenas and equestrian centers. Mr. Jensen explained the applicant would like to add classrooms and office settings alongside the riding, which requires an amendment to Municipal Code.

Commissioner Gray confirmed with the applicant the design presented in the Planning Commission’s packet is a future plan, and the buildings noted do not currently exist. Ms. Juarez said the intent is add one mobile building with office space, and the building design will be

congruent with other structures in the Agriculture zone; they will not build a large glass office structure.

Commissioner Wright asked what the amendment will allow residents to do that is not currently permitted through the equestrian center definition. Mr. Jensen explained the equestrian center's definition is not highly detailed in what is allowed within that use. Some uses allowed are riding, roping, and shooting events. The proposed definition allows therapeutic riding and clinical therapy sessions. He reiterated that each property will need to obtain a conditional use permit and the specific details of each property will be determined during that process. Ms. Juarez said adding horse riding to the therapy sessions causes them to be outside of uses currently defined in Municipal Code.

Commissioner Gray asked how the amendment applies to the home-based business requirements, and if the business will be required to limit employees. Mr. Jensen said there is not a residence on the property, and the center will not be a home-based business.

Discussion ensued regarding specific details of Ms. Juarez's property. Mr. Jensen clarified that the Municipal Code amendment applies to the City as a whole, and advised the Planning Commission to review the amendment regarding the appropriateness of this use in the Agriculture zone, instead of considering only Ms. Juarez's site.

Community Development Director Steve Mumford stated sites that request this use will be required to go through the conditional use permit process, and conditions can be placed to mitigate concerns such as traffic and employees.

Commissioner Gray confirmed with City staff that Mr. Brown had installed a road around his property. Discussion ensued regarding access to Ms. Juarez's site.

Commissioner Everett opened the public hearing at 7:17 p.m. As there were no comments, he closed the hearing.

Commissioner Wood asked City Attorney Jeremy Cook about the appropriateness of adding additional conditional uses in Municipal Code, as the Utah League of Cities and Towns discourages creating more conditional uses. Mr. Cook explained conditional uses are harder to defend against and are more likely to be approved. He said additional conditional uses should be uses that will be generally allowed. Commissioner Wood asked if sites can be reviewed on a case-by-case basis for approval instead of adding another conditional use.

Mr. Jensen clarified that anything not specifically allowed in Municipal Code is prohibited; therefore, approving this use without the amendment would be difficult. Mr. Cook confirmed that adding this use as a conditional use is the best option.

Commissioner Everett said the Planning Commission's communicated desire is to have a rural feel to the City, and denying the amendment would go against that understanding. He stated quality services such as these are desirable and benefit the City.

Commissioner Gray confirmed that the conditional use only applies to the Agriculture zone, and is not being added to the residential zone.

MOTION: *Commissioner Wood moved to recommend approval to the City Council the Agriculture (17.20.050) and Definitions (17.10.030) Municipal Code amendments. Commissioner Anderson seconded the motion. Those voting aye: Matthew Everett, DeLin Anderson, Brett Wright, Rich Wood, Jared Gray. The motion passed with a unanimous vote.*



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
APRIL 16, 2019**

TITLE:	An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Chapter 16.15 for Concept Plans.		
ITEM TYPE:	Development Code Amendment		
FISCAL IMPACT:	n/a		
APPLICANT:	City Staff		
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:
Yes

REQUIRED FINDINGS:

**PLANNING COMMISSION
ACTION /
RECOMMENDATION**

The Planning Commission recommended approval of the proposed Code Change (5-0)

PREPARED BY:

Tayler Jensen, Planning

RECOMMENDATION:

BACKGROUND:

Attachments:

[Draft Code](#)

[MIN--DRAFT PC 04.09.2019 \(Concept Plans Amendment\)](#)

16.15.020 Purpose.

The concept plan review is an optional process (except when making application for a master development plan) that is offered as a means for applicants, developers or property owners to receive input from the planning director, planning commission, and City Council on a proposed development prior to incurring the costs associated with further stages of the approval process. A concept plan is a required process prior to making application for a master development plan. A concept plan shall not be presented to the City Council unless it has already been presented to the Planning Commission.

16.15.030 No vesting with concept plan review.

The concept plan review does not create any vested rights to proceed with development in any particular configuration and developers may anticipate that the planning director, planning commission, and/or City Council will raise other issues not addressed at the concept plan stage

16.15.050 Review of concept plans.

The concept plan review shall include an informal conference with the developer and the city's assigned staff, as well as an informal review of the plan by the planning commission, and/or the City Council. The developer shall receive comments from the assigned staff and other participants to guide the developer in the preparation of subsequent development applications. The planning commission shall not take any action on the concept plan review. Further, staff, the commission's, and the Council's comments shall not be binding, but shall only be used for information in the preparation of future development applications.

April 9, 2019 Planning Commission Meeting
Draft Excerpt – Concept Plans Development Code Amendment

4.C. Concept Plan (16.15) Development Code Amendment, Public Hearing

Mr. Jensen said the staff-proposed amendment clarifies in Municipal Code that applicants have the option to bring concept plans to the City Council.

Commissioner Everett opened the public hearing at 7:24 p.m. As there were no comments, he closed the hearing.

Commissioner Everett asked if the amendment allows applicants to bypass the Planning Commission and present concept plans directly to the City Council. He stated it is helpful for the Planning Commission to see concept plans to provide feedback to applicants. It would be detrimental for concept plans to bypass the Planning Commission.

Mr. Mumford said staff did not consider that possibility, but it is staff's intent that concept plans are presented to the Planning Commission before being presented to the City Council; this amendment would not remove the Planning Commission from the concept plan process. He recommended the Planning Commission add language or direct staff to add that language in the motion.

Commissioner Wood asked if the amendment should clarify that applicants are not to rely on staff comments, and staff comments are not binding. Mr. Jensen said that is already included in the Municipal Code, and clarified staff is not a land use authority. Commissioner Wood said he is aware of that and stated it needs to be reiterated in the amendment. Commissioner Everett asked that the updated amendment language be reviewed by the Planning Commission before being presented to the City Council. Mr. Mumford said staff will verify the updated language with the Commissioners before the item goes to City Council.

MOTION: *Commissioner Gray moved to recommend approval to the City Council the Concept Plan (16.15) Municipal Code amendment, with the following conditions:*

- 1. Section 16.15.020 shall state that concept plans must be presented to the Planning Commission before being presented to the City Council; and*
- 2. Section 16.15.050 shall state that no binding agreements come from staff's concept plan review.*

Commissioner Wood seconded the motion. Those voting aye: Matthew Everett, DeLin Anderson, Brett Wright, Rich Wood, Jared Gray. The motion passed with a unanimous vote.



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
APRIL 16, 2019**

TITLE:	Significant Land Disposal - Portion of Parcel 46:543:0075		
ITEM TYPE:	Motion		
FISCAL IMPACT:	NA		
APPLICANT:	Eagle Mountain City		
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

Yes

REQUIRED FINDINGS:

The 14-day notice requirement has been satisfied.

**PLANNING COMMISSION
ACTION /
RECOMMENDATION**

NA

PREPARED BY:

Fionnuala Kofoed,
Recorder's Office

RECOMMENDATION:

Staff recommends that the City Council approves the disposal of a portion of parcel 46:543:0075.

BACKGROUND:

Attachments:

[Ranches Estates Plat C.pdf](#)

RANCHES ESTATES PLAT "C"

SITUATED IN SECTION 20, TOWNSHIP 5 SOUTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN, EAGLE MOUNTAIN, UTAH

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C1	121.21	157.00	44°14'10"	118.23	N20°52'59"E
C2	15.49	10.00	88°46'33"	13.99	N45°37'23"W
C3	61.44	185.00	19°01'48"	61.16	N80°28'27"E
C4	13.04	10.00	74°43'10"	12.14	S33°35'58"W
C5	21.98	201.00	6°15'53"	21.97	S0°37'40"E
C6	151.80	2103.00	4°08'09"	151.77	N4°11'36"W
C7	61.90	72.00	49°15'45"	60.02	N18°22'11"E
C8	164.04	201.00	46°45'41"	159.53	N19°37'13"E
C9	150.21	179.00	48°04'49"	145.84	N18°57'39"E
C10	29.59	20.00	84°46'51"	26.97	S0°36'38"W
C11	188.06	50.00	215°30'09"	95.24	N65°58'17"E
C12	31.49	185.00	9°45'05"	31.45	N85°06'48"E
C13	29.96	185.00	9°16'43"	29.93	N75°35'54"E
C14	74.91	201.00	21°21'12"	74.48	N13°10'52"E
C15	60.23	201.00	17°10'07"	60.00	N32°26'32"E
C16	6.93	201.00	1°58'28"	6.93	N42°00'50"E
C17	14.80	20.00	42°23'25"	14.46	S21°48'21"W
C18	14.80	20.00	42°23'25"	14.46	S20°35'04"E
C19	65.09	50.00	74°35'11"	60.59	N42°29'11"W
C20	43.05	50.00	49°19'47"	41.73	N57°28'18"E
C21	79.92	50.00	91°35'10"	71.68	S52°04'14"E

NORTH WEST CORNER SECTION 20,
TOWNSHIP 5 SOUTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN.

NORTH QUARTER CORNER SECTION 20,
TOWNSHIP 5 SOUTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN.

RANCHES PARKWAY

MT AIREY DR.

VANGUARD RANCHES
GOLF COURSE LLC

ANTHEM ON THE
GREEN PHASE 1

- NOTES:
- 1- STUCCO SHALL NOT EXCEED 25% OF ANY FRONT ELEVATION AND ELEVATION FACING A PUBLIC STREET.
 - 2- ALL EXTERIOR LIGHTING MUST COMPLY WITH EMMC CHAPTER 17.56 OUTDOOR LIGHTING STANDARDS.
 - 3- PRIVACY FENCING FACING RANCHES PARKWAY MUST BE CONSISTENT IN LOOK, MATERIALS, COLOR, AND CONSTRUCTION WITH THE RANCHES FENCING ALONG RANCHES PARKWAY.
 - 4-MT AIREY CIRCLE DEDICATED TO EAGLE MOUNTAIN CITY.

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.

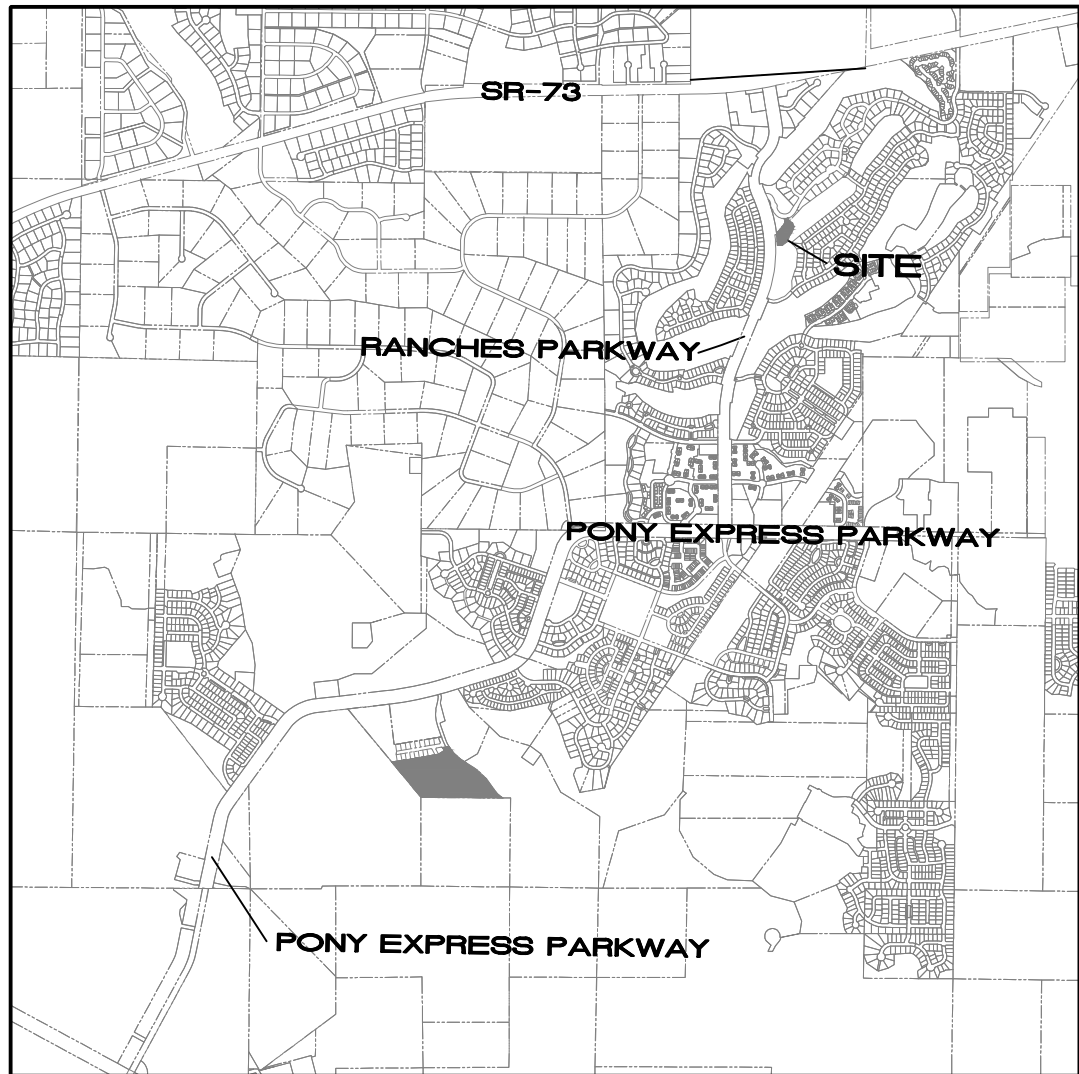
DIRECT COMMUNICATIONS _____ DATE _____

ROCKY MOUNTAIN POWER _____ DATE _____

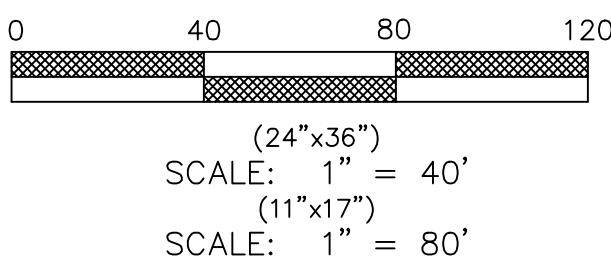
Approved this _____ day of _____ 20 ____ Dominion Gas Company

By: _____ Title: _____

DOMINION GAS COMPANY APPROVAL
Dominion approves this plat solely for the purpose of confirming that the plat contains public utility easements. Dominion 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 of 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's right-of-way department at 1-800-366-8532



VICINITY MAP



SURVEYOR'S CERTIFICATE

I, TRAVIS TRANE, do hereby certify that I am a Professional Land Surveyor, and that I hold Licence No. 5152741, as prescribed under the laws of the State of Utah. I further certify that by authority of the owners, I have made a survey of the tract of land shown on this plat and described hereon, and have subdivided said tract of land into lots and streets, together with easements, hereafter to be known as RANCHES ESTATES PLAT "C" and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

BOUNDARY DESCRIPTION

Beginning at a point which is North 89°04'38" West 39.56 feet along section line and South 820.29 feet from the North Quarter Corner of Section 20, Township 5 South, Range 1 West, Salt Lake Base and Meridian; thence North 43°00'04" East 94.53 feet; thence Northeasterly 121.21 feet along the arc of a 157 foot radius curve to the left, through a central angle of 44°14'10", the chord of which bears North 20°52'59" West 118.23 feet; thence Northwesterly 15.49 feet along the arc of a 10 foot radius curve to the left, through a central angle of 88°46'33", the chord of which bears North 45°37'23" West 13.99 feet; thence Easterly 61.44 feet along the arc of a 185 foot radius curve to the left, through a central angle of 19°01'48", the chord of which bears North 80°28'27" East 61.16 feet; thence Southwesterly 13.04 feet along the arc of a 10 foot radius curve to the left, through a central angle of 74°43'10", the chord of which bears South 33°35'58" West 12.14 feet; thence Southerly 21.98 feet along the arc of a 201 foot radius curve to the right, through a central angle of 06°15'53", the chord of which bears South 00°37'40" East 21.97 feet; thence South 56°51'06" East 76.18 feet; thence South 27°42'09" East 56.73 feet; thence South 15°17'17" West 44.51 feet; thence South 25°49'14" West 61.83 feet; thence South 36°59'00" West 52.18 feet; thence South 15°36'40" West 89.40 feet; thence South 55°04'45" West 99.45 feet; thence South 89°33'35" West 72.77 feet; thence Northerly 151.80 along the arc of a 2103 foot radius curve to the left, through a central angle of 04°08'09", the chord of which bears North 04°11'36" West 151.77 feet; thence Northeasterly 61.90 feet along the arc of a 72 foot radius curve to the right, through a central angle of 49°15'45", the chord of which bears North 18°22'11" East 60.02 feet to the point of beginning.

Parcel contains: 61,060 sq.ft.

Basis of Bearing: the line between the North Quarter Corner and the Northwest Corner of Section 20, Township 5 South, Range 1 West, Salt Lake Base and Meridian which bears North 89°04'38" West (NAD 83).

DATE

SURVEYOR
(See Seal Below)

OWNER'S 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, 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 on the inhabitants thereof.

OWNER(S):
PRINTED

AUTHORIZED SIGNATURES

ACKNOWLEDGEMENT

On the _____ day of _____, 20 __, 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 acknowledge to me that the Owners Dedication was executed by them on behalf of the Owners.

My Commission Expires _____

NOTARY PUBLIC SIGNATURE

COMMISSION NUMBER

PRINTED NAME OF NOTARY

ACCEPTANCE BY LEGISLATIVE BODY

The City Council of Eagle Mountain City, County of Utah, Approves this subdivision on 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 _____ day of _____, 20 ____

APPROVED BY MAYOR

APPROVED BY CITY ATTORNEY

APPROVED BY CITY ENGINEER
(See Seal Below)

ATTEST BY CITY RECORDER
(See Seal Below)

PLAT " C "

RANCHES ESTATES

A RESIDENTIAL SUBDIVISION

EAGLE MOUNTAIN _____ UTAH COUNTY, UTAH

SURVEYOR SEAL

NOTARY PUBLIC SEAL

CITY-COUNTY ENGINEER SEAL

CLERK-RECORDED SEAL

TRANE ENGINEERING, P.C.
CONSULTING ENGINEERS AND LAND SURVEYORS
27 EAST MAIN LEHI, UTAH 84043 (801) 768-4544



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
APRIL 16, 2019**

TITLE:	Hidden Hollow Blasting Permit Application		
ITEM TYPE:	Motion		
FISCAL IMPACT:			
APPLICANT:	Ryan Bybee, Cadence Capital		
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

No

REQUIRED FINDINGS:

**PLANNING COMMISSION
ACTION /
RECOMMENDATION**

PREPARED BY:

Chris Trusty, Public
Works

RECOMMENDATION:

That the City Council considers the blasting application.

BACKGROUND:

Cadence Capital, the developers of the Hidden Hollow subdivision, received a blasting permit approved by the City Council in 2018. The applicant performed blasts in accordance with the approved permit, but needed to clear blasted materials before completing all requested blasts. Because the approved permit included a completion date which was not met, the applicant will need to reapply to complete blasting for that site.

Attachments:

[Blast Permit for Utility Trenching 4-3-19](#)

[2019 Blasting Plan for Hidden Hollow](#)

[Hidden Canyon Blasting Permit Application](#)

Supporting Materials

The following materials are required to be submitted with the application:

A. Blasting operations timeline;

Exact schedule will be set once we have a valid permit issued by the City Council. We will follow all noticing requirements listed in the Chapter 8.25 of the new ordinance. We anticipate starting the blasting portion of the operation within 7 days of an active permit and anticipate that we can finish up drilling and blasting within 3 weeks from the start date.

B. Proposed blasting hours and number of blasts;

Blasting hours will be posted and residents will be notified not less than 48 hours prior to any blasts, we anticipate blasting hours to be between 11 AM to 1 PM on days blasting occurs. We anticipate there will be 45 holes @ 36 lbs. per 8 M/S delay, however this number may be modified once drilling begins.

C. A detailed site plan showing any proposed blasting locations;

See attached Exhibit

D. Maximum number and intensity of blasts in each blasting site;

See attached Blast Report

E. Existing structures and utilities within one-quarter mile (1,320 feet) of any proposed blast site;

See attached Exhibit

F. A detailed topographic map showing preblasting slopes and post-blasting slopes, including the average slope of the building lots (if applicable);

See attached Exhibit

G. Anticipated amount of material to be produced by blasting activity and location of processing and storage of such materials;

We anticipate generating 2000 CY of material that will be processed and used on site (See Attached Exhibit) to raise and build Hidden Valley Parkway. NO material will be take offsite. ALL generated material will be used on site. This will help limit the number of import trucks passing elementary school and residential neighborhoods.

H. Plan to reduce negative impacts;

- 1. We are using the best blaster operator in the area.*

2. *We will only blast in the perfect conditions.*
3. *We will use Blast Blankets to virtually eliminate the possibly of random projectiles.*
4. *We will limit the number and size of charges allowed at one time to assure we stay within all established blast criteria.*
5. *After each blast the blast operator will assess the plan and adjust as necessary.*

I. Public notification plan in accordance with EMMC 8.25.040(C);

We will comply with EMMC 8.25.040(C)

J. Preblast structural inspection plan in accordance with EMMC 8.25.040(D);

We will comply with EMMC 8.25.040(C)

K. Blast monitoring plan of selected structures within 300 feet of the nearest blast;

We will visually monitor at the time of each blast.

L. State permits for air quality and dust control;

See attached.

M. A copy of the permit issued by the Unified Fire Authority;

See attached.

N. A copy of the applicant's current ATF license to conduct explosive use operations;

See attached.

O. The processing fee required by the consolidated fee schedule approved by the city council;

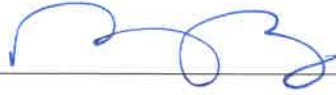
Already Paid.

P. Any additional information the city engineer determines is necessary to evaluate the impact of the proposed blasting. [Ord. O-23-2017 § 2 (Exh. A); Ord. O-30-2006 § 4; Ord. 00-06 § 4. Formerly 8.25.040].

Applicant Certification

I certify under penalty of perjury that this application & all information submitted as a part of this application are true, complete & accurate to the best of my knowledge. I also certify that I am the owner of the subject property & that the authorized agent noted in this application has my consent to represent me with respect to this application. Should any of the information or representations submitted in connection with this application be incorrect or untrue or if conditions of the approval are not followed, I understand that The City of Eagle Mountain may rescind any approval, or take any other legal or appropriate action. I also acknowledge that I have reviewed the application sections of the Eagle Mountain Development Code & that items & checklists contained in this application are basic & minimum requirements only & that other requirements may be imposed that are unique to individual projects or uses. Additionally, I have reviewed & understand sections from the Consolidation fee Schedule. I also agree to allow the staff, Planning Commission, or City Council or appointed agent(s) of the City to enter the subject property to make any necessary inspections thereof. I also understand that the approval of a minor development permit is valid for one year from the date of approval unless a longer duration is specified in a development agreement.

Property Owner's Signature



Date

4/3/19



4th & Goal
Drilling and Blasting LLC

BLAST REPORT

JOB NAME Hidden Hollow DATE TBD
ADDRESS Eagle Mtn TIME TBD AM/PM
BLAST NUMBER & STATION NUMBER #001 Trench One

NAME & LICENSE

NUMBER OF BLASTER: SHAWN MILLER

SIGNATURE Shawn Miller

BLAST CREW Justin Carr

ORICA Crew

DIRECTION AND DISTANCE TO NEAREST STRUCTURE 300' + Pump House

WEATHER CONDITIONS TBD

TYPE OF MATERIAL BLASTED 1. Limestone NUMBER 1. TBD BURDEN 1. 6 SPACING 1. 6
2. _____ HOLES 2. _____ 2. _____ 2. _____
HOLE 1. _____ HOLE 1. 8-10 STEMMING 1. _____ STEMMING 1. _____
3. _____ DIAMETER DEPTH 2. _____ TYPE SUBDRILL 2 LENGTH 2. _____

EXPLOSIVES/ACCESSORIES
TYPE/BRAND NAME

LBS/UNITS

EXPLOSIVES/ACCESSORIES
TYPE/BRAND NAME

LBS/UNITS

Amex Arfo

603.2

Excell Handidet 24'

58

Senelec 1 1/4x8

19.14

17ms LTD

3

TOTAL POUNDS IN SHOT 622.34

MAXIMUM HOLES PER DELAY 1

MAXIMUM LOADED POUNDS PER DELAY 10.4

NUMBER OF DECKS PER HOLE 1

LOADED POUNDS PER DECK 10.4

IGNITION SYSTEM ☐ ELECTRIC ☒ NONELECTRIC BRAND NAME _____

BLASTING MACHINE USED Scorpion

DELAY PERIODS USED 17ms

TOTAL NUMBER OF CAPS OR DELAY CONNECTORS 61

NETS OR OTHER PROTECTION USED ☒ YES ☐ NO TYPE _____



4th & Goal
Drilling and Blasting^{INC}

BLAST REPORT

SKETCH OF BLAST LAYOUT

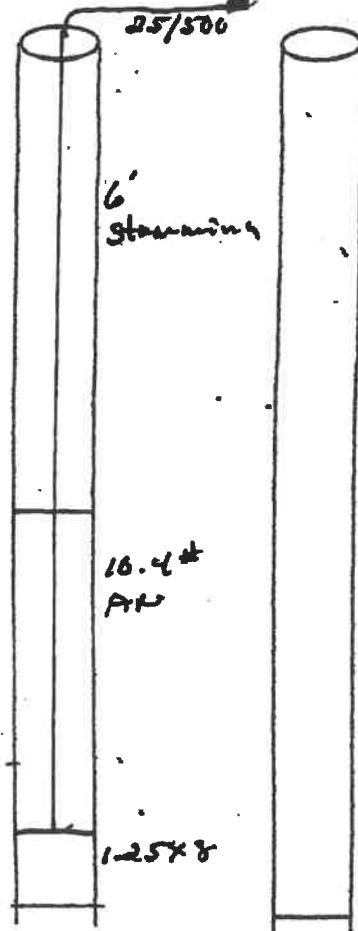
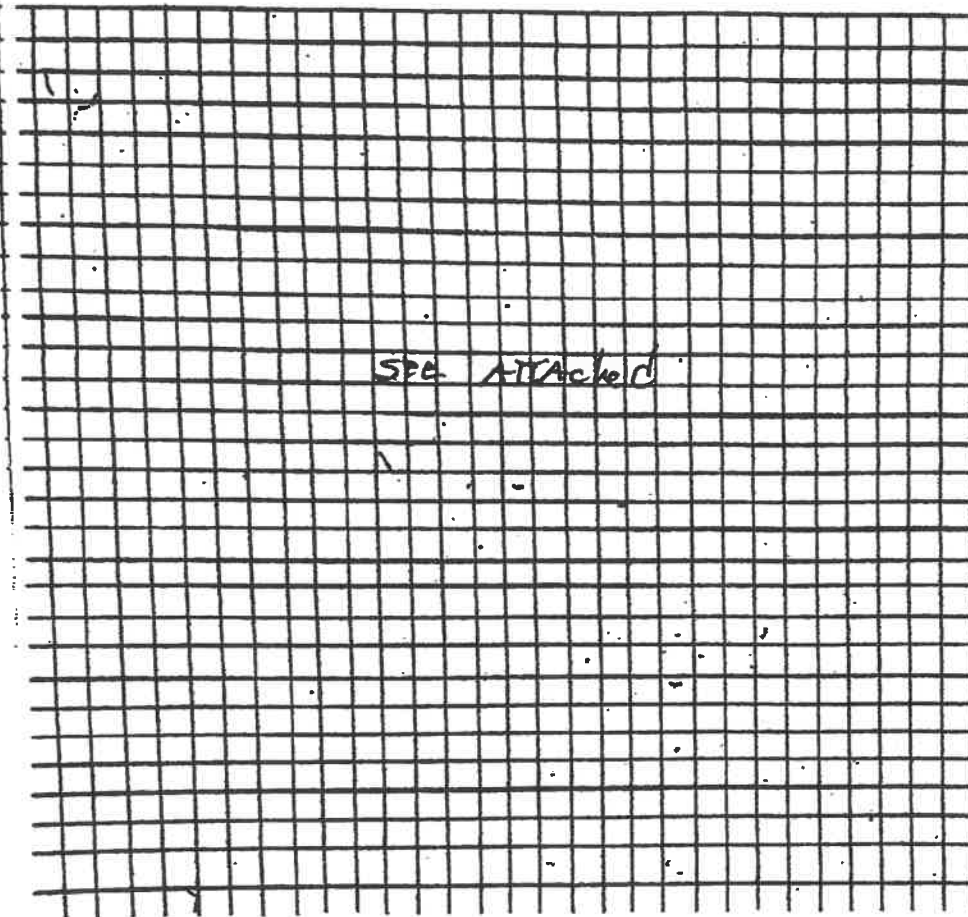
IDENTIFY SHOT LOCATION BY STATION, OR BY DIRECTION AND DISTANCE TO KNOWN STRUCTURE OR OBJECT. SHOW NORTH ARROW.
SHOW DELAY NUMBER BY HOLE AND WIRING/CORD/TUBING HOOKUP.

BLAST LOCATION &
BLAST NUMBER #001 trench line

DATE 7/24

TYPICAL HOLES

SHOW: DEPTH, STEMMING, DECKS, WATER,
PRIMER LOCATIONS, SUBDRILLING, ETC.



DITCH FOOTAGE 350 FEET

QUANTITY OF
MATERIAL BLASTED 6/8-66 CUBIC YARDS
_____ TONS

POWDER FACTOR: 1.00 LBS/CUBIC YARD
_____ LBS/TON

SEISMOGRAPH RESULTS (IF USED, RECORDS ATTACHED)

TYPE Blotonde III NAME OF OPERATOR 4th & Goal COMPANY Shannon Miller

LOCATION OF SETUP dump house DISTANCE FROM BLAST SITE 300' ± DIRECTION FROM BLAST SITE NE

PEAK PARTICLE VELOCITY 0.170 in/sec MEASUREMENTS
TRANSVERSE VERTICAL LONGITUDINAL

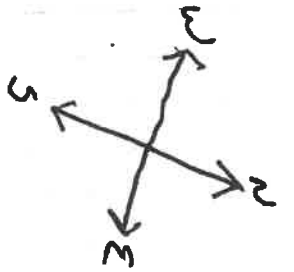
PEAK SOUND
PRESSURE

SHOT RESULTS.
FRAGMENTATION

MUCKPILE

FLYROCK

COMMENTS



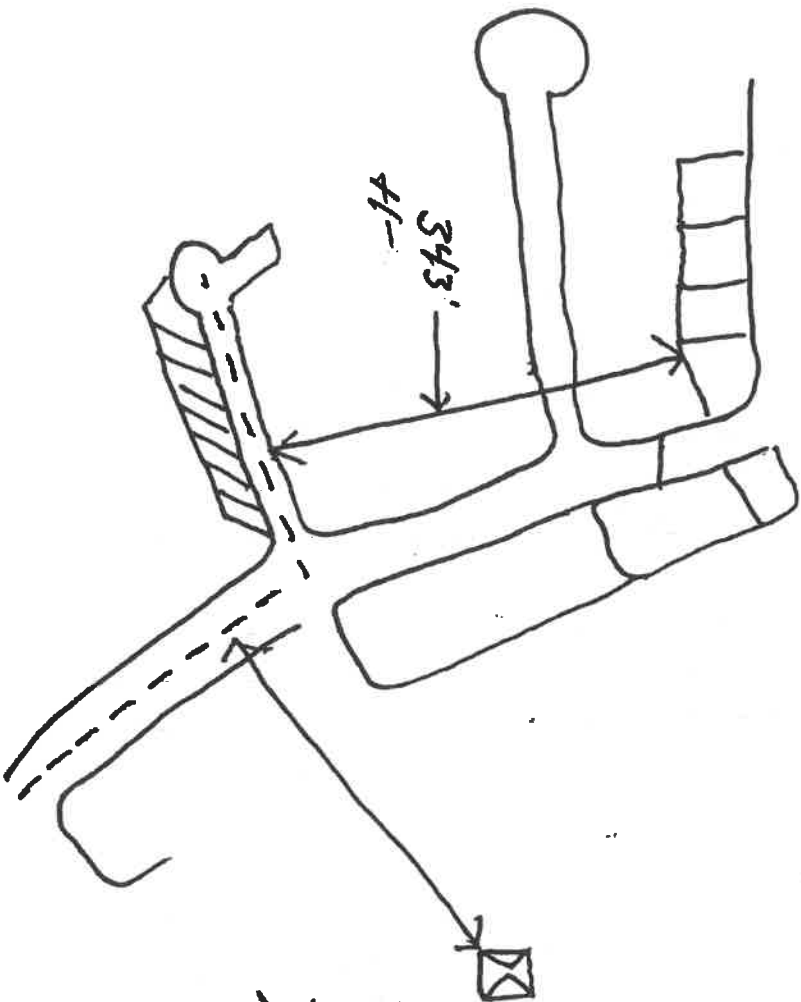
$$10.4 \text{ ft} = \left(\frac{300}{50} \right)^2$$

$$\Delta = \frac{DS \times V \times W}{\Delta}$$

$$\Delta S = \frac{V \times W}{\Delta}$$

Est. PDV @ 300' w/ 10.4 ft
Per delay = 0.170

10.4 ft equals to 14.5 @ 161'
From structure

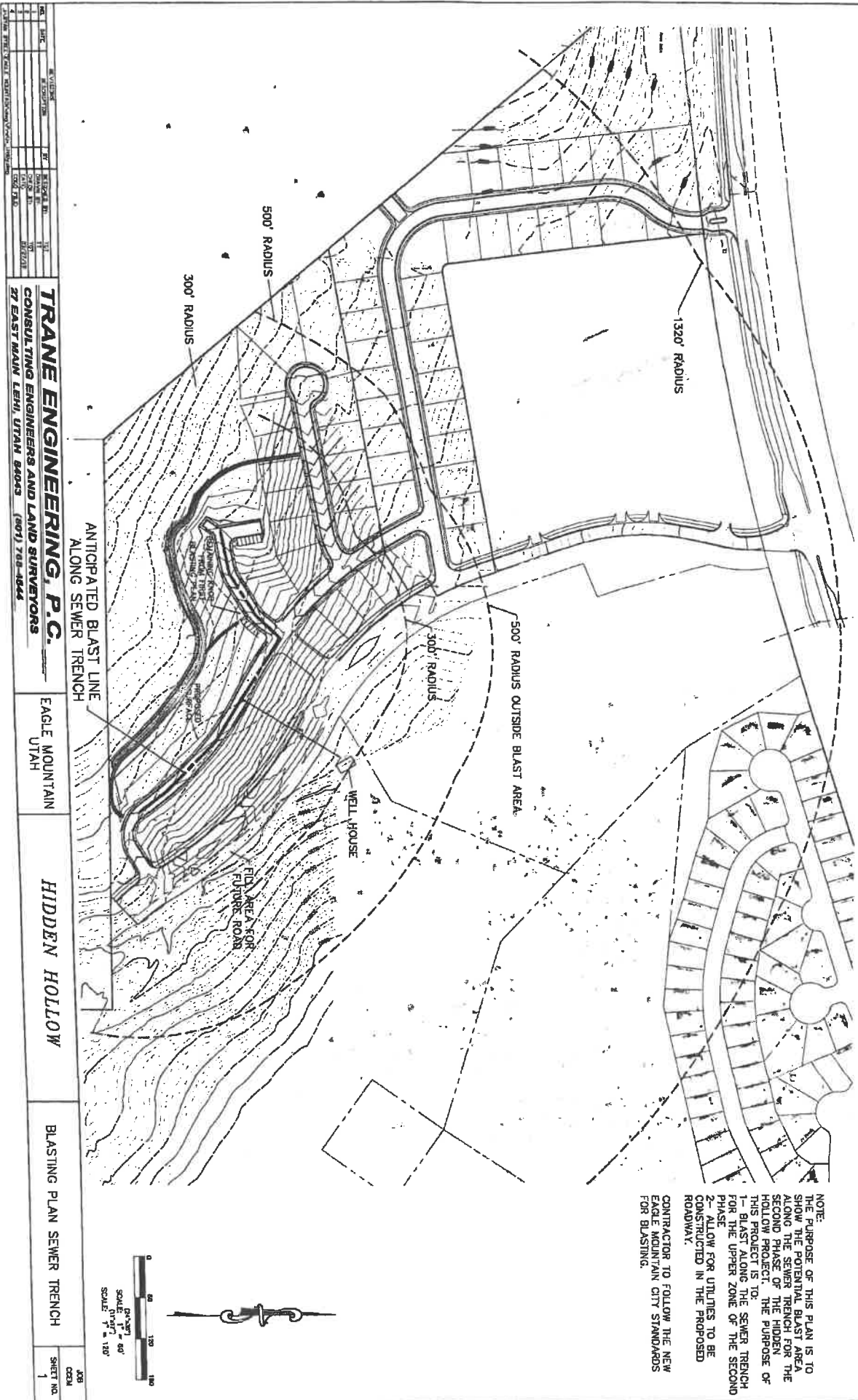


Dump house
300' +/-

L

----- Trench line 200' +/-
 Hatched area Mass cut
 3-4' depth
 6-8' width
 50' +/- length

HIDDEN HOLLOW SECOND PHASING BLASTING ALONG UTILITIES



NOTE:
 THE PURPOSE OF THIS PLAN IS TO
 SHOW THE PROPOSED BLAST AREA
 ALONG THE SEWER TRENCH FOR THE
 SECOND PHASE OF THE HIDDEN
 HOLLOW PROJECT. THE PURPOSE OF
 THIS PROJECT IS TO:
 1- BLAST ALONG THE SEWER TRENCH
 FOR THE UPPER ZONE OF THE SECOND
 PHASE
 2- ALLOW FOR UTILITIES TO BE
 CONSTRUCTED IN THE PROPOSED
 ROADWAY.
 CONTRACTOR TO FOLLOW THE NEW
 EAGLE MOUNTAIN CITY STANDARDS
 FOR BLASTING.

DATE	10/1/03	BY	TRANE ENGINEERING, P.C.	PROJECT	HIDDEN HOLLOW	SHEET NO.	1
REVISION		DATE		DESCRIPTION			
1	10/1/03	TRANE ENGINEERING, P.C.	CONSULTING ENGINEERS AND LAND SURVEYORS	27 EAST MAIN LEM, UTAH 84003	(801) 788-1044		
2	10/1/03	TRANE ENGINEERING, P.C.	EAGLE MOUNTAIN UTAH				
3	10/1/03	TRANE ENGINEERING, P.C.	HIDDEN HOLLOW				
4	10/1/03	TRANE ENGINEERING, P.C.	BLASTING PLAN SEWER TRENCH				



UNIFIED FIRE AUTHORITY - INVESTIGATIONS BUREAU EXPLOSIVE BLASTING PERMIT APPLICATION

BASIC INFORMATION

Business Name: 4th 62nd Date/Time of Application 6-27-18 11:33 AM
 Address: PO Box 670 City/State OAKLEY UT Zip 84055
 Contact Person: Shawn Miller Title: MANAGER
 Office Phone: 8012017710 Fax: — Pager: — 24-Hour: 8012017710
 Jurisdictional Business License Number: 8609316-5501

BLASTING TECHNICIAN INFORMATION

Name: Shawn Miller
 Address: PO Box 670 City/State OAKLEY UT Zip 84055
 Date of Birth: 3-14-61 Driver's License & State: 7608037 UT
 Office Phone: 8012017710 Fax: — Pager: — 24-Hour: 8012017710
 ATF Federal Explosives License/Permit #: 9-UT-043-33-9E-00492 Expires: 5-1-19
 Handler Permit (From this or any other state): # — Expires: —

SITE INFORMATION

Location: Hidden Hollow phase II
 Blasting Date: TBD Time Start: 10 AM Time End: 2 PM
 Blasting Date: — Time Start: — Time End: —
 Name of Constructing Project: Hidden Hollow Phone (Emergency): 8012017710

REQUIREMENTS (must be attached)

- | | |
|--|--|
| ☐ Site Safety Plan (Must show #shots, distances, amounts, etc.) | ☐ Explosives Storage Plan on Site |
| ☐ \$1,000,000 or higher General Liability Insurance Bond, | ☐ ATF clearance letter & employee |
| ☐ Policy rider listing Unified Fire Authority on policy, | possessor list |
| original to follow within 3 days. | |
| ☐ Check for \$150.00/Single Event | ☐ Seismic Monitoring Plan |
| ☒ Check for \$350.00/2 or More Events in Year | |

It is understood and agreed that the holder of this Permit shall indemnify and hold harmless and the Unified Fire Authority from and against all losses and claims, demands, payments, suits, actions, recoveries, and judgments of every nature and description brought or recovered against it by reason of any omission or act of the Permittee, its agents, or employees in the execution of the contract authorized by this Permit. The Permittee shall obtain, maintain, and pay the premiums for liability insurance in the amount of \$100,000.00 U.S. dollars with provisions that will protect the county from contingent liability under this Permit and proof of such insurance policy or policies shall be attached to the application prior to approval being given. Permittee shall provide a fire watch during, and for a reasonable time afterwards, to extinguish any and all smoldering debris. Permittee must provide their own water supply and equipment for that task. Permittee must notify the Fire Department by the quickest means possible of any and all working fires. Any questions should be directed to the UFA Investigations Bureau at (801) 619-7951.

Applicant Signed by: Shawn Miller Title: MANAGER
 Approving Investigator: Nicole H. [Signature] Title: INV

In accordance with the provisions of Title XI, Organized Crime Control Act of 1970, and the regulations issued thereunder (27 CFR Part 555), you may engage in the activity specified in this license or permit within the limitations of Chapter 40, Title 18, United States Code and the regulations issued thereunder, until the expiration date shown. **THIS LICENSE IS NOT TRANSFERABLE UNDER 27 CFR 555.53.** See "WARNINGS" and "NOTICES" on reverse.

Direct ATF
Correspondence To
ATF - Chief, FELC
244 Needy Road
Martinsburg, WV 25405-9431

License/Permit
Number

9-UT-043-33-9E-00492

Chief, Federal Explosives Licensing Center (FELC)

Expiration
Date

May 1, 2019

Name
4TH & GOAL DRILLING AND BLASTING LLC

Premises Address (Changes? Notify the FELC at least 10 days before the move.)

5675 STARR LANE
OAKLEY, UT 84055-

Type of License or Permit

33-USER OF EXPLOSIVES

Purchasing Certification Statement

The licensee or permittee named above shall use a copy of this license or permit to assist a transferor of explosives to verify the identity and the licensed status of the licensee or permittee as provided by 27 CFR Part 555. The signature on each copy must be an original signature. A faxed, scanned or e-mailed copy of the license or permit with a signature intended to be an original signature is acceptable. The signature must be that of the Federal Explosives Licensee (FEL) or a responsible person of the FEL. I certify that this is a true copy of a license or permit issued to the licensee or permittee named above to engage in the business or operations specified above under "Type of License or Permit."

Mailing Address (Changes? Notify the FELC of any changes.)

4TH & GOAL DRILLING AND BLASTING LLC
PO BOX 670
OAKLEY, UT 84055-

Licensee/Permittee Responsible Person Signature

Position/Title

Printed Name

Date

ATF Form 5400.14/5400.15 Part 1
Revised October 2011

Previous Edition is Obsolete

4TH & GOAL DRILLING AND BLASTING LLC-5675 STARR LANE-84055-9-UT-043-33-9E-00492-May 1, 2019-33-USER OF EXPLOSIVES

Federal Explosives License (FEL) Customer Service Information

Federal Explosives Licensing Center (FELC)
244 Needy Road
Martinsburg, WV 25405-9431

Toll-free Telephone Number: (877) 283-3352
Fax Number: (304) 616-4401
E-mail: FELC@atf.gov

ATF Homepage: www.atf.gov

Change of Address (27 CFR 555.54(a)(1)). Licensees or permittees may during the term of their current license or permit remove their business or operations to a new location at which they intend regularly to carry on such business or operations. The licensee or permittee is required to give notification of the new location of the business or operations not less than 10 days prior to such removal with the Chief, Federal Explosives Licensing Center. The license or permit will be valid for the remainder of the term of the original license or permit. (The Chief, FELC, shall, if the licensee or permittee is not qualified, refer the request for amended license or permit to the Director of Industry Operations for denial in accordance with § 555.54.)

Right of Succession (27 CFR 555.59). (a) Certain persons other than the licensee or permittee may secure the right to carry on the same explosive materials business or operations at the same address shown on, and for the remainder of the term of, a current license or permit. Such persons are: (1) The surviving spouse or child, or executor, administrator, or other legal representative of a deceased licensee or permittee; and (2) A receiver or trustee in bankruptcy, or an assignee for benefit of creditors. (b) In order to secure the right provided by this section, the person or persons continuing the business or operations shall furnish the license or permit for that business or operations for endorsement of such succession to the Chief, FELC, within 30 days from the date on which the successor begins to carry on the business or operations.

(Continued on reverse side)

Cut Here ✂

Federal Explosives License/Permit (FEL) Information Card

License/Permit Name: 4TH & GOAL DRILLING AND BLASTING LLC

Business Name:

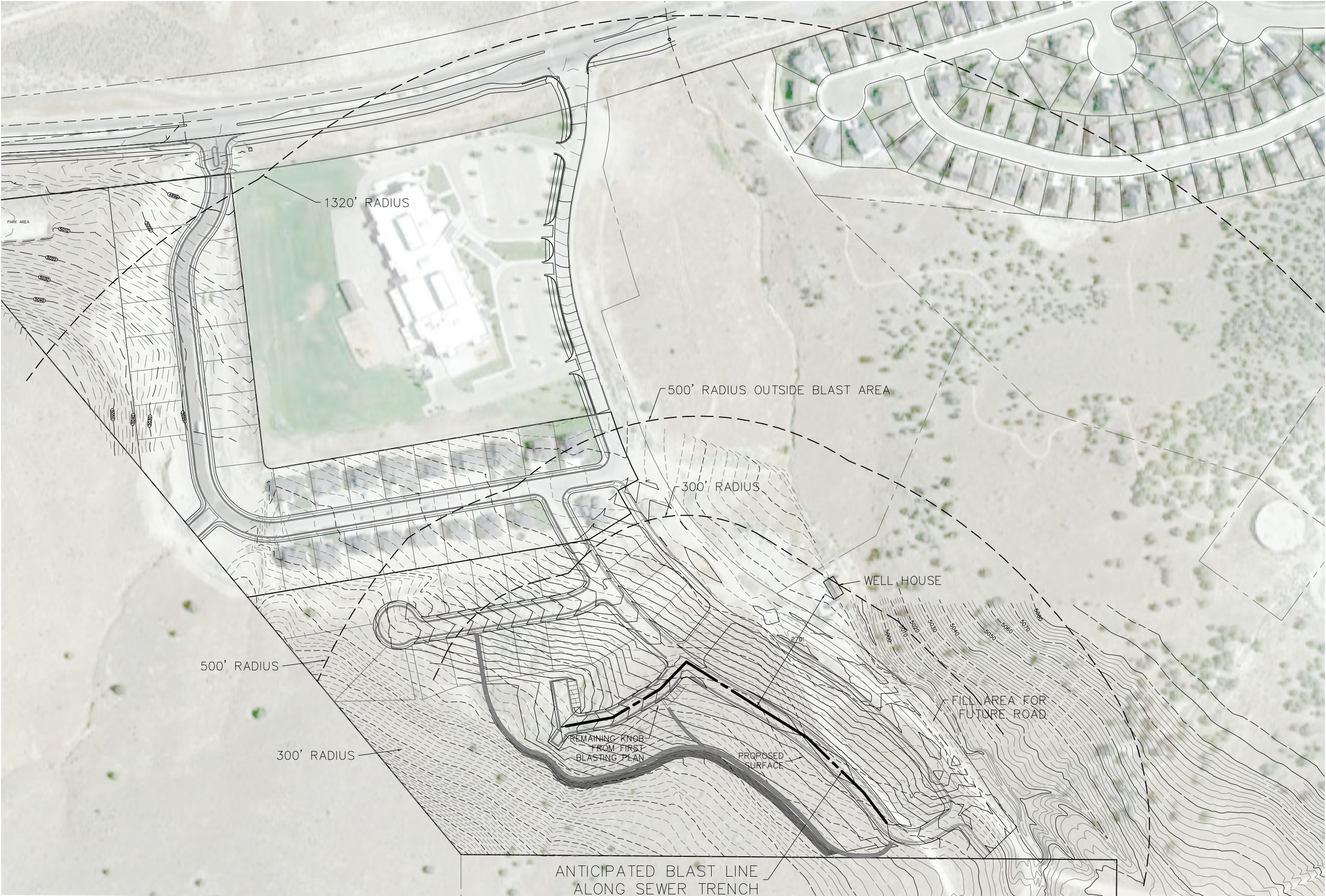
License/Permit Number: 9-UT-043-33-9E-00492

License/Permit Type: 33-USER OF EXPLOSIVES

Expiration: May 1, 2019

Please Note: Not Valid for the Sale or Other Disposition of Explosives.

HIDDEN HOLLOW SECOND PHASING BLASTING ALONG UTILITIES



NOTE:
THE PURPOSE OF THIS PLAN IS TO
SHOW THE POTENTIAL BLAST AREA
ALONG THE SEWER TRENCH FOR THE
SECOND PHASE OF THE HIDDEN
HOLLOW PROJECT. THE PURPOSE OF
THIS PROJECT IS TO:
1- BLAST ALONG THE SEWER TRENCH
FOR THE UPPER ZONE OF THE SECOND
PHASE
2- ALLOW FOR UTILITIES TO BE
CONSTRUCTED IN THE PROPOSED
ROADWAY.

CONTRACTOR TO FOLLOW THE NEW
EAGLE MOUNTAIN CITY STANDARDS
FOR BLASTING.

REVISIONS					
NO.	DATE	DESCRIPTION	BY	DESIGNED BY:	TGT
1				DRAWN BY:	TT
2				CHECK BY:	TGT
3				DATE:	03/27/19
4				CGO FILE:	
J:\RYAN BYBEE\EAGLE MOUNTAIN\dwg\Prelim_Utility.dwg					

TRANE ENGINEERING, P.C.
CONSULTING ENGINEERS AND LAND SURVEYORS
27 EAST MAIN LEHI, UTAH 84043 (801) 768-4544

EAGLE MOUNTAIN
UTAH

HIDDEN HOLLOW

BLASTING PLAN SEWER TRENCH

JOB
CCEM
SHEET NO.
1

FOR OFFICE USE ONLY

Fees received by: _____ Date of submittal: _____
 Amount paid: _____ Receipt number: _____
 Engineering approval: _____ Date of approval: _____



BLASTING PERMIT APPLICATION

Applicant & Project Information

Property Owner: Hidden Canyon, LLC
 Address: 2601 N. Manksgiving Way #100 Lehi, UT 84043
 Phone: 801 616 2300 Cell: 801 616 2300 Email: ryan@cadencehomes.com
 Blasting Company's Name: 4th & Goal Drilling and Blasting, LLC
 Address: P.O. Box 670 Oakley, Utah 84055
 Phone: 801-201-7710 Cell: 801 201 7710 Email: shaww98@me.com
 Blasting Company's ATF License Number: 9-UT-043-33-9E-00492
 Approximate Address of project site: Hidden Hollow Parkway + Pony Express
 Size of subject property: 5 Acres
 Amount of material to be produced by blasting activities (in cubic yards): <1000 yds.
 Estimated improvement cost: \$50,000
 Estimated start date: 4/20/19 Estimated completion date: 5/20/19

Description of the project. Include proposed number of blasts and intensity of each blast.

Trench Blast for utilities plus clean-up blast
on one location where previous blasting missed.



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
APRIL 16, 2019**

TITLE:	Juniper Springs Blasting Permit Application		
ITEM TYPE:	Motion		
FISCAL IMPACT:			
APPLICANT:	Travis Taylor, Westates Companies		
GENERAL PLAN DESIGNATION NA	CURRENT ZONE NA	ACREAGE NA	COMMUNITY NA

PUBLIC HEARING:

No

REQUIRED FINDINGS:

**PLANNING COMMISSION
ACTION /
RECOMMENDATION**

NA

PREPARED BY:

Chris Trusty, Public
Works

RECOMMENDATION:

That the City Council considers the Blasting Permit Application

BACKGROUND:

Juniper Springs is a multifamily residential subdivision located on Hidden Valley Parkway just south of Pony Express Parkway. The applicant for the project requested a grading permit for earthwork on this project. After initial attempts at grading proved to be difficult, the applicant submitted a blasting permit application. Upon review of the application, the recommendation of staff was for denial due to the proximity of existing residents and structures. The applicant revised the application to suggest blasting could begin farther away from the existing structures and move closer as allowed after each successive blast. Because this application is located within 1320 feet of existing structures, the application requires action on the part of the City Council.

Attachments:

[Juniper Springs Completed Blasting Permit Application](#)
[Juniper Springs Blasting Narrative](#)
[Juniper Springs Blasting Permit Recommendation for Denial](#)
[Response to Recommendation for Denial Letter sent by City](#)
[ASD Conditions for Blasting](#)
[Updated Layout with Aerial](#)
[Updated Layout with no Aerial](#)

FOR OFFICE USE ONLY

Fees received by: _____ Date of submittal: _____

Amount paid: _____ Receipt number: _____

Engineering approval: _____ Date of approval: _____



BLASTING PERMIT APPLICATION

Applicant & Project Information

Property Owner: Juniper Springs Townhomes, LLC

Address: 95 S River Bend Way - Ste A, NSL, UT 84054

Phone: 801-383-3252 Cell: 801-694-5202 Email: ttaylor@westates.us

Excavator's Name: 4th and Goal Drilling and Blasting, LLC

Address: PO Box 670, Oakley, UT 84055

Phone: 801-201-7710 Cell: 801-201-7710 Email: shawn98@me.com

Contractor's state license number: 8609316-5501

Address of project site: SE corner of Pony Express Pkwy and Hidden Valley Pkwy

Size of subject property: Approx 11.5 ac

Amount of excavation, fill or grading (in cubic yards): 26,000 cubic yards

Estimated improvement cost: N/A

Estimated start date: 3/15/19 - depending on date of approval Estimated completion date: 45-60 days after start

Description of the project: Drilling and blasting for the Juniper Springs townhome project

See attached documentation for detailed explanation

Supporting Materials

The following materials are required to be submitted with the application:

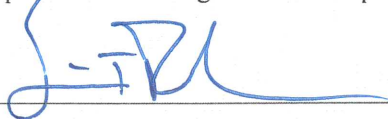
1. Ownership Affidavit: A notarized affidavit stating that the application is the owner, the equitable owner, or authorized by the owner in writing to make application of the excavation, fill or grading permit shall be submitted. This application will be accepted as an ownership affidavit if it is notarized.

2. Contractor's license: Proof of a contractor license shall be submitted.
3. Traffic Control Plan: A traffic control plan detailing how traffic will be controlled during the construction shall be submitted in accordance with the City Construction Specifications. Further notice must be given to the Sheriff & Fire Departments informing them when the traffic control plan will be in effect.
4. Legal Description: A legal description of the proposed development property boundaries shall be submitted.
5. Site plan: One large (24" x 36") & one reduced (11" x 17") copies of the site plans drawn to scale showing the significant, natural, & man-made features on the site & within a ¼ mile of the project shall be submitted. The site plan shall also show the proposed location of the sewer lines & points of connection, or location of septic system along with a map showing all utilities within 100' of work.
6. Slope Analysis: One large (24" x 36") & one reduced (11" x 17") copies of the sites topography shall be submitted if the predominant slope of the property exceeds five (5) percent with contour lines showing topographic intervals of not more than two (2) feet.
7. Engineering Plan: Two copies of the engineering plans showing profiles shall be submitted.
8. SWPPP: Two copies of storm water pollution prevention plans shall be submitted.
9. Soil Report: Two copies of the soil reports shall be submitted.
10. Improvement Bond: An engineering cost estimate for the proposed work shall be submitted & verified by the City Engineer. An improvement bond in the amount of a 110% of engineering cost estimate shall be posted.
11. Fees: The payment of a grading permit fee in the amount determined by the City Engineer according to The Consolidated Fee Schedule along with any other applicable fees.
12. As-Builds: As-builds must be provided to the City prior to the release of the improvement bond.

Applicant Certification

I certify under penalty of perjury that this application & all information submitted as a part of this application are true, complete & accurate to the best of my knowledge. I also certify that I am the owner of the subject property & that the authorized agent noted in this application has my consent to represent me with respect to this application. Should any of the information or representations submitted in connection with this application be incorrect or untrue or if conditions of the approval are not followed, I understand that The City of Eagle Mountain may rescind any approval, or take any other legal or appropriate action. I also acknowledge that I have reviewed the application sections of the Eagle Mountain Development Code & that items & checklists contained in this application are basic & minimum requirements only & that other requirements may be imposed that are unique to individual projects or uses. Additionally, I have reviewed & understand sections from the Consolidation fee Schedule. I also agree to allow the staff, Planning Commission, or City Council or appointed agent(s) of the City to enter the subject property to make any necessary inspections thereof. I also understand that the approval of a minor development permit is valid for one year from the date of approval unless a longer duration is specified in a development agreement.

Property Owner's Signature



Date

Juniper Springs Blasting Permit

Application Information

8.25.070 City blasting permit application.

Prior to use of any explosive materials or blasting, the individual or company using the explosive materials or conducting the blasting shall first obtain a blasting permit from the city engineer. An application shall be submitted to the city engineer on forms provided by the city and shall include the following:

A. Blasting operations timeline;

Our attached plan indicates limiting blasting to one day per week. Blasting times on that day will be within each two-hour window. Hidden Hollow Elementary School has been contacted and blasting will be done at times of least impact to the school. We are anticipating that the drilling and blasting process will take approximately 45 to 60 days.

B. Proposed blasting hours and number of blasts;

Blasting shall only occur during daylight hours, and not earlier than 9:00 a.m. or later than 5:00 p.m., unless specifically approved by the city engineer. However, it is anticipated that blasting will end before school is out for the day. In areas where residential or commercial properties may be impacted by the noise or vibrations of the blasting, the blasting hours shall be restricted to two-hour time frames to provide reasonable notice to residents. To minimize nuisance impacts, our intent is to minimize the number of days of blasting per week to one with two hour windows identified well in advance.

C. A detailed site plan showing any proposed blasting locations;

See attached map showing blasting areas.

D. Maximum number and intensity of blasts in each blasting site;

See the attached blasting plan.

E. Existing structures and utilities within one-quarter mile (1,320 feet) of any proposed blast site;

See attached notification list and map showing all structures within 1,320 ft of proposed blast site.

F. A detailed topographic map showing preblasting slopes and post-blasting slopes, including the average slope of the building lots (if applicable);

This has been provided as part of the approved construction drawings.

G. Anticipated amount of material to be produced by blasting activity and location of processing and storage of such materials;

Approximately 26,000 cubic yards of material are to be blasted, removed and processed for reuse on site. Materials may be piled temporarily as they are removed from the blasted area for efficient processing.

H. Plan to reduce negative impacts;

Blasting will be noticed as required by city code and as outlined herein. In addition, Hidden Hollow Elementary School has been contacted. They have provided a school schedule and periods of expected traffic congestion. These times will be avoided. In addition, we have exchanged contact information so that they may notify us of any special activities planned so that we can avoid blasting at those times. We are also trying to concentrate blasting to one day per week to avoid disruption of normal activity in the neighborhood as much as possible.

It is our intent to coordinate with the police to put in place a traffic slowdown during the blasting operations. This will last only a few minutes and should keep the impacts to a minimum.

We are also aware of NFPA and IFC regulations regarding the use of blasting materials and will comply with those including those spelled out in the city's code and below:

NFPA 495 Table 11.2 – Air Blast Limits Lower rM	
d	M d
0.1 Hz or lower	Flat response 134 peak
2 Hz or lower	Flat response 133 peak
6 Hz or lower	Flat response 129 peak
C-Weighted	Slow response 105 peak

I. Public notification plan in accordance with EMMC 8.25.040(C);

Notice to all occupants of buildings shall, at a minimum, meet the requirements in NFPA 495 Table 11.1.3. In addition, not less than 48 hours and not more than 30 days prior to any blasts, written notice shall be mailed or hand-delivered to all residential or commercial properties within a quarter mile (1,320 feet) of the blast location. The list of properties to be notified is attached. There are 158 parcels, of which Eagle Mountain City is listed as the owner of 15. In addition, duplicate notices will be hand delivered to the six structures within 300 ft of any possible blasting areas.

The notice shall include the date of the blast, the time of the blast (not to exceed a two-hour window), the location of the blast, and a phone number and contact information for the person or entity conducting the blast. A single notice may be provided for multiple blasts.

J. Preblast structural inspection plan in accordance with EMMC 8.25.040(D);

There are eighteen residences within 500 ft of the blasting area. Their contact information is attached. A preblast inspection of residents' property will be offered to all of these residents at no cost to the resident and will be performed by a qualified third party who is not an employee of the contractor or developer. A copy of the individual inspection reports and a log of all photos taken will be provided to the city engineer.

Where inspections are not allowed by the resident or are not possible for other reasons, a certified letter will be sent to the occupant/owner at the unsurveyed address advising them of their right to a preblast inspection and the possible consequences of denying an inspection. The preblast inspection program for residences will be complete at least two days prior to the start of blasting and the city engineer will be notified.

K. Blast monitoring plan of selected structures within 300 feet of the nearest blast;

When structures are within 300 ft of the blast, they will be monitored.

L. State permits for air quality and dust control;

Attached

M. A copy of the permit issued by the Unified Fire Authority;

Unified Fire Authority has been contacted about this permit application. We will comply with EM City Code 8.25.060 Unified Fire Authority permit.

After obtaining a blasting permit from the city, the applicant must obtain a permit from the Unified Fire Authority in compliance with the International Fire Code Section 104.2, Applications and Permits, and NFPA 495, Explosive Materials. [Ord. O-23-2017 § 2 (Exh. A)].

N. A copy of the applicant's current ATF license to conduct explosive use operations;

Attached

O. The processing fee required by the consolidated fee schedule approved by the city council; and

The \$5,000 application fee has been paid

P. Any additional information the city engineer determines is necessary to evaluate the impact of the proposed blasting. [Ord. O-23-2017 § 2 (Exh. A); Ord. O-30-2006 § 4; Ord. 00-06 § 4. Formerly 8.25.040].

No additional information has been requested.

8.25.080 City permit approval process and criteria.

A. City Engineer Approval. The city engineer shall approve or deny a complete blasting permit that does not propose blasting within 1,320 feet of any permanent structure. The city engineer may deny the permit, or impose any requirements and conditions, as necessary to protect adjacent properties, or the health, safety and welfare of the public. The city engineer shall approve or deny the blasting permit within 30

days. The city engineer may extend the time to approve or deny the application by up to 60 days if the city engineer determines that additional information is necessary to evaluate the application or the city engineer requires third-party consulting services in order to evaluate the application. The city engineer shall notify the applicant in writing of any extension.

B. City Council Approval. In addition to review by the city engineer, any application proposing blasting within 1,320 feet of any existing residential structure must be approved by the city council. If the city engineer recommends approval of the application, the city engineer shall include a proposed permit with all conditions of approval recommended by the city engineer. If the city engineer recommends denial of the application, the city engineer shall provide a detailed analysis of the city engineer's basis for denial of the permit. In addition to the recommendation of the city engineer, the city council may consider the following factors in granting, denying, or conditioning the permit:

1. The proposed number and size of blasts;

See attached blasting plan.

2. The distance between the proposed blasts and existing residences or structures;

The attached map shows the distance between blasting areas and adjacent structures. All blast calculations will take into account distance to structures to ensure code compliance.

3. Whether the blasting is necessary to install public or private infrastructure or facilities that will benefit the public at large;

The city's water line was installed along the originally approved Hidden Valley Parkway alignment that has since changed. As part of the Juniper Springs project, this water line will be relocated at the developer's expense to the new alignment. Power and cable will also be adjusted to the new alignment.

4. Whether alternatives to blasting exist, such as use of machinery, and the potential costs, timing and impacts of any alternatives;

In determining the effectiveness of excavating the rocky area versus blasting, we used two methods of exploration and evaluation:

First, a CAT 320 excavator with a single ripper tooth was used to pick at the rock. We were able to make some headway but progress was very limited. The 320 is a 48,000 pound machine.

Second, a Caterpillar D10 dozer with ripper was used to attempt breaking up the rock. Other than stripping any topsoil and peeling some of the top portion of the most fractured surface rock, we were unable to make any significant headway. The D10 is a very large dozer made for mining operations including ripping and stripping overburden and weighs approximately 154,000 pounds.

In evaluating the cost and time of picking through this volume of rock, we estimate the extra cost to be in excess of \$300,000 and would add at least two and a half months of constant operation to the schedule.

5. Any conditions or restrictions proposed by the applicant to alleviate the potential negative impacts to surrounding property owners;

In addition to the precautions listed herein, blasts will be matted to mitigate the risk of any fly rock.

6. Site specific conditions, such as slope, soils, and emergency access;

The site slope is detailed in the construction drawings and in an analysis by CMT Engineering. CMT has also analyzed the soils as provided to city staff in the CMT report. Emergency vehicles have easy access to the site and to the blasting area.

7. If blasting for utilities, the required utilities plan;

The utility plan was submitted to the city and has been reviewed and approved.

8. The applicant's plan for removal, export, import, processing, use, and stockpiling of material produced by the blasting, if necessary for the project or development;

Our plan is to process and use the material on site.

9. Whether the applicant, developer of the project, or owner of the property where the blasting will occur is in compliance with existing agreements with the city; and

We have several ongoing and completed projects in the city and are in compliance with any agreements with the city.

10. Whether all aspects of the project or development, and the blasting plan, are in compliance with the Eagle Mountain Municipal Code.

Blasting and construction will be done in accordance with the city's code.

C. All blasting permits shall be temporary permits and the city engineer or city council may terminate the blasting permit at any time, or impose additional conditions or restrictions on the blasting to protect the health, safety and welfare of the public. [Ord. O-15-2018 § 2 (Exh. A); Ord. O-23-2017 § 2 (Exh. A)].

Acknowledged

8.25.090 Insurance.

All applicants shall provide to the city, with the application for the explosives use permit, a copy of a current policy of comprehensive liability insurance issued by an insurance company authorized to do business in the state of Utah with a Best's Insurance Rating of AA or better, specifically listing explosives use and blasting operations as a covered activity and providing at least \$1,000,000 of property damage

and personal injury insurance. The applicant and/or blasting company shall be fully responsible for all damage attributable to its blasting operations. [Ord. O-23-2017 § 2 (Exh. A); Ord. O-30-2006 § 5; Ord. 00-06 § 5. Formerly 8.25.050].

Attached

8.25.100 Bond.

Prior to any blasting, each applicant with an approved permit shall provide to the city a cash performance bond in the amount of \$25,000. In the event of any damage to city property, or violation of the blasting permit, city may utilize the bond funds to compensate city for the reasonable amount of damages. City shall not utilize the bond funds to pay for damage claims of third parties, but city may retain such bond funds until any third-party complaints related to the blasting are resolved by the applicant. The city engineer may waive or reduce the bond requirement in conjunction with city improvement projects, or if the city engineer determines the proposed blasting is not likely to have any detrimental impacts due to the location or size of the blasting. [Ord. O-23-2017 § 2 (Exh. A); Ord. O-30-2006 § 6; Ord. 00-06 § 6. Formerly 8.25.060].

The required bond will be in place prior to blasting.

8.25.110 Utility notification.

(IFC Section 3307.5.) Whenever blasting is being conducted in the vicinity of utility lines or rights-of-way, the blaster shall notify the appropriate representatives of the utilities at least 24 hours in advance of blasting, specifying the location and intended time of such blasting. Verbal notices shall be confirmed with written notice. [Ord. O-23-2017 § 2 (Exh. A); Ord. O-30-2006 § 8; Ord. 00-06 § 8. Formerly 8.25.080].

Utilities will be notified as required above.

8.25.120 Penalty.

Any person violating any provision of this chapter shall be guilty of a misdemeanor and shall be punished by a fine of not to exceed \$1,000 per violation and imprisonment for a period not to exceed six months. [Ord. O-23-2017 § 2 (Exh. A)].

Acknowledged

Properties Within 1,320 ft of Blast Site

Properties Within 1,320 ft of Blast Site

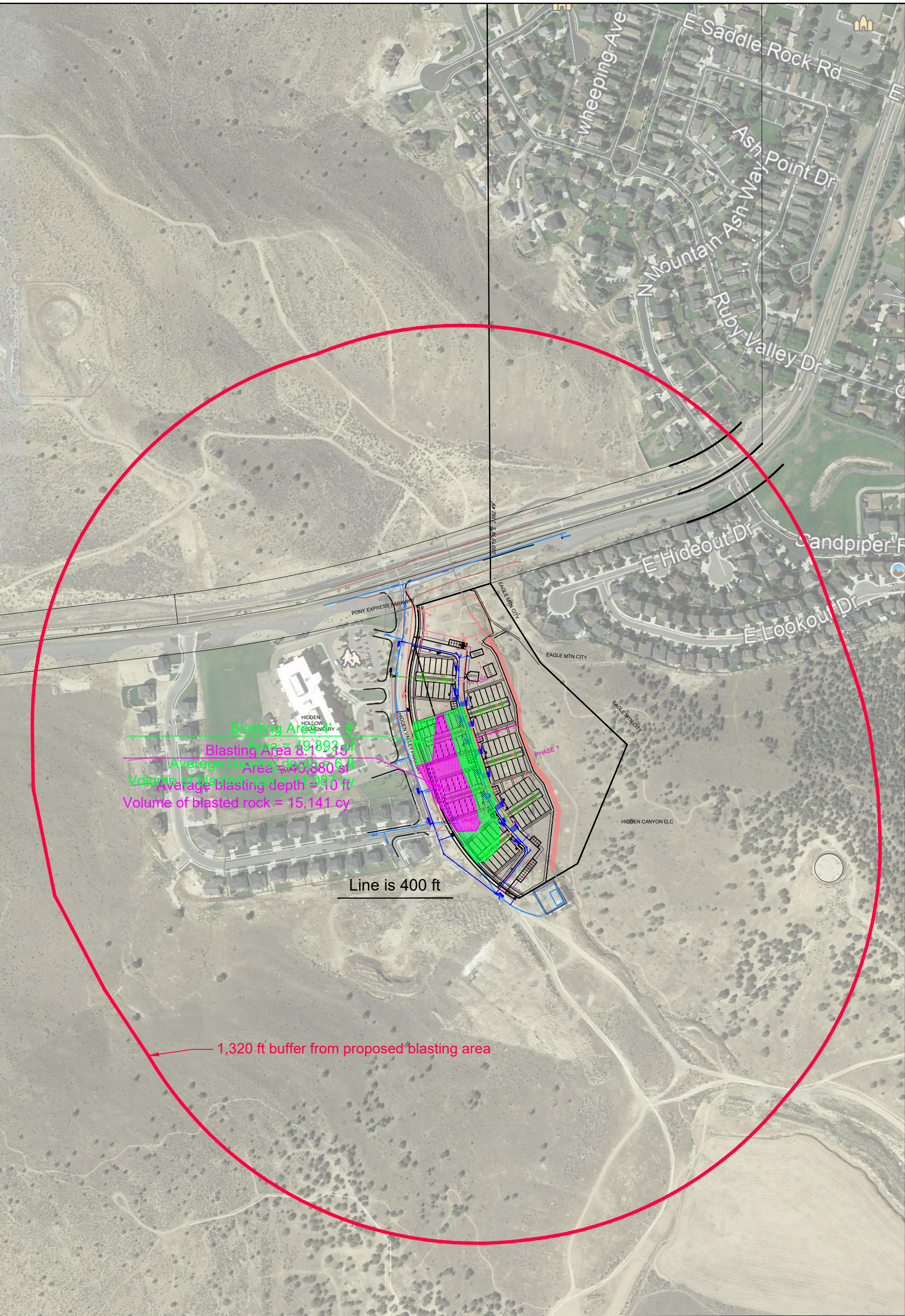
Parcel Number	Name	Address	City	State	Zip
513980054	AARDEMA - TREVOR L	7718 N MOUNTAIN ASH WY	EAGLE MOUNTAIN	UT	84005
415920037	ADZIMA - CHRISTOPHER & ANGELA	2978 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
415920012	AMERICAN HOMES 4 RENT PROPERTIES FIVE LLC	30601 AGOURA RD STE 200	AGOURA HILLS	CA	91301
415920040	ANDERSON - MICHAEL & JULIE	3002 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
415920067	ANDRADE - MORONI & ADRIANA	2867 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
415920071	ASTIN - TYSON & MELISSA	2874 E HIDEOUT DR	EAGLE MOUNTAIN	UT	84005
418590213	BARLOW - ANDREW W & LAURA	7399 N WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
513980052	BARLOW - STEVEN A & BRENDA	7692 N MOUNTAIN ASH WY	EAGLE MOUNTAIN	UT	84005
496390022	BARNEY - TYLER J & KRISTEN	7519 SANDPIPER RD	EAGLE MOUNTAIN	UT	84005
415920073	BARRETT - MATTHEW & MINDI LEE	7601 N MESA VISTA CIR	EAGLE MOUNTAIN	UT	84005
513980049	BELMONT - CAITLIN & DEREK	7652 N MOUNTAIN ASH WY	EAGLE MOUNTAIN	UT	84005
415920061	BENNETT - MARK D & CARMEN LUISA	2927 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
415920038	BIRD - SCOTT	2986 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
415920041	BLASI - MICHAEL F	3010 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
580400375	BOARD OF EDUCATION OF ALPINE SCHOOL DISTRICT THE	50 N CENTER	AMERICAN FORK	UT	84003
513980055	BOLES - DANIEL C & NATALIE S	7732 MTN ASH DR	EAGLE MOUNTAIN	UT	84005
418590204	BYBEE - JACOB & LAURA	7442 N WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
418590206	CARRELL - STEVEN L & CLAUDIA (ET AL)	7484 N WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
415920070	CARTER - BRYAN	2856 E HIDEOUT DR	EAGLE MOUNTAIN	UT	84005
415920083	CARTER - BYRON D & ANNA G	2962 SANDPIPER RD	EAGLE MOUNTAIN	UT	84005
415920074	CARTER - TYLER & LANDAN MICHIKO HOLLADAY	7593 N MESA VISTA CIR	EAGLE MOUNTAIN	UT	84005
415920008	CERRONI - ERIC J & LAURIE U	2863 E HIDEOUT DR	EAGLE MOUNTAIN	UT	84005
418170011	CHRISTIANSSEN - DAVID & SARA	2618 E WHITE BIRCK DR	EAGLE MOUNTAIN	UT	84005
415920006	CHUGG - JUSTIN	2881 E HIDEOUT DR	EAGLE MOUNTAIN	UT	84005
415920010	CLEMENTS - MICHAEL D & CHERIE L	2845 E HIDEOUT DR	EAGLE MOUNTAIN	UT	84005
415920028	CRAIG - ROBERT T & CORINNE N (ET AL)	2896 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
415920072	CROCKETT - DAVID J & NATALIE K	2882 E HIDEOUT DR	EAGLE MOUNTAIN	UT	84005
415920026	CROMEY - BRADLEY & TIFFANY	PO BOX 396	ELKFORD	BC	null
418170013	DAVIS - RYAN J & AMANDA K	2644 E WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
496390023	DAY - TODD M & STEPHANIE E	7535 N SANDPIPER RD	EAGLE MOUNTAIN	UT	84005
415920082	DECKER - DAVID S & JUDITH M	2956 SANDPIPER RD	EAGLE MOUNTAIN	UT	84005
418170001	DEVINCENT - ROBERT STEPHEN & ELYSE	2711 E WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
513980067	DUVERNAY - LISA A	7837 RUBY VALLEY DR	EAGLE MOUNTAIN	UT	84005
580400246	EAGLE MOUNTAIN CITY	1650 STAGE COACH RUN	EAGLE MOUNTAIN	UT	84005

415920088	EAGLE MOUNTAIN CITY	1680 E HERITAGE DR	EAGLE MOUNTAIN	UT	84005
415920087	EAGLE MOUNTAIN CITY	1680 E HERITAGE DR	EAGLE MOUNTAIN	UT	84005
418590215	EAGLE MOUNTAIN CITY	1650 STAGE COACH RUN	EAGLE MOUNTAIN	UT	84005
418590216	EAGLE MOUNTAIN CITY	1650 STAGE COACH RUN	EAGLE MOUNTAIN	UT	84005
580400013	EAGLE MOUNTAIN CITY	1650 STAGE COACH RUN	EAGLE MOUNTAIN	UT	84005
415920086	EAGLE MOUNTAIN CITY	1680 E HERITAGE DR	EAGLE MOUNTAIN	UT	84005
415920088	EAGLE MOUNTAIN CITY	1680 E HERITAGE DR	EAGLE MOUNTAIN	UT	84005
580400325	EAGLE MOUNTAIN CITY	1680 E HERITAGE DR	EAGLE MOUNTAIN	UT	84005
418170019	EAGLE MOUNTAIN CITY	1650 STAGE COACH RUN	EAGLE MOUNTAIN	UT	84005
580340558	EAGLE MOUNTAIN CITY	1650 STAGE COACH RUN	EAGLE MOUNTAIN	UT	84005
580400432	EAGLE MOUNTAIN CITY	1650 STAGE COACH RUN	EAGLE MOUNTAIN	UT	84005
580400378	EAGLE MOUNTAIN HOLDINGS	14420 COUNTY ROAD 5	BURNSVILLE	MN	55306
415920035	EGBERT - TRENT P & JESSICA	2958 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
415920036	ERICKSON - RICHARD & ARLENE	2968 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
415920062	EVANS - JORDAN T & ELLICIA	2917 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
418170009	EVANS - MIKE L & BECKY J	2607 WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
513980058	FAWSON - RILEY & JANNA L	7615 N SHORT ST	EAGLE MOUNTAIN	UT	84005
415920004	FEWKES - JEFFERY & LAURA	2901 E HIDEOUT DR	EAGLE MOUNTAIN	UT	84005
418170016	FINDLAY - STEVE THOMAS & CARA SAMME	2678 E WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
415920081	FISHER - JACOB & MELISSA	2952 SANDPIPER RD	EAGLE MOUNTAIN	UT	84005
415920032	FULLMER - KEVIN B & SUZAN T	2932 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
415920018	GARAVITO - PAULO & YOLANDA	2806 E HIDEOUT CIR	EAGLE MOUNTAIN	UT	84005
496400040	GARRETT - DARIN & DIANE	7328 N POINT LOOKOUT RD	EAGLE MOUNTAIN	UT	84005
415920033	GIBOO - LARRY & PAULA	2942 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
415920011	GOODMANSEN - STEPHEN J & JESSICA V	2837 E HIDEOUT DR	EAGLE MOUNTAIN	UT	84005
415920020	GULLEDGE - JONATHAN CURTIS	146 W SPRING HILL WY	SARATOGA SPRINGS	UT	84045
415920007	GUZMAN - RUBEN RICHARD	2873 E HIDEOUT DR	EAGLE MOUNTAIN	UT	84005
415920003	HAMLET - KEVIN & JANIEL	2909 E HIDEOUT DR	EAGLE MOUNTAIN	UT	84005
496390024	HARDY - LORIN M & WENDY A	7553 SANDPIPER RD	EAGLE MOUNTAIN	UT	84005
418590207	HATCH - NICOLE K & JEFFREY A	7501 N WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
418170008	HATHORNE - THOMAS S	2621 E WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
415920009	HAWS - CHRISTOPHER & KYRSTIN	2855 E HIDEOUT DR	EAGLE MOUNTAIN	UT	84005
418170006	HEATON - KYLE & KRISTA	2647 E WHITE BIRCH DR	SARATOGA SPRINGS	UT	84045
415920084	HERBST - MARIO L & LAURIE M	2968 SANDPIPER RD	EAGLE MOUNTAIN	UT	84005
580400486	HIDDEN CANYON LLC	3400 N ASHTON BLVD STE 180	LEHI	UT	84043
418170002	HIDDEN CANYON LLC	3400 N ASHTON BLVD STE 180	LEHI	UT	84043
418170005	HILL - JASON R & BRITTANI A	2661 E WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
513980053	HILLAN - JEREMIAH DANIEL	7706 N MOUNTAIN ASH WY	EAGLE MOUNTAIN	UT	84005
418170010	HIXSON - KENNETH A II & CHANTEL	2606 E WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005

415920078	HOFFMAN - ERIC & MELISSA	7604 N MESA VISTA CIR	EAGLE MOUNTAIN	UT	84005
418170017	HUGHES - JONATHAN	2690 E WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
415920055	HULL - MARVIN J	301 N 1200 E APT 217	LEHI	UT	84043
513980047	JACOBSON - STACIE A	7699 N RUBY VALLEY DR	EAGLE MOUNTAIN	UT	84005
513980048	JAIMES - JESUS & SUSANA	7695 RUBY VALLEY DR	EAGLE MOUNTAIN	UT	84005
418590208	JENKINS - JOSEPH & KIMBERLY	7485 N WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
415920059	JEPPSON - BRUCE	2947 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
418590203	JEPSON - COREY D & STACEY L	7424 N WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
513980046	JOHNSON - KENDAL & JESSICA L	7705 N RUBY VALLEY DR	EAGLE MOUNTAIN	UT	84005
415920051	JOHNSTON - IAN J (ET AL)	3021 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
513980062	JONES - CHRISTOPHER ROBERT & HOLLY	7739 N MOUNTAIN ASH WY	EAGLE MOUNTAIN	UT	84005
415920016	JORGENSEN - TYLER & JESSICA J	2799 E HIDEOUT DR	EAGLE MOUNTAIN	UT	84005
580400345	JUNIPER SPRINGS TOWNHOMES LLC	95 S RIVER BEND WY STE A	NORTH SALT LAKE	UT	84054
580400434	JUNIPER SPRINGS TOWNHOMES LLC	95 S RIVER BEND WY STE A	NORTH SALT LAKE	UT	84054
580400326	KDC HOLDINGS LLC	3311 S RAINBOW BLVD # 225	LAS VEGAS	NV	89146
415920076	KELLOGG - RONALD S	7590 N MESA VISTA CIR	EAGLE MOUNTAIN	UT	84005
415920005	KMBK REAL ESTATE LLC	252 N 950 E	OREM	UT	84097
415920043	KROFF - JUSTIN	3032 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
415920054	LOY - JORDAN & JENNIE	2995 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
415920066	LUCAS - JEREMY & JAMI	2877 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
415920042	MARTINEZ - VERONICA (ET AL)	3022 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
415920060	MATA' AFA - MIRANDA E	2937 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
415920057	MCCURDY - BRACKEN J & MEGAN J	2967 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
415920021	MCVAY - JORDAN THOMAS & MELISSA DENISE	7553 N LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
418590209	MENDOZA - JULIO & JULIE	7469 N WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
415920064	MESTRALLET - MARTIN D & CHELSIE	2897 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
418590214	MINCH - STEVEN JOSEPH & ELIZABETH A	2588 E WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
415920058	MITTON - DANIEL & AMBER	2957 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
513980061	MONTGOMERY - JAMES & SUMMER	7733 N MOUNTAIN ASH WY	EAGLE MOUNTAIN	UT	84005
513980059	MORTENSEN - DAVID MICHAEL & AUDRA MARIE	7691 N MOUNTAIN ASH WY	EAGLE MOUNTAIN	UT	84005
415920031	MORTON - ISAAC T & SUZANNE M	2922 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
415920027	MULL - GARY L & PAMELA L	2886 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
415920022	NELSON - LOGAN & AUDREY	7547 N LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
415920030	PACK - SCHUYLER (ET AL)	2912 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
418170015	PACKARD - RICHARD L & RACHELLE	2670 E WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
580400149	PERRY LAND INVESTMENTS LLC	17 E WINCHESTER ST # 200	MURRAY	UT	84107
415920019	PETERSON - JARED A	2816 E HIDEOUT DR	EAGLE MOUNTAIN	UT	84005
418170018	PHEYSEY - TIFFANY & MATTHEW	7372 N LOCUST AV	EAGLE MOUNTAIN	UT	84005
415920063	PLATNER - ANTHONY (ET AL)	2907 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005

415920065	POULTON - JOSHUA & DAWN	2885 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
415920052	QUINN - ADAM CHRISTOPHER & SACHIKO				null
415920068	RASMUSSEN - CHRISTOPHER DALE & LESLIE	2857 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
418170014	RAWLINGS - BRANDON & MELANIE	2658 S WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
418590212	RAWLINGS - KENT G & ANGELA L	7421 N WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
418590201	REED - JAYSON MICHAEL & STACY ANN	2593 E WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
418590211	RICHARDS - TIMOTHY & AIMEE	7439 N WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
415920056	RILEY - TREVOR & COLETTE	2977 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
418170003	ROACH - CARI ANNE	2685 E WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
415920029	ROBERTS - BOYD	2902 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
415920079	RODEN - AARON	7610 N MESA VISTA CIR	EAGLE MOUNTAIN	UT	84005
415920002	RODEN - GLEN & BRITTANY	2919 E HIDEOUT DR	EAGLE MOUNTAIN	UT	84005
415920085	RONDAS - ROBERT JEFFREY (ET AL)	2974 E SANDPIPER RD	EAGLE MOUNTAIN	UT	84005
418590210	SAMPSON - SHILOH W & INA M	7453 N WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
415920025	SANCHEZ - JEREMY & NATALIE	2868 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
415920001	SCHELIN - DIANA P & JAMES C	2927 E HIDEOUT DR	EAGLE MOUNTAIN	UT	84005
415920075	SHAW - JADEN & STACY	7589 N MESA VISTA CIR	EAGLE MOUNTAIN	UT	84005
418170004	SHAW - SPENCER B & LONI L	2671 E WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
415920050	SMOOT - BENTSEN & DESIRAE	3029 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
513980063	SNYDER - TRACEY	2716 E SADDLE ROCK RD	EAGLE MOUNTAIN	UT	84005
513980057	SORENSEN - JEREMY WILLIAM & SUSAN YVONNE	7655 MOUNTAIN ASH DR	EAGLE MOUNTAIN	UT	84005
415920069	SPEER - DANIEL A & JOHANNA F	2848 E HIDEOUT DR	EAGLE MOUNTAIN	UT	84005
513980045	SPENCER - CLINTON A & KJERSTINE ANN	7713 RUBY VALLEY DR	EAGLE MOUNTAIN	UT	84005
418170012	STEPHENS - TYSON & BRITTNEY	2630 E WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
415920044	STODDARD - ZACHARY R & NANCY MICHELLE	3042 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
415920024	STRONG - DAVIS JOHNSON & HOLLY MARIE	2858 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
415920023	SUSUNGA - ERIC J GONZALEZ (ET AL)	2848 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
415920017	SWENSEN - JUSTIN & KATIE	2802 E HIDEOUT CIR	EAGLE MOUNTAIN	UT	84005
580400188	THOMAS - NOLAN & HOLLY	2713 SADDLE ROCK RD	EAGLE MOUNTAIN	UT	84005
415920034	THUMJUMRAS - MINTRA	2948 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
415920013	TIMOTHY - JASON DELBERT & CYNTHIA ANN	2819 E HIDEOUT DR	EAGLE MOUNTAIN	UT	84005
513980085	TOWN OF EAGLE MOUNTAIN	1680 E HERITAGE DR	LEHI	UT	84043
580400112	TOWN OF EAGLE MOUNTAIN THE	7827 N CEDAR PASS RD	EAGLE MOUNTAIN	UT	84005
580400115	TOWN OF EAGLE MOUNTAIN THE	1680 E HERITAGE DR	EAGLE MOUNTAIN	UT	84005
418590202	TURNER - CHRISTOPHER WAYNE & NICOLE WHITNEY	7408 N WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
513980050	TYGARD - JOSHUA M & CALLIE	7666 MOUNTAIN ASH DR	EAGLE MOUNTAIN	UT	84005
580400331	UTAH COUNTY	100 E CENTER ST	PROVO	UT	84606

415920080	VERA - DANIELA Y (ET AL)	2946 E SANDPIPER RD	EAGLE MOUNTAIN	UT	84005
418170007	VISSEY - TYSON & BRYNN	2635 E WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
415920014	WALLER - MICHAEL J & MELISSA ANN	2809 E HIDEOUT CIR	EAGLE MOUNTAIN	UT	84005
418590205	WARD - WILLIAM & AUBREY L	7458 N WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
415920015	WATKINS - BRADY M & MELISSA	2803 E HIDEOUT CIR	EAGLE MOUNTAIN	UT	84005
513980060	WELCH - JASON K & JESSICA L	7711 N MOUNTAIN ASH WY	EAGLE MOUNTAIN	UT	84005
415920077	WILLIAMS - MICKEL JOHN	7596 N MESA VISTA CIR	EAGLE MOUNTAIN	UT	84005
415920039	WOLFGAMM - HARMONIE & KARL	2994 E LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
415920053	YOUNG - RYAN J & AMY J	18000 SUNSET POINT RD	POWAY	CA	92064

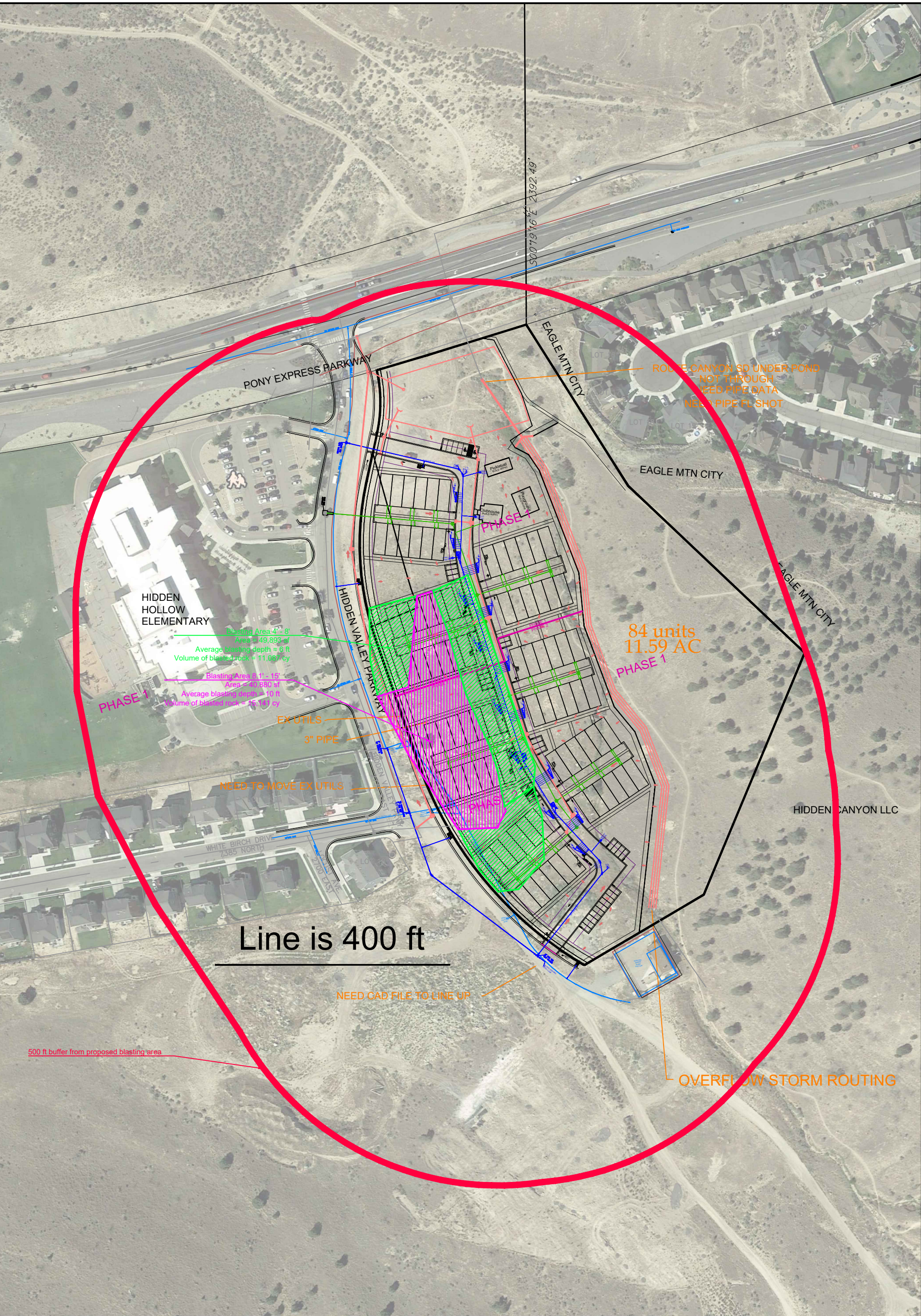


Juniper Springs 1,320 ft Buffer

Properties Within 500 ft of Blast Site

Properties Within 500 ft of Blast Site

Parcel Number	Name	Address	City	State	Zip
415920015	WATKINS - BRADY M & MELISSA	2803 E HIDEOUT DR	EAGLE MOUNTAIN	UT	84005
415920016	JORGENSEN - TYLER & JESSICA J	2799 E HIDEOUT DR	EAGLE MOUNTAIN	UT	84005
415920017	SWENSEN - JUSTIN & KATE	2802 E HIDEOUT DR	EAGLE MOUNTAIN	UT	84005
415920018	GARAVITO - PAULO & YOLANDA	2806 E HIDEOUT DR	EAGLE MOUNTAIN	UT	84005
415920019	PETERSON - JARED A	2816 E HIDEOUT DR	EAGLE MOUNTAIN	UT	84005
415920021	MCVAY - JORDAN THOMAS & MELISSA	7553 N LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
415920022	NELSON - LOGAN & AUDREY	7547 N LOOKOUT DR	EAGLE MOUNTAIN	UT	84005
418170001	DEVINCENT - ROBERT STEPHEN & ELYSE	2711 E WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
418170003	ROACH - CARI ANNE	2685 E WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
418170004	SHAW - SPENCER B & LONI L	2671 E WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
418170005	HILL - JASON R & BRITTANI A	2661 E WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
418170006	HEATON - KYLE & KRISTA	2647 E WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
418170014	RAWLINGS - BRANDON & MELANIE	2658 E WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
418170015	PACKARD - RICHARD L & RACHELLE	2670 E WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
418170016	FINDLAY - STEVE THOMAS & CARA SAMME	2678 E WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
418170017	HUGHES - JONATHAN	2690 E WHITE BIRCH DR	EAGLE MOUNTAIN	UT	84005
418170018	PHEYSEY - TIFFANY & MATTHEW	7372 N LOCUST AV	EAGLE MOUNTAIN	UT	84005
580400486	HIDDEN CANYON LLC	3400 N ASHTON BLVD STE 180	LEHI	UT	84043



Juniper Springs 500 ft Buffer

Blasting Plan



4th & Goal
Drilling and Blasting, LLC

BLAST REPORT

JOB NAME Westlake DATE TBD
ADDRESS Project in Eagle NEN TIME 10-2 pm AM/PM
BLAST NUMBER & STATION NUMBER 001

NAME & LICENSE
NUMBER OF BLASTER: Shawn Miller
SIGNATURE: [Signature] BLAST CREW Justin Barr

OFISO

DIRECTION AND DISTANCE TO NEAREST STRUCTURE 110' South
WEATHER CONDITIONS TBD

TYPE OF MATERIAL BLASTED 1. Basalt NUMBER 1. TBD - 20th BURDEN 1. 5 SPACING 1. 7
2. Limestone HOLES 2. _____ 2. _____ 2. _____
HOLE 1. _____ HOLE 1. 16' - 18' STEMMING 1. 36" STEMMING 1. 36"
2.75 DIAMETER DEPTH 2. _____ TYPE SUBDRILL 2 LENGTH 2. _____

EXPLOSIVES/ACCESSORIES TYPE/BRAND NAME	LBS/UNITS	EXPLOSIVES/ACCESSORIES TYPE/BRAND NAME	LBS/UNITS
<u>Amex Anfo</u>	<u>356</u>		
<u>Sensel 1 1/4x8</u>	<u>10</u>		

TOTAL POUNDS IN SHOT 366
MAXIMUM HOLES PER DELAY 1 MAXIMUM LOADED POUNDS PER DELAY 484[#]
NUMBER OF DECKS PER HOLE 1-3 LOADED POUNDS PER DECK 484[#]

INITIATION SYSTEM ☐ ELECTRIC ☒ NONELECTRIC BRAND NAME _____
BLASTING MACHINE USED Scorpion
DELAY PERIODS USED 17 ms
TOTAL NUMBER OF CAPS OR DELAY CONNECTORS 32

MATS OR OTHER PROTECTION USED ☒ YES ☐ NO TYPE _____



4th & Goal
Drilling and Blasting LLC

BLAST REPORT

IDENTIFY SHOT LOCATION BY STATION, OR BY DIRECTION AND DISTANCE TO KNOWN STRUCTURE OR OBJECT. SHOW NORTH ARROW.
SHOW DELAY NUMBER BY HOLE AND WIRING/CORD/TUBING HOOKUP.

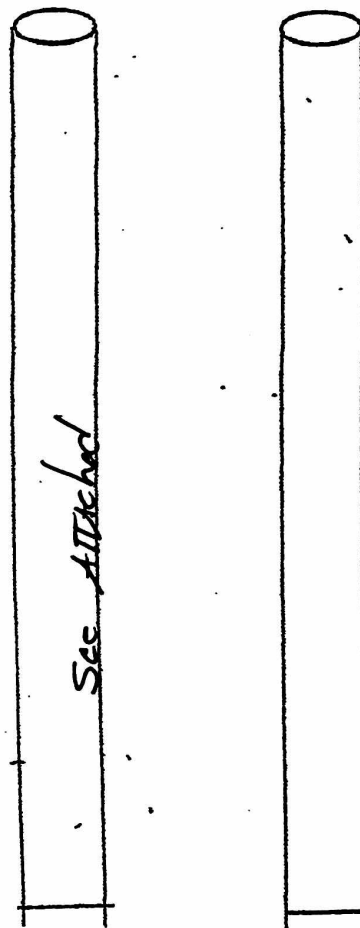
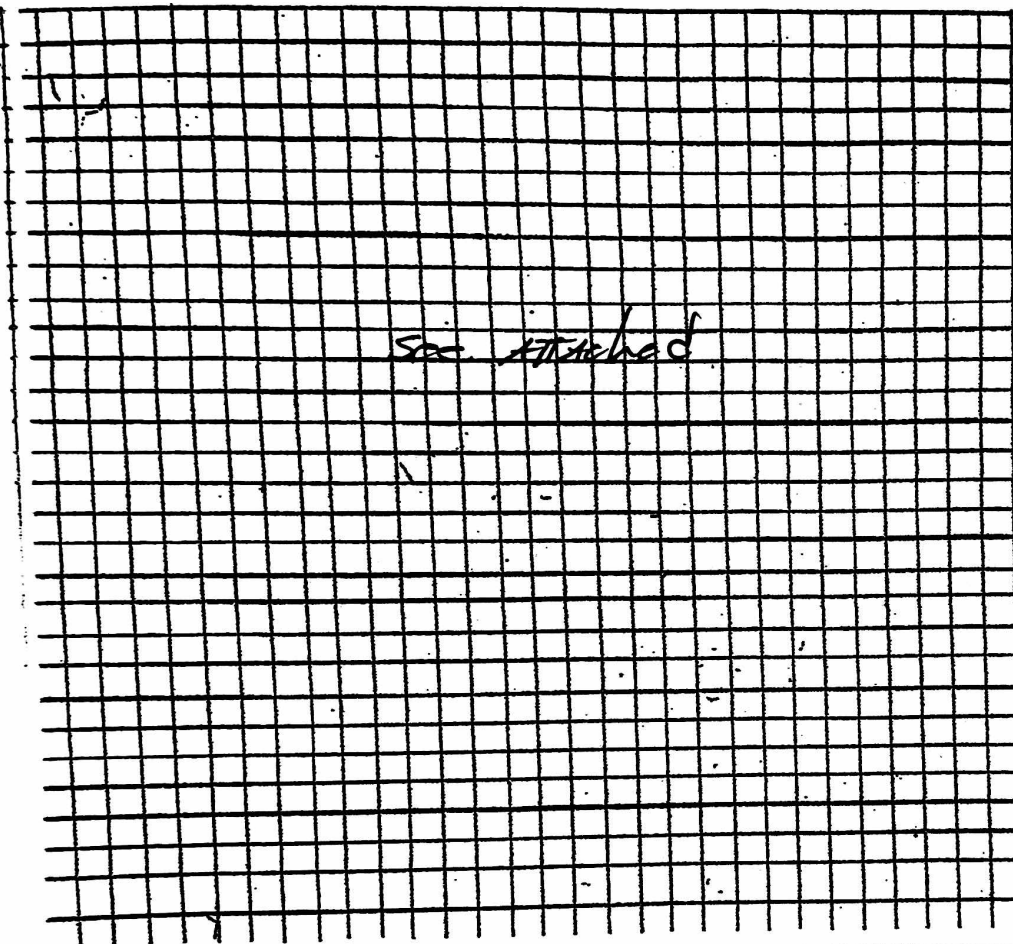
BLAST LOCATION &

BLAST NUMBER 001

DATE 7/8/1

TYPICAL HOLES

SHOW: DEPTH, STEMMING, DECKS, WATER, PRIMER LOCATIONS, SUBDRILLING, ETC.



DITCH FOOTAGE _____ FEET

QUANTITY OF MATERIAL BLASTED 622 CUBIC YARDS
_____ TONS

POWDER FACTOR: .59 LBS/CUBIC YARD
_____ LBS/TON

SEISMOGRAPH RESULTS (IF USED, RECORDS ATTACHED)

TYPE Blastmak III NAME OF OPERATOR Shawn Miller COMPANY 4th & Goal AAB

LOCATION House 1-3 DISTANCE FROM BLAST SITE 110'
OF SETUP School 140' 240' DIRECTION FROM BLAST SITE South

PEAK PARTICLE VELOCITY 1- 1.25
2- 1.01 MEASUREMENTS
3- .85 PEAK SOUND PRESSURE _____
School - .41 TRANSVERSE VERTICAL LONGITUDINAL

SHOT RESULTS. FRAGMENTATION Excellent MUCKPILE 30% FLYROCK NO

COMMENTS Example only

Westates - Travis Taylor

School - 240'
Home #1 - 110'
Home #2 - 140'
Home #3 - 180'
Home #4 - ?
Pump House - ?

distances will vary from
shot to shot

$$\text{Home \#1 } \left(\frac{110'}{50} \right)^2 = 4.84 \text{ delay}$$

$$2.19 \text{ lbs/ft}$$

Timing

30 Holes @ 110'

Start →	0	75	150	225	300
	25	100	175	250	325
	50	125	200	275	350
	142	217	292	367	442
	167	242	317	392	467
	192	267	342	417	492



48"
Stemming

2.50 #

36"
Stemming

4.84 #

36"
Stemming

4.84 #

12.2 # per hole
366 # per shot
20.74 Bcy / hole
622 Bcy per shot
- 59 PF

15 Holes @ 250'

Start →	0	50	100	150	200
	25	75	125	175	225
	92	142	192	242	292
	117	167	217	267	317
	184	234	284	334	384
	209	259	309	359	409



5' COVER

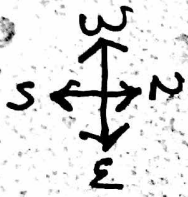
9.43 #

36"
Stemming

9.43 #

9' COVER

18.53 #



PONY EXPRESS PARKWAY

EAGLE MTN CITY

ROUTE 66
DIPLOMA

EAGLE MTN CITY

School

HIDDEN
HOLLOW
ELEMENTARY

Blasting Area 4' - 8'
Area = 49,893 sf
Average blasting depth = 6 ft
Volume of blasted rock = 11,087 cy

Blasting Area 8.1' - 15'
Area = 40,880 sf
Average blasting depth = 10 ft
Volume of blasted rock = 16,141 cy

HIDDEN VALLEY PARKWAY

PHASE 1

84 units
11.59 AC
PHASE 1

#2 #1

PHASE 2

#3

WHITE PINE DRIVE

300 ft buffer from school

Line is 400 ft

300 ft buffer from proposed blasting area

NEED CAD FILE TO LINE UP

Certificate of Insurance



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

2/12/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER AFFORDABLE INSURANCE SOLUTIONS 2492 WALL AVE OGDEN UT 84401		CONTACT NAME: PHONE (A/C, No, Ext): (801) 393-1122 FAX (A/C, No): E-MAIL ADDRESS: quotes@aisforyou.com	
INSURED 4TH & GOAL DRILLING AND BLASTING, LLC PO BOX 670 OAKLEY UT 84055		INSURER(S) AFFORDING COVERAGE INSURER A: National Fire & Marine Ins Co INSURER B: Utah's Worker's Compensation Fund INSURER C: Travelers Insurance Company INSURER D: INSURER E: INSURER F:	

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS		
A	☒ COMMERCIAL GENERAL LIABILITY			72LPS022721	04/15/2018	04/15/2019	EACH OCCURRENCE	\$ 1,000,000	
	☐ CLAIMS-MADE ☒ OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000	
							MED EXP (Any one person)	\$ 5,000	
							PERSONAL & ADV INJURY	\$ 1,000,000	
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	\$ 2,000,000	
	☒ POLICY ☐ PRO-JECT ☐ LOC						PRODUCTS - COMP/OP AGG	\$ 2,000,000	
	OTHER:							\$	
C	AUTOMOBILE LIABILITY			99131071-101-1	03/23/2018	03/23/2019	COMBINED SINGLE LIMIT (Ea accident)	\$	
	☒ ANY AUTO						BODILY INJURY (Per person)	\$ 1,000,000	
	☐ ALL OWNED AUTOS	☒ SCHEDULED AUTOS					BODILY INJURY (Per accident)	\$ 1,000,000	
	☐ HIRED AUTOS	☐ NON-OWNED AUTOS					PROPERTY DAMAGE (Per accident)	\$ 1,000,000	
								\$	
	UMBRELLA LIAB						EACH OCCURRENCE	\$	
	EXCESS LIAB						AGGREGATE	\$	
	DED	RETENTION \$						\$	
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			UTAH - 3431614	07/16/2018	07/16/2019	PER STATUTE	OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y / N						E.L. EACH ACCIDENT	\$ 100,000
	If yes, describe under DESCRIPTION OF OPERATIONS below	☒ Y	N / A					E.L. DISEASE - EA EMPLOYEE	\$ 100,000
								E.L. DISEASE - POLICY LIMIT	\$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Heidi Scadden

137

State Dust Control Plan



Utah Department of Environmental Quality

195 North 1950 West
Salt Lake City, Utah 84114-4820
Attn: DAQ, Fugitive Dust Control Plan

Fugitive Dust Control Plan Application

Applicants have the option to complete the online dust control plan on the DEQ Online Services webpage or to submit a hard copy application.

Activities regulated by R307-309 may not commence before obtaining approval of the fugitive dust control plan. Therefore, online filing is encouraged because it provides instant approval.

Blank spaces must be completed for the application to be processed. If not applicable, enter N/A.

1. Applicant Information

Name: Juniper Springs Townhomes
Address: 95 River Bend Way, Suite A NORTH SALT LAKE, UT 84054
Phone: 801-383-3252
Email: ttaylor@westates.us
Applicant Type: Property Owner

2. Project Information

Project Name: Juniper Springs Townhomes
Address: 7448 Hidden Valley Parkway EAGLE MOUNTAIN, UT 84005
County: UTAH
Directions: Turn South on Hidden Valley Parkway off of Pony Express Parkway
Acreage: 11.47
Latitude: 40.354680
Longitude: -111.991177

3. Point of Contact

Name: Travis Taylor

Company Name: Westates Construction

Address: 95 River Bend Way, Suite A North Salt Lake, UT 84054

Phone: 8013833252

Fax:

Cell:

4. On-site Superintendent/Supervisor/Foreman Contact

Name: Dusty Lister

Company Name: Westates Construction

On-Site Phone: 385.272.4581

Cell:

5. By signing this permit application I certify that:

A. I am authorized, on behalf of the individual or company listed in Section 1, as Applicant, to apply for a Fugitive Dust Control Plan and to commit to all of the terms and conditions of the requested plan.

B. Construction activities will be limited to lands that the applicant either owns or is authorized to use for construction activities.

C. The applicant accepts responsibility for assuring that all contractors, subcontractors, and all other persons on the construction site covered by this plan, comply with the terms and conditions of the Fugitive Dust Control Plan.

D. I understand that any false material statement, representation or certification made in this application may invalidate the plan or cause me to be subject to enforcement action pursuant to Utah Code Ann. 19-2-115.

E. Failure to comply with fugitive dust rules may result in compliance action and penalties up to \$10,000 per violation/day.

Date: 11/27/2018

Printed Name: Juniper Springs Townhomes

Title: Property Owner

Company Name: Westates Construction

Dust Plan Number: 18379

Dust Suppressants

	Check All that Apply
	Clay additives.
	Calcium chloride.
	Lime (calcium oxide).
	Magnesium chloride.
	Organic non-petroleum products, (ligninsulfonate, tall (pine) oil, and vegetable derivatives).
	Synthetic polymers (for example; polyvinyl acetate and vinyl acrylic).

FUGITIVE DUST CONTROL PLAN

PROJECT ACTIVITIES CHECKLIST INSTRUCTIONS:

PLACE A CHECK MARK NEXT TO EVERY ACTIVITY THAT WILL BE CONDUCTED ON THIS SITE, FOR EACH CHECKED ACTIVITY, COMPLETE THE CORRESPONDING CONTROL MEASURES/BEST MANAGEMENT PRACTICE (BMP) SELECTION PAGE. WHEN COMPLETED, YOU WILL HAVE THE OPTION TO PRINT THE ENTIRE PLAN.

	Project Activity	Check All that Apply
01	Backfilling area previously excavated or trenched.	
02	Blasting soil & rock - drilling and blasting.	X
03	Clearing for site preparation and vacant land cleanup.	
04	Clearing forms, foundations, slab clearing and cleaning of forms, foundations and slabs prior to pouring concrete.	
05	Crushing of construction and demolition debris, rock and soil.	
06	Cut and fill soils for site grade preparation.	X
07	Demolition - Implosive demolition of a structure, using explosives.	
08	Demolition - mechanical/manual demolition of walls, stucco, concrete, freestanding structures, buildings and other structures.	
09	Disturbed soil throughout project including between structures. THIS ACTIVITY MUST BE SELECTED FOR ALL PROJECTS.	X
10	Disturbed land - long term stabilization and erosion control of large tracts of disturbed land that will not have continuing activity for more than 30 days.	
11	Hauling materials.	X
12	Paving/subgrade preparation for paving streets, parking lots, etc.	
13	Sawing/cutting material, concrete, asphalt, block or pipe.	
14	Screening of rock, soil or construction debris.	
15	Staging areas, equipment storage, vehicle parking lots, and material storage areas.	
16	Stockpiles materials (storage), other soils, rock or debris, for future use or export.	
17	Tailings piles, ponds and erosion control.	

18	Trackout Prevention and Cleanup of mud, silt and soil tracked out onto paved roads.	X
19	Traffic - unpaved routes and parking, construction related traffic on unpaved interior and/or access roads and unpaved employee/worker parking areas.	
20	Trenching with track or wheel mounted excavator, shovel, backhoe or trencher.	
21	Truck loading with materials including construction and demolition debris, rock and soil.	

GENERAL REQUIREMENT: ALL ACTIVITIES MUST MEET OPACITY REQUIREMENTS IN R307-309-5**MAKE AT LEAST ONE SELECTION FROM EACH SECTION.****Stabilize surface soils where support equipment and vehicles will operate.**☒ 06-01

Pre-water and maintain surface soils in a stabilized condition.

☐ 06-02

Apply and maintain a chemical stabilizer to surface soils.

Pre-water soils.☒ 06-03

Dig a test hole to depth of cut or equipment penetration to determine if soils are moist at depth. Continue to pre-water if not moist to depth of cut.

Stabilize soil during cut activities.☒ 06-04

Apply water to depth of cut prior to subsequent cuts.

Stabilize soil after cut and fill activities.☒ 06-05

Water disturbed soils to maintain moisture.

☐ 06-06

Apply and maintain a chemical stabilizer on disturbed soils to form crust following fill and compaction.

☐ 06-07

Apply cover (natural or synthetic).

**Disturbed soil throughout project including between structures. THIS
ACTIVITY MUST BE SELECTED FOR ALL PROJECTS.**

BMP 09

**GENERAL REQUIREMENT: ALL ACTIVITIES MUST MEET OPACITY REQUIREMENTS IN
R307-309-5**

MAKE AT LEAST ONE SELECTION FROM EACH SECTION.

Limit disturbance of soils where possible.

☐ 09-01	Limit disturbance of soils with the use of fencing, barriers, barricades, and/or wind barriers.
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☒ 09-02	Limit vehicle mileage and reduce speed.
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Stabilize and maintain stability of all disturbed soil throughout construction site.

☒ 09-03	Apply water to stabilize disturbed soils. Soil moisture must be maintained such that soils can be worked without generating fugitive dust.
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☐ 09-04	Apply and maintain a chemical stabilizer.
--------------------------------	---

☐ 09-05	Use wind breaks.
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☐ 09-06	Apply cover (natural or synthetic).
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Hauling materials.**BMP 11**

GENERAL REQUIREMENT: ALL ACTIVITIES MUST MEET OPACITY REQUIREMENTS IN R307-309-5

MAKE AT LEAST ONE SELECTION FROM EACH SECTION.

Limit visible dust opacity from vehicular operations.

☐ 11-01	Apply and maintain water/chemical suppressant to operational areas and haul routes.
☒ 11-02	Limit vehicle mileage and speed.

Stabilize materials during transport on site.

☐ 11-03	Use tarps or other suitable enclosures on haul trucks.
☒ 11-04	Apply water prior to transport.

Clean wheels and undercarriage of haul trucks prior to leaving construction site.

☒ 11-05	Clean wheels.
☐ 11-06	Sweep or water haul road.

Trackout Prevention and Cleanup of mud, silt and soil tracked out onto paved roads.

BMP 18

GENERAL REQUIREMENT: ALL ACTIVITIES MUST MEET OPACITY REQUIREMENTS IN R307-309-5

MAKE AT LEAST ONE SELECTION FROM EACH SECTION.

Prevent dust from trackout.

☒ 18-01	Clean trackout at the end of the work shift from paved surfaces to maintain dust control
☐ 18-02	Maintain dust control during working hours and clean trackout from paved surfaces at the end of the work shift/day.
☐ 18-03	Install gravel pad(s), clean, well-graded gravel or crushed rock. Minimum dimensions must be 30 feet wide by 3 inches deep, and, at minimum, 50' or the length of the longest haul truck, whichever is greater. Re-screen, wash or apply additional rock in gravel pad to maintain effectiveness.
☐ 18-04	Install wheel shakers. Clean wheel shakers on a regular basis to maintain effectiveness.
☐ 18-05	Install wheel washers. Maintain wheel washers on a regular basis to maintain effectiveness.
☐ 18-06	Motorized vehicles will only operate on paved surfaces.
☐ 18-07	Install cattle guard before paved road entrance.

All exiting traffic must be routed over selected trackout control device(s).

☐ 18-08	Clearly establish and enforce traffic patterns to route traffic over selected trackout control device(s).
☒ 18-09	Limit site accessibility to routes with trackout control devices in place by installing effective barriers on unprotected routes.

Licensing

In accordance with the provisions of Title XI, Organized Crime Control Act of 1970, and the regulations issued thereunder (27 CFR Part 555), you may engage in the activity specified in this license or permit within the limitations of Chapter 40, Title 18, United States Code and the regulations issued thereunder, until the expiration date shown. **THIS LICENSE IS NOT TRANSFERABLE UNDER 27 CFR 555.53.** See "WARNINGS" and "NOTICES" on reverse.

Direct ATF
Correspondence To
ATF - Chief, FELC
244 Needy Road
Martinsburg, WV 25405-9431

License/Permit
Number

9-UT-043-33-9E-00492

Chief, Federal Explosives Licensing Center (FELC)

Expiration
Date

May 1, 2019

Name
4TH & GOAL DRILLING AND BLASTING LLC

Premises Address (Changes? Notify the FELC at least 10 days before the move.)

5675 STARR LANE
OAKLEY, UT 84055-

Type of License or Permit

33-USER OF EXPLOSIVES

Purchasing Certification Statement

The licensee or permittee named above shall use a copy of this license or permit to assist a transferor of explosives to verify the identity and the licensed status of the licensee or permittee as provided by 27 CFR Part 555. The signature on each copy must be an original signature. A faxed, scanned or e-mailed copy of the license or permit with a signature intended to be an original signature is acceptable. The signature must be that of the Federal Explosives Licensee (FEL) or a responsible person of the FEL. I certify that this is a true copy of a license or permit issued to the licensee or permittee named above to engage in the business or operations specified above under "Type of License or Permit."

Mailing Address (Changes? Notify the FELC of any changes.)

4TH & GOAL DRILLING AND BLASTING LLC
PO BOX 670
OAKLEY, UT 84055-

Licensee/Permittee Responsible Person Signature

Position/Title

Printed Name

Date

ATF Form 5400.14/5400.15 Part I
Revised October 2011

Previous Edition is Obsolete 4TH & GOAL DRILLING AND BLASTING LLC-5675 STARR LANE-84055-9-UT-043-33-9E-00492-May 1, 2019-33-USER OF EXPLOSIVES

Federal Explosives License (FEL) Customer Service Information

Federal Explosives Licensing Center (FELC)
244 Needy Road
Martinsburg, WV 25405-9431

Toll-free Telephone Number: (877) 283-3352
Fax Number: (304) 616-4401
E-mail: FELC@atf.gov

ATF Homepage: www.atf.gov

Change of Address (27 CFR 555.54(a)(1)). Licensees or permittees may during the term of their current license or permit remove their business or operations to a new location at which they intend regularly to carry on such business or operations. The licensee or permittee is required to give notification of the new location of the business or operations not less than 10 days prior to such removal with the Chief, Federal Explosives Licensing Center. The license or permit will be valid for the remainder of the term of the original license or permit. **(The Chief, FELC, shall, if the licensee or permittee is not qualified, refer the request for amended license or permit to the Director of Industry Operations for denial in accordance with § 555.54.)**

Right of Succession (27 CFR 555.59). (a) Certain persons other than the licensee or permittee may secure the right to carry on the same explosive materials business or operations at the same address shown on, and for the remainder of the term of, a current license or permit. Such persons are: (1) The surviving spouse or child, or executor, administrator, or other legal representative of a deceased licensee or permittee; and (2) A receiver or trustee in bankruptcy, or an assignee for benefit of creditors. (b) In order to secure the right provided by this section, the person or persons continuing the business or operations shall furnish the license or permit for for that business or operations for endorsement of such succession to the Chief, FELC, within 30 days from the date on which the successor begins to carry on the business or operations.

(Continued on reverse side)

Cut Here ✂

Federal Explosives License/Permit (FEL) Information Card

License/Permit Name: 4TH & GOAL DRILLING AND BLASTING LLC

Business Name:

License/Permit Number: 9-UT-043-33-9E-00492

License/Permit Type: 33-USER OF EXPLOSIVES

Expiration: May 1, 2019

Please Note: Not Valid for the Sale or Other Disposition of Explosives.

STATE OF UTAH
DEPARTMENT OF COMMERCE
DIVISION OF OCCUPATIONAL & PROFESSIONAL LICENSING
ACTIVE LICENSE

EFFECTIVE DATE: 11/30/2015
EXPIRATION DATE: 11/30/2019
ISSUED TO: 4th & Goal Drilling and Blasting LLC
PO BOX 670
OAKLEY UT 84055



REFERENCE NUMBER(S), CLASSIFICATION(S) & DETAIL(S)

8609316-5501 **Contractor With LRF** **DBAs: None Associated**

S310

Juniper Springs

Narrative for Blasting Plan

Other Means of Excavation Evaluated

There is approximately 26,000 cubic yards of material to be removed from the rock outcropping adjacent to Hidden Valley Parkway. Attempts have been made to remove this material using traditional methods:

- First, a CAT 320 excavator with a single ripper tooth was used to pick at the rock. We were able to make some headway but progress was very limited. The 320 is a 48,000 pound machine. This method will leave behind many larger boulders that are too large to crush. These will require additional processing by excavator mounted hammer. The exact amount off this extra processing is only determinable after picking.
- Second, a Caterpillar D10 dozer with ripper was used to attempt breaking up the rock. Other than stripping any topsoil and peeling some of the top portion of the most fractured surface rock, we were unable to make any significant headway. The D10 is a very large dozer made for mining operations including ripping and stripping overburden and weighs approximately 154,000 pounds.
- Third, at the request of Chris Trusty, City Engineer, another excavator with matching hydraulically driven hammer was used for exploration. We were able to work through the material at a rate of approximately 10 cubic yards per hour.

Using the hammer method, the estimated time to break the material free is:

$$26,000 \text{ cubic yards} / 10 \text{ cubic yards per hour} = 2,600 \text{ hours.}$$

This would be accomplished using several excavators at once. Assuming two hammer equipped excavators with a third excavator cleaning up behind them running from 7:00 am to 9:00 pm every weekday and from 9 am to 9 pm on Saturdays, the operation would run for nearly sixteen weeks.

Blasting

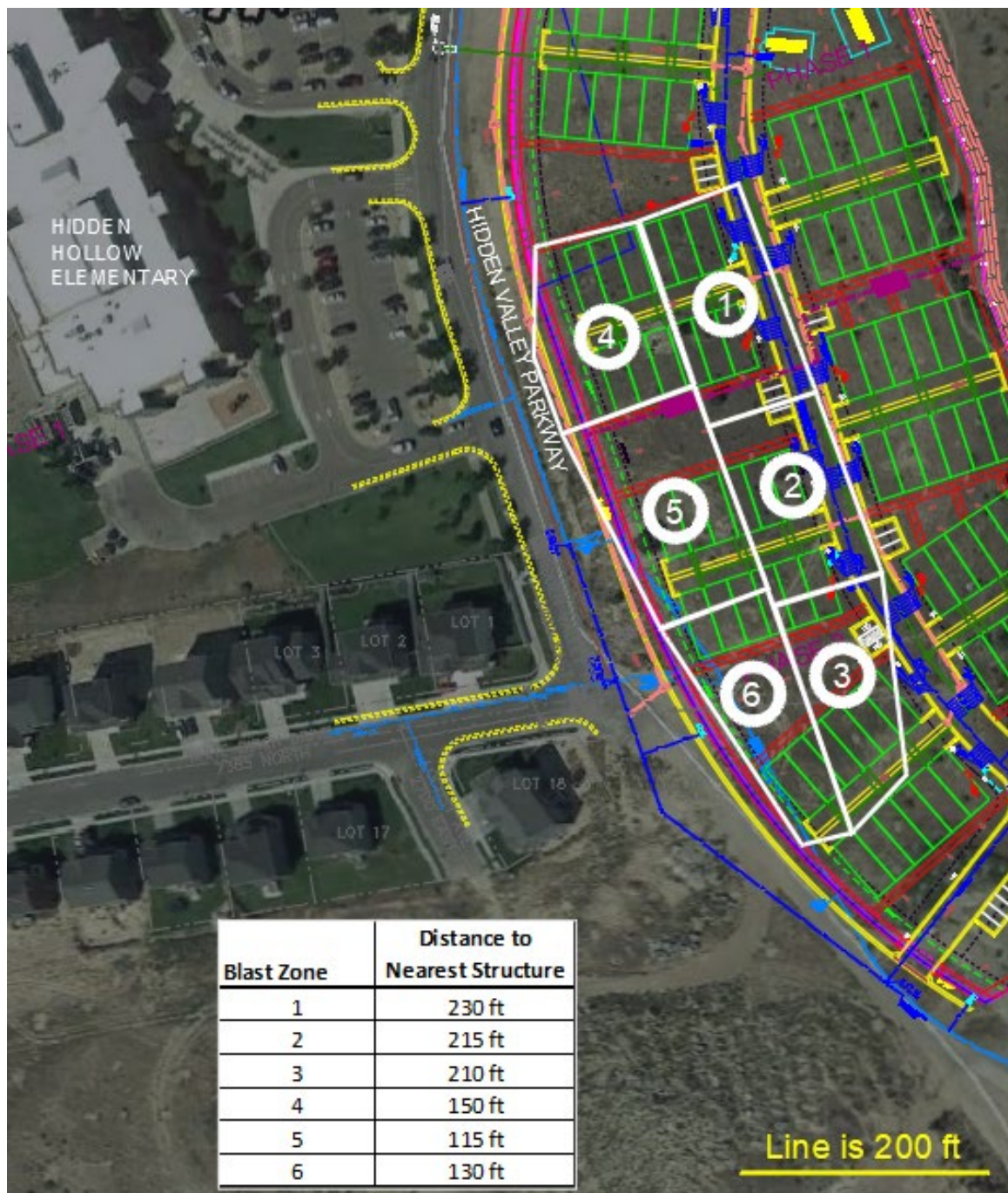
The proposed blasting operation will be conducted on weekdays only with drilling occurring on four days per week with blasting occurring one day per week.

The explosive charges are calculated based on distance to structures. If explosives are placed 500 ft from a structure, the calculations take into account ground movement at the structure. That same maximum allowable ground movement at the structure is used regardless of the distance from the blast. Since all geology is different, the approach taken at this site is very conservative. In addition to the factors of safety built in to the maximum allowable ground movement calculations, we are taking the following precautions:

1. Blasting will commence at the northeast corner of the excavation area. This will allow us to fine tune the blasting calculations based on seismic monitoring feedback from initial blasts.
2. The approach to the blasting sequence, coupled with removal and processing of material from the blasted areas, creates a face to alleviate pressures sent towards the nearest structures. This creates another factor of safety for the nearby structures.
3. The first blasts will be done with an additional 20% factor of safety based on distance to the nearest structure. This means that, assuming a distance of 350 ft from blast to structure, a distance of $350 \times 0.8 = 280$ ft would be used in calculating the blasting material. This approach will also allow fine tuning based on seismic monitoring from initial blasts.
4. Blast mats will be used on all blasts.
5. The school has been contacted. Blasting will be timed to work around their high traffic times and special events.
6. Blasting materials will be inspected for freshness – ensuring maximum efficacy.

7. Blasting will occur only in favorable wind conditions.
8. Surface material will be wetted as needed to minimize airborne dust.
9. Traffic control will be employed as needed to control vehicle access during actual blasts.
10. Decking, or stacking of charges in holes instead of a single charge per hole, will be used as needed to lessen movement.
11. Property owners will be notified per city code requirements.
12. Pre and post inspections will be offered in compliance with city code requirements.
13. Monitoring will meet or exceed city code requirements.

The diagram below shows the general approach to the blasting. Blasting will start at the corner farthest away from structures.





**Engineering Division
2565 North Sweetwater Road
Eagle Mountain City, Utah 84005
(801) 789-6671**

Monday, February 25, 2019

Travis Taylor
Westates Companies
95S River Bend Way - Suite A
North Salt Lake, UT 84054

**SUBJECT: Blasting Permit Application 19-01
RECOMMENDATION OF DENIAL**

Dear Travis:

In regards to the blasting permit application submitted to the City on February 12, 2019, after reviewing the application, it is my recommendation that this application be denied for the following reasons:

- Proximity to existing residential structures
 - o The proposed blasting as shown on the submitted application is just across the street from existing residents. While no scale was provided on the drawings it appears that there is at least 1 home within 100 feet of the blast zone, and as many as 18 homes within 500 feet. While the City code does not include a minimum distance from existing residential units, the proximity to these homes seems like an unfair burden of concern. In addition to the typical concerns of structural damage caused by the blast itself which can be monitored, other concerns such as dust cloud and potential impacts from noxious gases can be hard or impossible to prevent.
- Proximity to existing city utilities
 - o City utilities shown on the submitted application are within 100 feet of the blast, and loss of these facilities could potentially place a burden on the City to provide residents with culinary water. To my knowledge, these utilities were installed without requiring blasting.
- Proximity to existing elementary school
- Previous discussions with applicant indicating blasting would not be needed

As the City tries to balance development with the impacts it places on existing residents, sometimes it become apparent that that impact may be greater than reasonable. The City has particular concern when it comes to demolition through the use of explosives, and what effects that could have on existing home owners. Blasting should be considered as a last option for earthwork and only in situations that impact existing residents minimally. Attempting to blast in an area that is this close to existing residents is not considered an ideal circumstance and should receive an elevated level of scrutiny to determine the viability of blasting. Based on impacts to

other residents in other blasting situations, and after reviewing your application, I cannot forward this application without recommending its denial.

Based on City code, we can still forward your application to the City Council with the recommendation of denial if you so choose. In doing so, this recommendation will be submitted along with the application. Please contact me if you still wish to proceed with this application. Thank you.

Sincerely,

Christopher T. Trusty, P.E.
City Engineer
Eagle Mountain City

cc: Jeremy Cook, Eagle Mountain City Attorney

Response to Recommendation for Denial Letter sent by City:

You listed the following concerns in your letter. My responses to these are contained in the information provided, but a summary of my **comments** are:

- Proximity to existing residential structures
 - o The proposed blasting as shown on the submitted application is just across the street from existing residents. While no scale was provided on the drawings it appears that there is at least 1 home within 100 feet of the blast zone, and as many as 18 homes within 500 feet. While the City code does not include a minimum distance from existing residential units, the proximity to these homes seems like an unfair burden of concern. In addition to the typical concerns of structural damage caused by the blast itself which can be monitored, other concerns such as dust cloud and potential impacts from noxious gases can be hard or impossible to prevent.

The scale, although not typical, was included on the drawings. The closest structure to the final blast area is approximately 120 ft. In the narrative, we proposed starting at the corner of the blasting area that is farthest away from the structures. The distance to the nearest structure governs the explosives used with an additional factor of safety in the charge calculations at the start to ensure safety.

To control dust, we will be using blast mats, blast during favorable wind conditions and will wet the ground as needed.

To control noxious gasses, we are only blasting near the surface, not deep underground, and will be using fresh explosive materials with adequately sized, clean holes.

- Proximity to existing city utilities
 - o City utilities shown on the submitted application are within 100 feet of the blast, and loss of these facilities could potentially place a burden on the City to provide residents with culinary water. To my knowledge, these utilities were installed without requiring blasting.

We are aware of the utilities nearby and are tasked with relocating them to the new alignment of the roadway. Distance to the utilities will be taken into account when calculating charges.

- Proximity to existing elementary school

We have contacted the school administration and will take into account their schedule when planning blasts in addition to accounting for the distance to the structure.

- Previous discussions with applicant indicating blasting would not be needed

The first attempt at ripping through the material for additional geotechnical testing was in the uppermost layer of the rock where it is more fractured. This indicated that we would be able to rip with a larger piece of equipment. This painted a picture that led us

to be perhaps too optimistic. Once we brought the D10 to the site and explored further with it, it became apparent that the uppermost section of rock was deceiving. The D10 was unable to rip into the harder rock underneath and either skidded across the rock or grabbed hold and simply stopped the machine.

Although hammering our way through is technically possible, it's not really feasible from a cost or desirable from a nuisance perspective. Blasting appears to us to be the safe, quick way to grade the site with as little impact as possible. It is a quick and efficient means to completing the project.

If you need any additional information, please let me know.

Thanks,
Travis

Fionnuala Kofoed

From: Steve Mumford
Sent: Wednesday, April 10, 2019 10:33 AM
To: Fionnuala Kofoed; Jeremy Cook; Ifo Pili; Chris Trusty
Subject: FW: FW: Juniper Springs project across from Hidden Hollow Elementary school

FYI



Steve Mumford, AICP
Community Development Director
SMumford@Emcity.org
801-789-6616
www.eaglemountaincity.com

This e-mail may contain information that is confidential, proprietary, or "non-public personal information". The Confidential Information is disclosed conditioned upon your agreement that you will treat it confidentially and in accordance with applicable law, ensure that such data isn't used or disclosed except for the limited purpose for which it's being provided and will notify and cooperate with us regarding any requested or unauthorized disclosure or use of any Confidential Information.

From: Frank Pulley <frankpulleyjr@alpinedistrict.org>
Sent: Tuesday, April 2, 2019 3:24 PM
To: Steve Mumford <SMumford@Emcity.org>
Subject: Re: FW: Juniper Springs project across from Hidden Hollow Elementary school

Steve

As long as these items listed below are being met. We are OK.

Thanks

Frank and Kraig:

It was a pleasure meeting with you today. Thanks for taking the time to visit with me about our project.

To summarize our meeting, we discussed our townhome project and the difficulty of dealing with the rock excavation. In discussing blasting on the site, you expressed the following to be comfortable with the proposed blasting:

1. we provide the District with a pre-blast video inspection of the school facilities
2. we do the actual blasting when school is not in session, meaning Saturdays
3. a blast plan is provided to the District
4. a copy of the blaster's insurance and license is provided to the District

5. the District will be notified of the blasting schedule, even though school would not be in session

I have included with this email the blasting application and narrative that was submitted to the city. Since government email systems can be sensitive to attachments, I will send this email twice – once with a cloud link to the document and once with it attached. This includes items 3 and 4. Once our application is approved by the city, we will schedule the pre-blast inspection with the District addressing item 1. We agree to blast when school is not in session, addressing item 2. We will keep the District notified of the blasting schedule once we get approval from the city and when we have scheduled the driller. We understand that the notification will be made to the District through an email to both of you.

If this correctly summarizes what we discussed, please reply back with your approval. If not, please correct my summary in your reply.

Thanks again for your assistance.

Best regards,

On Tue, Apr 2, 2019 at 2:56 PM Steve Mumford <SMumford@emcity.org> wrote:

Frank –

I received this email from Travis Taylor concerning his proposed blasting permit adjacent to Hidden Hollow Elementary. Can you confirm that you have approved his proposal? Or does the district still have concerns that have not been addressed?

His blasting permit was tabled a couple of weeks ago by our Council, who had a number of concerns. It will be revisited by them in two weeks.

Thanks.



Steve Mumford, AICP
Community Development Director
SMumford@Emcity.org
801-789-6616
www.eaglemountaincity.com



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From: Travis Taylor <ttaylor@westcompllc.com>
Sent: Tuesday, April 2, 2019 2:41 PM
To: Steve Mumford <SMumford@Emcity.org>
Subject: FW: Juniper Springs project across from Hidden Hollow Elementary school

Steve:

In our meeting at Frank's office, we listed the District's concerns. I asked him if it would be ok to email him a list of those concerns and have him reply back that it is correct. That's what is included below in our email chain.

The paragraph below the list talks about what was sent with that email and what would be addressed as we move forward with the project.

Thanks,

Travis

From: Frank Pulley <frankpulleyjr@alpinedistrict.org>
Sent: Thursday, March 28, 2019 2:32 PM
To: Travis Taylor <ttaylor@westcompllc.com>
Cc: ksweat@alpinedistrict.org
Subject: Re: Juniper Springs project across from Hidden Hollow Elementary school

Yes, I'm good.

On Thu, Mar 28, 2019 at 2:31 PM Travis Taylor <ttaylor@westcompllc.com> wrote:

Great

Are you good with my summary of our discussion?

From: Frank Pulley <frankpulleyjr@alpinedistrict.org>

Sent: Thursday, March 28, 2019 2:29 PM

To: Travis Taylor <ttaylor@westcompllc.com>

Cc: ksweat@alpinedistrict.org

Subject: Re: Juniper Springs project across from Hidden Hollow Elementary school

Yes, I received them.

On Wed, Mar 27, 2019 at 4:18 PM Travis Taylor <ttaylor@westcompllc.com> wrote:

Frank and Kraig:

I'm hoping that at least one of my emails made it to you. I'm never sure about government entities flagging emails with attachments. Please let me know if I need to resend information to you or if you are good with what I sent last week.

Thanks,

Travis S. Taylor, P.E.

95S River Bend Way - Suite A

North Salt Lake, UT 84054

Office: 801.383.3252

Fax: 801.383.3253

Cell: 801.694.5202

Email: travis@westates.us



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From: Travis Taylor

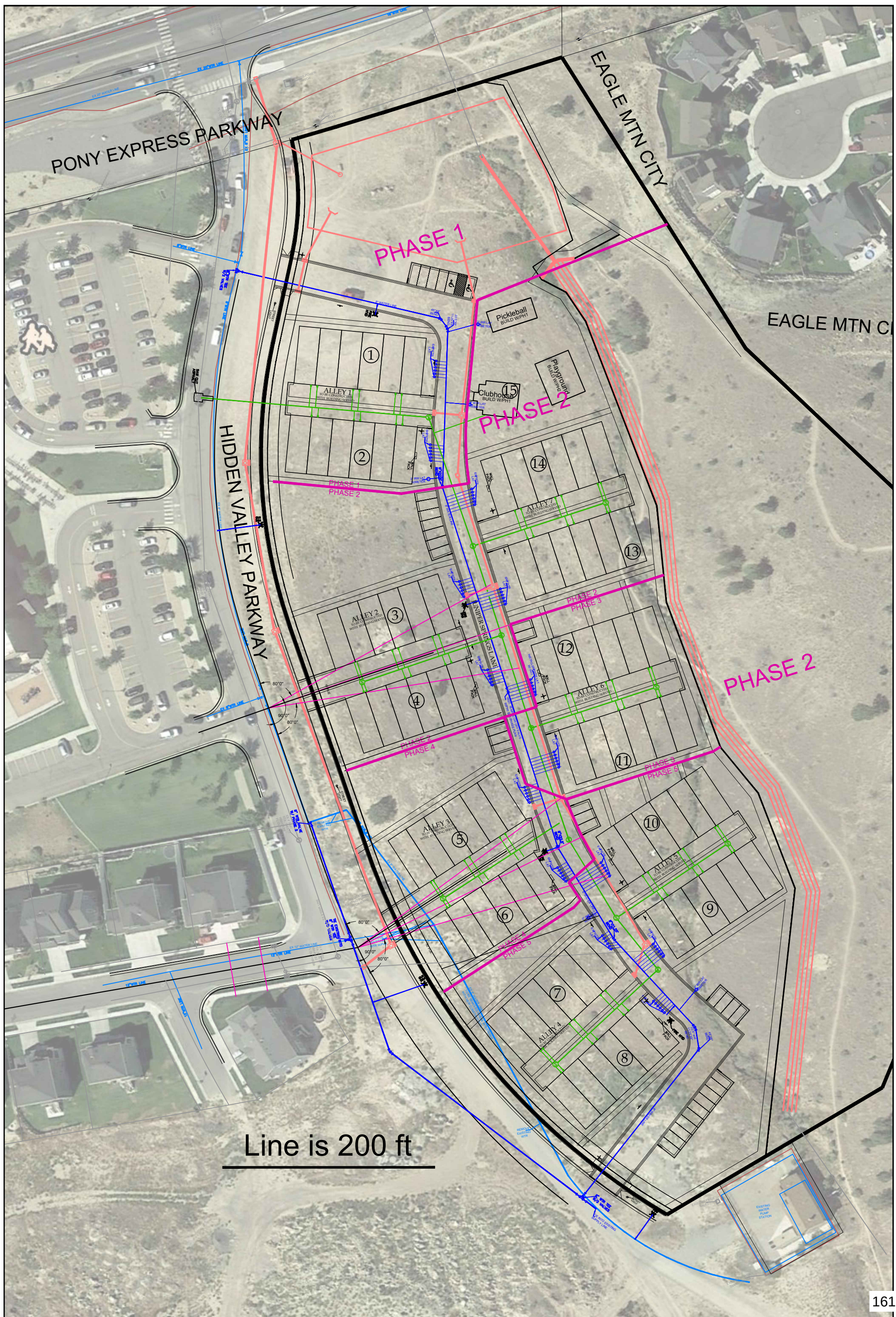
Sent: Friday, March 22, 2019 11:48 AM

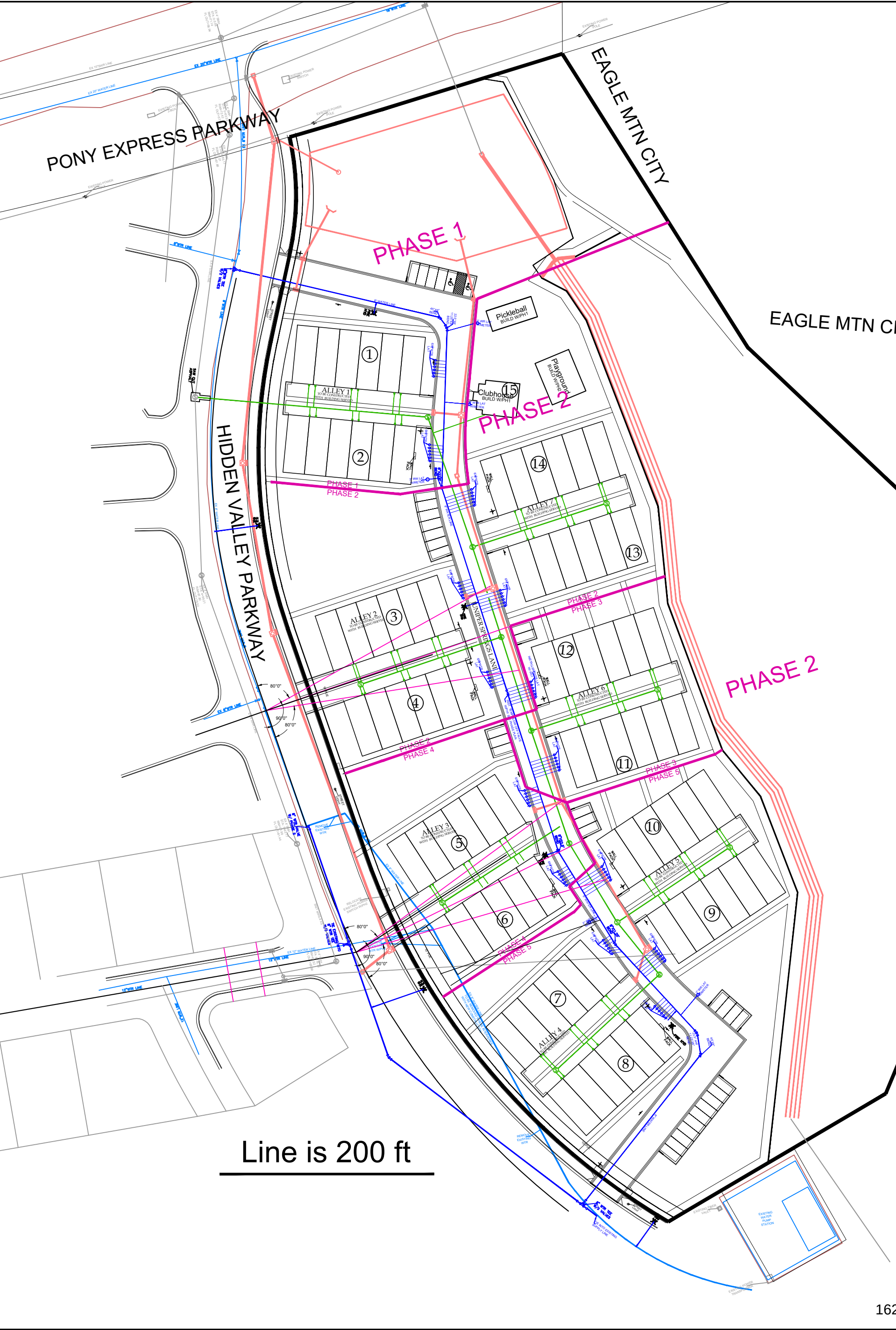
To: 'Frank Pulley' <frankpulleyjr@alpinedistrict.org>; 'ksweat@alpinedistrict.org' <ksweat@alpinedistrict.org>

Subject: Juniper Springs project across from Hidden Hollow Elementary school

Frank and Kraig:

It was a pleasure meeting with you today. Thanks for taking the time to visit with me about our project.





Line is 200 ft



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
APRIL 16, 2019**

TITLE:	Juniper Springs Request for Partial Waiver of Application Fees		
ITEM TYPE:	Motion		
FISCAL IMPACT:			
APPLICANT:	Travis Taylor, Westates Companies		
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY Juniper Springs

PUBLIC HEARING:

No

REQUIRED FINDINGS:

**PLANNING COMMISSION
ACTION /
RECOMMENDATION**

PREPARED BY:

Steve Mumford,
Planning

RECOMMENDATION:

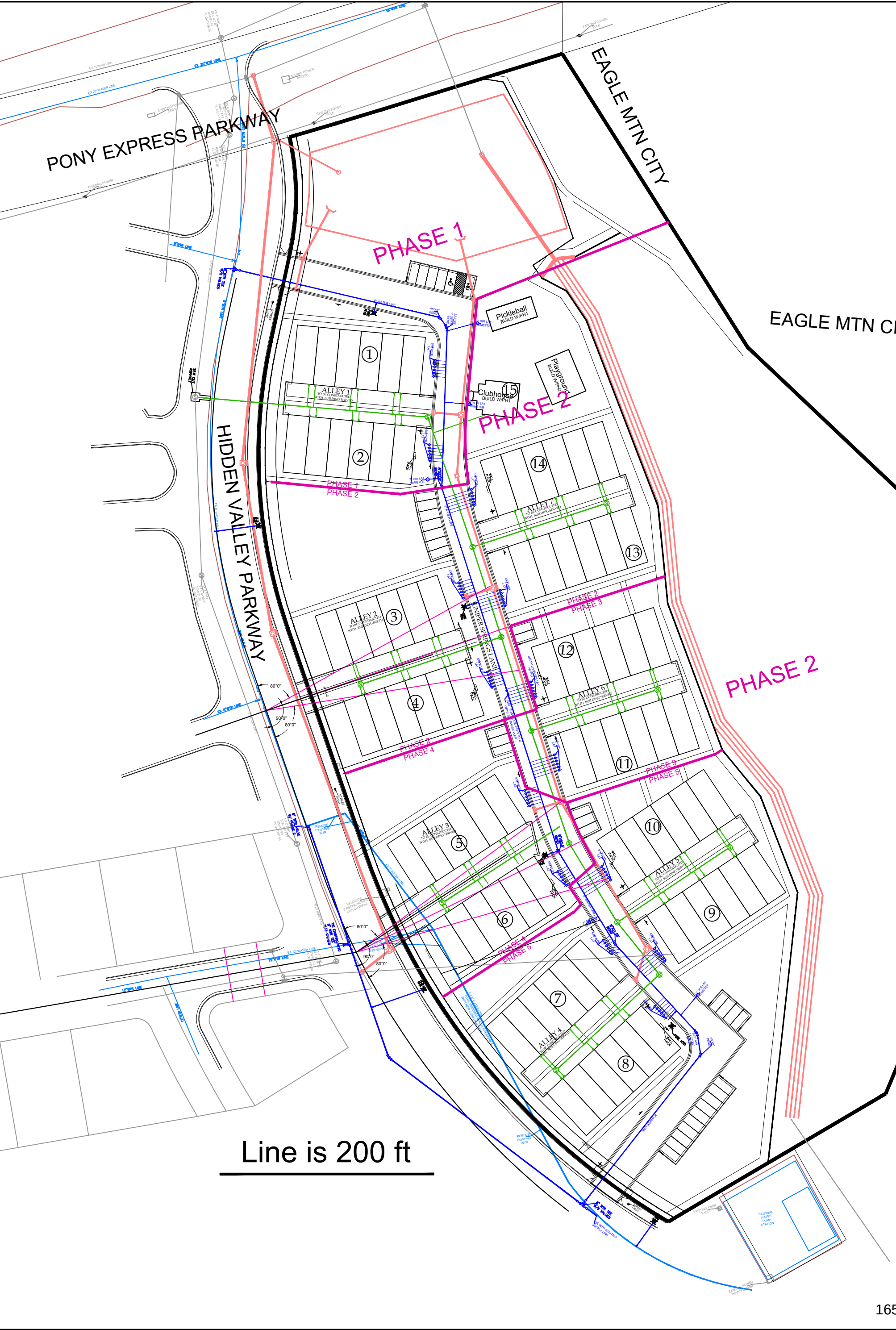
Preliminary Plat application fees for this project would be a \$400 base fee plus \$5,040 (\$60 per unit/lot). Site plan application fees would be \$5,040 (\$60 per unit/lot). Since the modifications to the Juniper Springs plans only affect 24 units, and wouldn't require much additional review, I recommend a reduced fee of \$1,440 for the preliminary plat (24 units affected by the change x \$60 per unit) and \$1,440 for the site plan (24 units x \$60 per unit fee). Since the Planning Director does not have the authority to waive the fees, the City Council may consider a waiver.

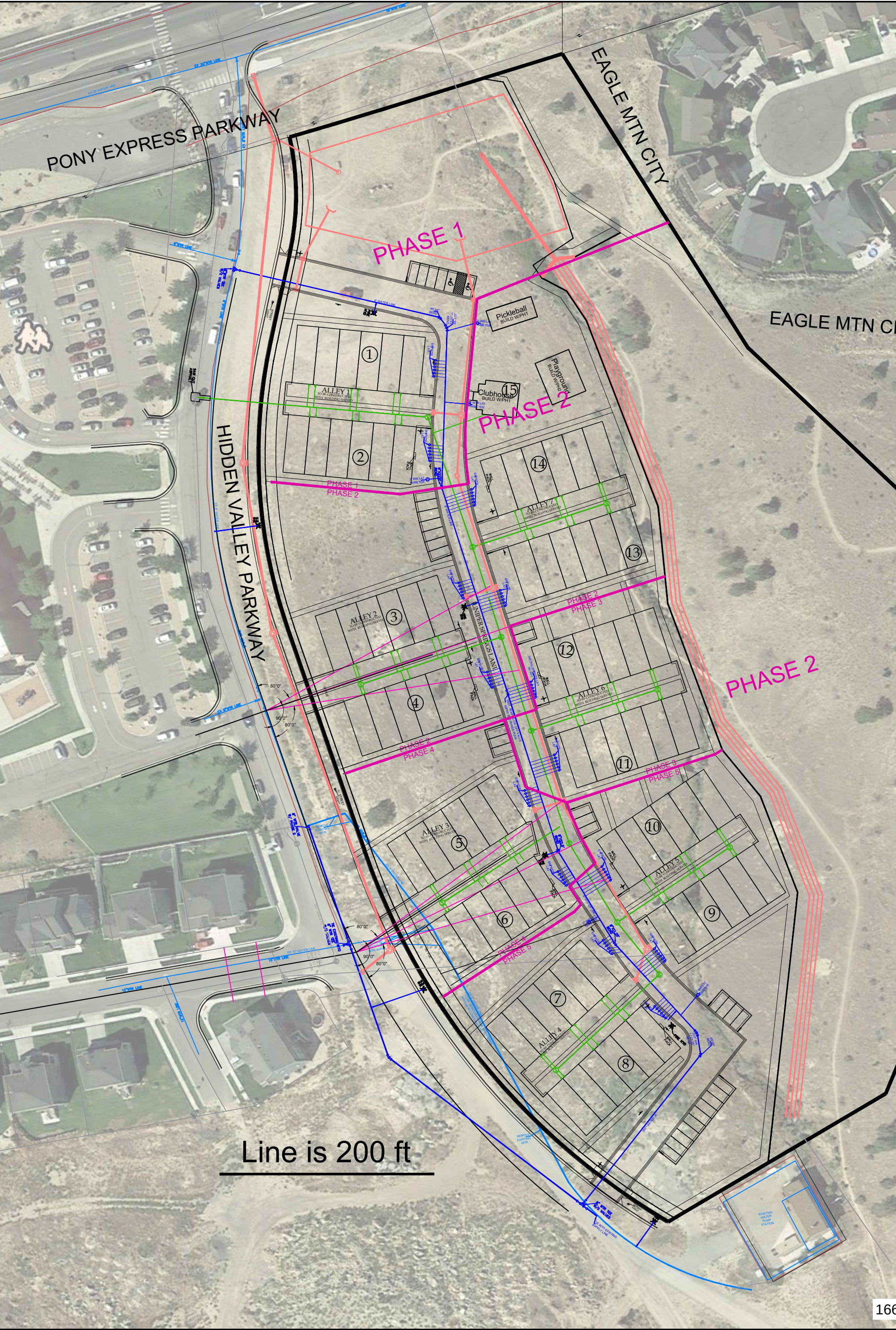
BACKGROUND:

The Juniper Springs applicant has determined that if he makes some changes to the project layout he can significantly reduce the required earthwork and blasting. He has prepared an updated concept plan that shifts 4 buildings further south and changes the driveways for these buildings to access directly off of Hidden Valley Parkway rather than the internal project road. At our request he has lined these accesses up with driveways or streets across Hidden Valley Parkway. Generally, we want to limit access onto an arterial or collector road like Hidden Valley Parkway. If the benefit, however, of reducing the necessary blasting and earthwork outweighs the City's desire to limit access, then these changes could be beneficial. If you have feedback for the applicant on these changes, that would be helpful. In order to receive approval for these changes he has submitted amended applications for a preliminary plat and site plan, both of which are required to be reviewed by the Planning Commission and City Council. Since only 24 units are affected by the changes, he is requesting a partial waiver of the application fees.

Attachments:

[Juniper Springs Concept](#)







**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
APRIL 16, 2019**

TITLE:	Glenmar Ranches Phase B Request for Waiver of Streetlight Requirements		
ITEM TYPE:	Motion		
FISCAL IMPACT:			
APPLICANT:	Steve McCleery		
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY Glenmar Ranches

PUBLIC HEARING:

No

REQUIRED FINDINGS:

**PLANNING COMMISSION
ACTION /
RECOMMENDATION**

NA

PREPARED BY:

Steve Mumford,
Planning

RECOMMENDATION:

It is Planning Staff's recommendation that in order to improve the safety of our neighborhoods, streetlights should be required to be installed according to the spacing standards in the City Code, especially at intersections. The streetlights that are installed in new subdivisions are full cut-off fixtures, which are compliant with our dark sky ordinance.

BACKGROUND:

Chapter 15.10.390 of the Municipal Code requires "streetlights to be installed on residential streets at a minimum spacing of 250 feet and a maximum spacing of 350 feet with alternating sides." We are requiring this spacing of streetlights on the construction plans for the Glenmar Ranches Phase B Plat 1 subdivision. The Glenmar Ranches Phase B project is a base density project, approved at a density of 0.74 du/ac. Chapter 17.25.110 of the Municipal Code (Base Density Residential Development Standards) states that "Subdivisions developed at this density may not be required to install urban-type public infrastructure improvements such as curb, gutter, sidewalk, and streetlights." The applicant would like to eliminate as much light pollution as possible to keep the integrity of the purpose of the acre-lot country ranch feel for the subdivision and the community, and is requesting either a full waiver of the requirement for streetlights or a partial waiver so the lights are spread further apart.

Attachments:

[Glenmar Ranches Phase B](#)

PLAT CALCULATIONS

TOTAL PROJECT AREA	162.71 AC	100%
FUTURE DEVELOPABLE PARCELS	34.14 AC	21%
UNBUILDABLE ACREAGE	71.73 AC	44%
BUILDABLE ACREAGE	56.84 AC	35%

TOTAL ACREAGE IN LOTS	50.67 AC
TOTAL ACREAGE IN ROADS	6.17 AC
TOTAL OPEN SPACE	71.73 AC
TOTAL IMPROVED OPEN SPACE	0.00 AC
AVERAGE LOT SIZE	49,049 SF / 1.13 AC
LARGEST LOT SIZE	99,614 SF / 2.29 AC
SMALLEST LOT SIZE	43,580 SF / 1.00 AC
OVERALL DENSITY	0.79 DU/AC
TOTAL NUMBER OF LOTS	45

BONUS DENSITY CALCULATION

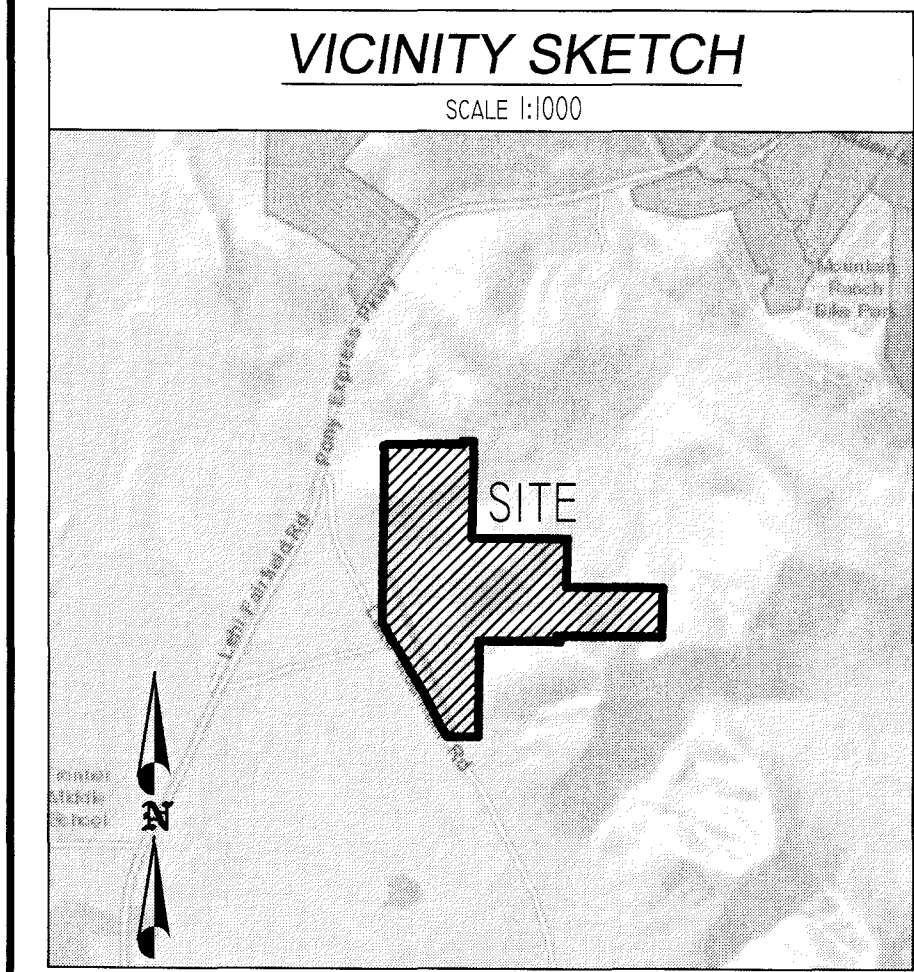
BASE DENSITY ENTITLEMENTS			
BASE DENSITY (DU/AC)	IMPROVEMENT	PROJECT DENSITY CALCULATION	
0.8	BASE DENSITY	45 DU	NUMBER OF UNITS

BOUNDARY DESCRIPTION

Beginning at a point located North 00°35'42" East along section line 256.63 feet from the West Quarter Corner of Section 31, Township 5 South, Range 1 West, Salt Lake Base and Meridian; running

thence North 00°35'42" East 2697.93 feet to the Northwest Corner of said section; thence South 89°57'56" East 1063.46 feet; thence North 21°50'34" East 42.67 feet; thence North 89°57'05" East 153.80 feet; thence North 01°09'02" East 1337.46 feet; thence North 89°57'05" East 1320.00 feet; thence South 01°09'02" West 668.73 feet; thence North 89°19'43" East 1329.68 feet; thence North 01°09'02" East 1337.46 feet; thence South 01°09'02" West 668.73 feet; thence North 89°19'43" West 1329.68 feet to the center of said section; thence South 89°57'05" West 116.74 feet; thence South 43°45'56" East 102.78 feet; thence North 89°45'10" West 1143.06 feet; thence South 00°36'17" West 1322.50 feet; thence North 89°39'11" West 421.96 feet; thence North 35°08'13" West 128.79 feet; thence along the arc of a 470.00 foot radius curve to the right a distance of 76.29 feet through a central angle of 09°17'59" (chord bears North 30°29'13" West 76.20 feet); thence North 25°50'13" West 386.77 feet; thence along the arc of a 530.00 foot radius curve to the left a distance of 46.56 feet through a central angle of 05°02'02" (chord bears North 28°21'13" West 46.55 feet); thence North 30°52'13" West 1163.37 feet to the point of beginning.

Contains: 162.71 acres or 7,087,463 sf



SHEET INDEX

C0	COVER SHEET
C1.1-C1.3	PRELIMINARY PLAT
C2.1-C2.2	OVERALL UTILITY PLAN
C3.1-C3.2	GRADING PLAN
C4	PHASING PLAN
C5	SLOPE MAP

LEGEND

	PROPERTY LINE
	LOT LINE
	EASEMENT LINE
	EXISTING CURB
	PROPOSED CURB



SANCTUARY DEVELOPMENT GROUP

2021 EAST VILLAGE GREEN CIR

DRAPER, UT 84020

OFFICE 801.994.6656

MOBILE 801.209.1875

DEVELOPMENT

GLENMAR RANCHES

PRELIMINARY PHASE B

SCALE: 1"= 200'

CIVIL ENGINEERING

11038 N Highland Blvd Suite 400

Highland UT, 84003

office (801) 492-1277

cell (801) 616-1677

REVISIONS			SEAL
NO.	DATE	DESCRIPTION	
1			
2			
3			
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ACTION	DATE
PRELIMINARY PLAN	9/24/18

PROJECT

GLENMAR RANCHES

PRELIMINARY PHASE B

DESCRIPTION

PRELIMINARY PLAN

PRELIMINARY - NOT FOR CONSTRUCTION

SHEET NAME	SHEET NUMBER
COVER	C0



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2021 EAST VILLAGE GREEN CIR
DRAPER, UT 84020
OFFICE 801.994.6656
MOBILE 801.209.1875

DEVELOPMENT

GLENMAR RANCHES

PRELIMINARY
PHASE B

SCALE: 1"= 100'

berg
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Highland UT, 84003
office (801) 492-1277
cell (801) 616-1677

REVISIONS			SEAL
NO.	DATE	DESCRIPTION	
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ACTION	DATE
PRELIMINARY PLAN	09/24/18

PROJECT

GLENMAR RANCHES

PRELIMINARY
PHASE B

DESCRIPTION

PRELIMINARY PLAN

SHEET NAME	SHEET NUMBER
PRELIMINARY PLAT	C1.1

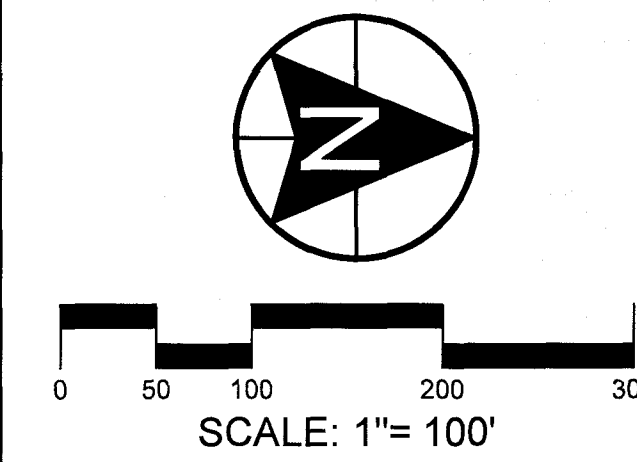
©2018 Glenmar Ranches Preliminary Phase B

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DRAPER, UT 84020
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MOBILE 801.209.1875

DEVELOPMENT

GLENMAR RANCHES

PRELIMINARY PHASE B



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cell (801) 616-1677

REVISIONS			SEAL
NO.	DATE	DESCRIPTION	
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ACTION	DATE
PRELIMINARY PLAN	09/24/18

PROJECT

GLENMAR RANCHES

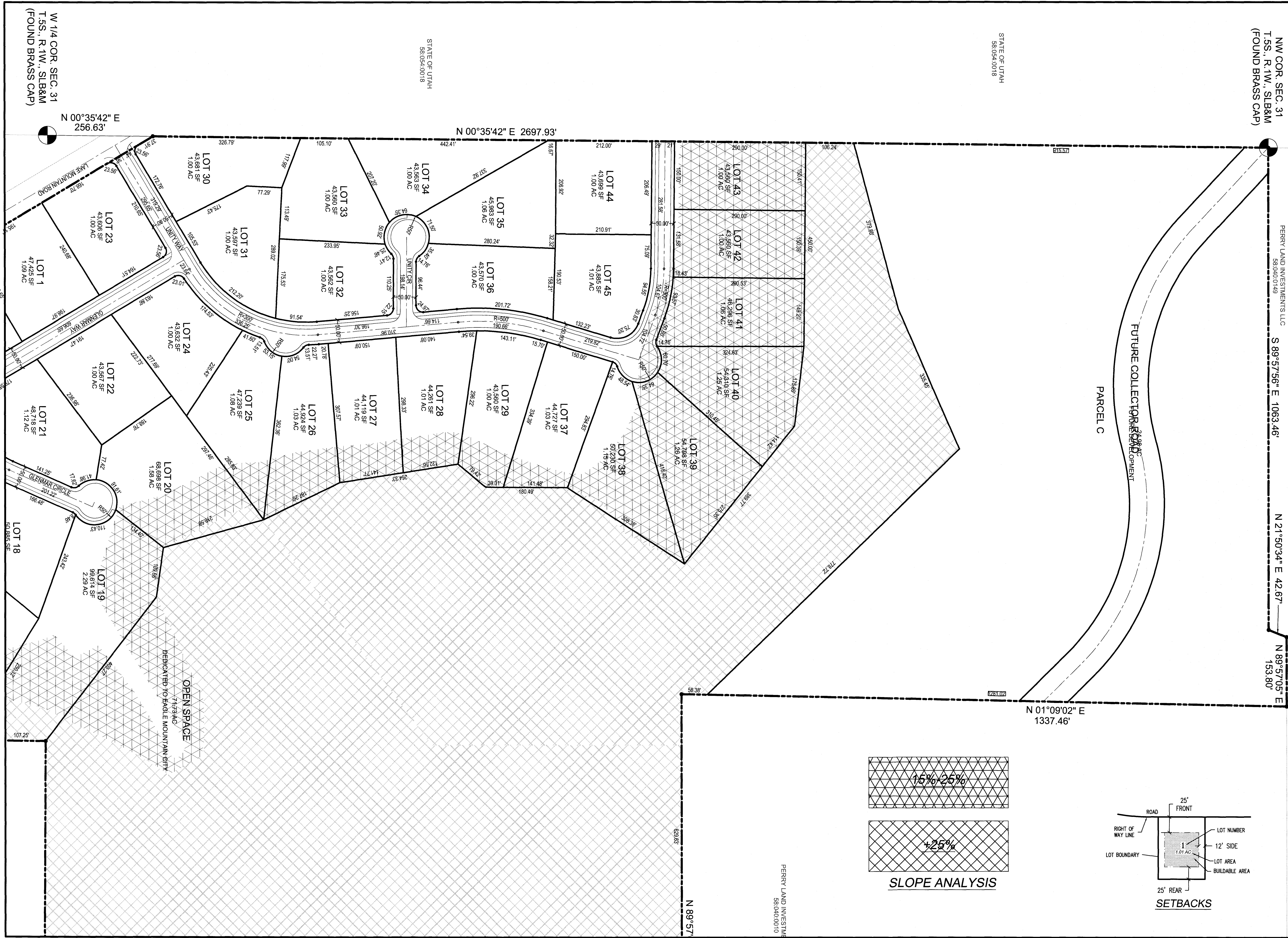
PRELIMINARY PHASE B

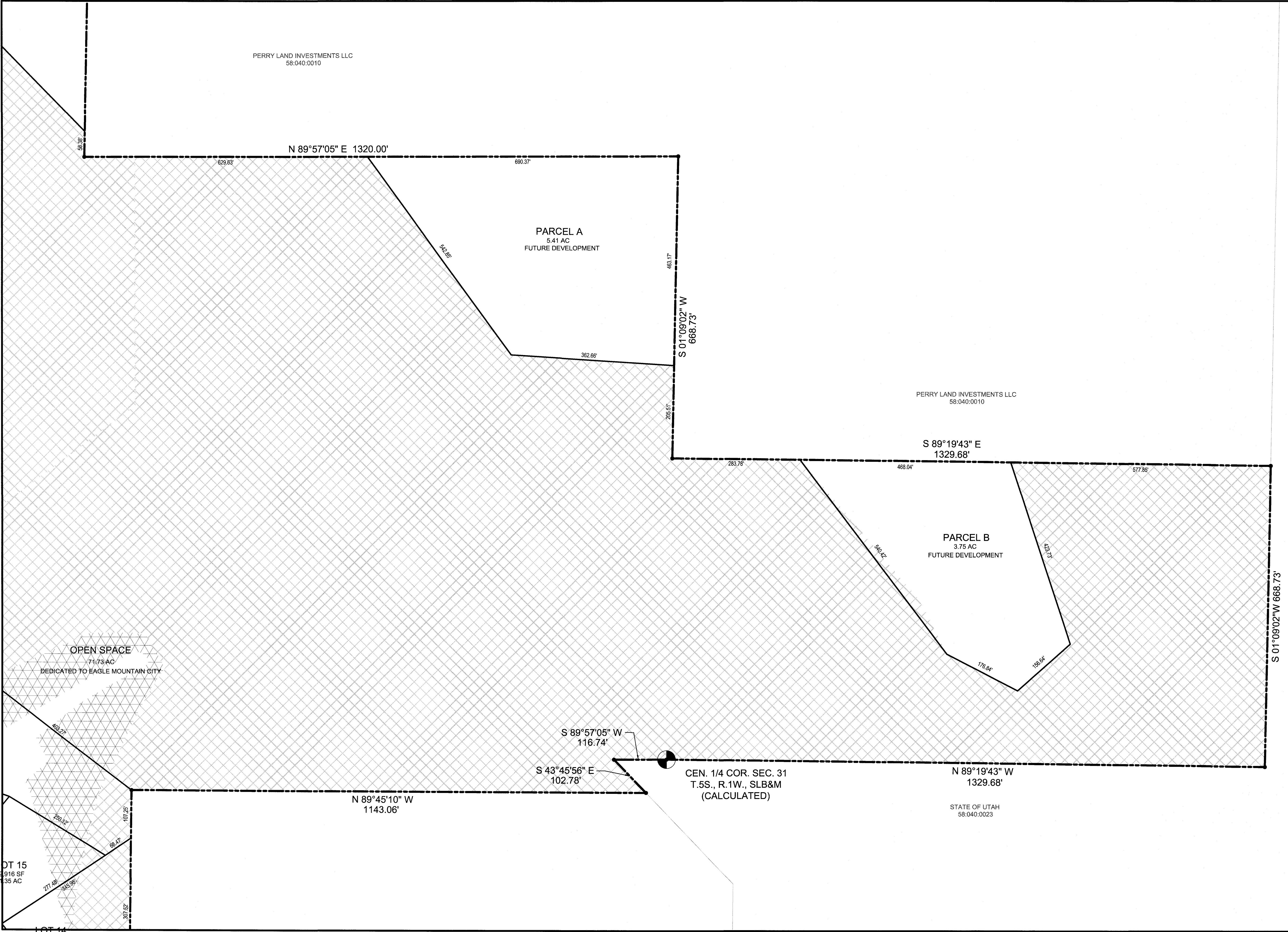
DESCRIPTION

PRELIMINARY PLAN

SHEET NAME	SHEET NUMBER
PRELIMINARY PLAT	C1.2

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DEVELOPMENT

GLENMAR RANCHES

PRELIMINARY PHASE B

SCALE: 1"= 100'

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REVISIONS			SEAL
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ACTION	DATE
PRELIMINARY PLAN	09/24/18

PROJECT

GLENMAR RANCHES

PRELIMINARY PHASE B

DESCRIPTION

PRELIMINARY PLAN

SHEET NAME	SHEET NUMBER
PRELIMINARY PLAT	C1.3

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DEVELOPMENT

GLENMAR RANCHES

PRELIMINARY PHASE B

SCALE: 1"= 100'

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cell (801) 616-1677

REVISIONS		SEAL
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ACTION	DATE
PRELIMINARY PLAN	09/24/18

PROJECT

GLENMAR RANCHES

PRELIMINARY PHASE B

DESCRIPTION

PRELIMINARY PLAN

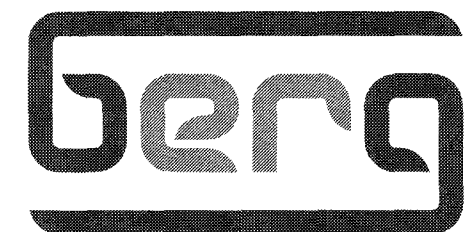
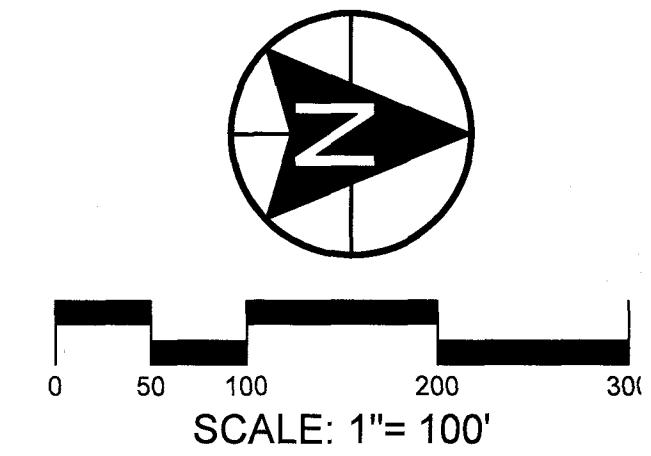
SHEET NAME	SHEET NUMBER
UTILITY PLAN	C2.1

11/20/18 glenmar ranches preliminary phase b - utility plan

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OFFICE 801.994.6656
MOBILE 801.209.1875

DEVELOPMENT

GLENMAR RANCHES PRELIMINARY PHASE B



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cell (801) 616-1877

REVISIONS			SEAL
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ACTION	DATE
PRELIMINARY PLAN	8/17/2018

GLENMAR RANCHES PRELIMINARY PHASE B

DESCRIPTION

PRELIMINARY PLAN

SHEET NAME	SHEET NUMBER
UTILITY PLAN	C2.2

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NW COR. SEC. 31
T.5S., R.1W., SLB&M
(FOUND BRASS CAP)

PERRY LAND INVESTMENTS, LLC
58.044:001.9

S 89°57'56" E 1063.46'

N 21°50'34" E 42.67'

N 89°57'05" E
153.80'

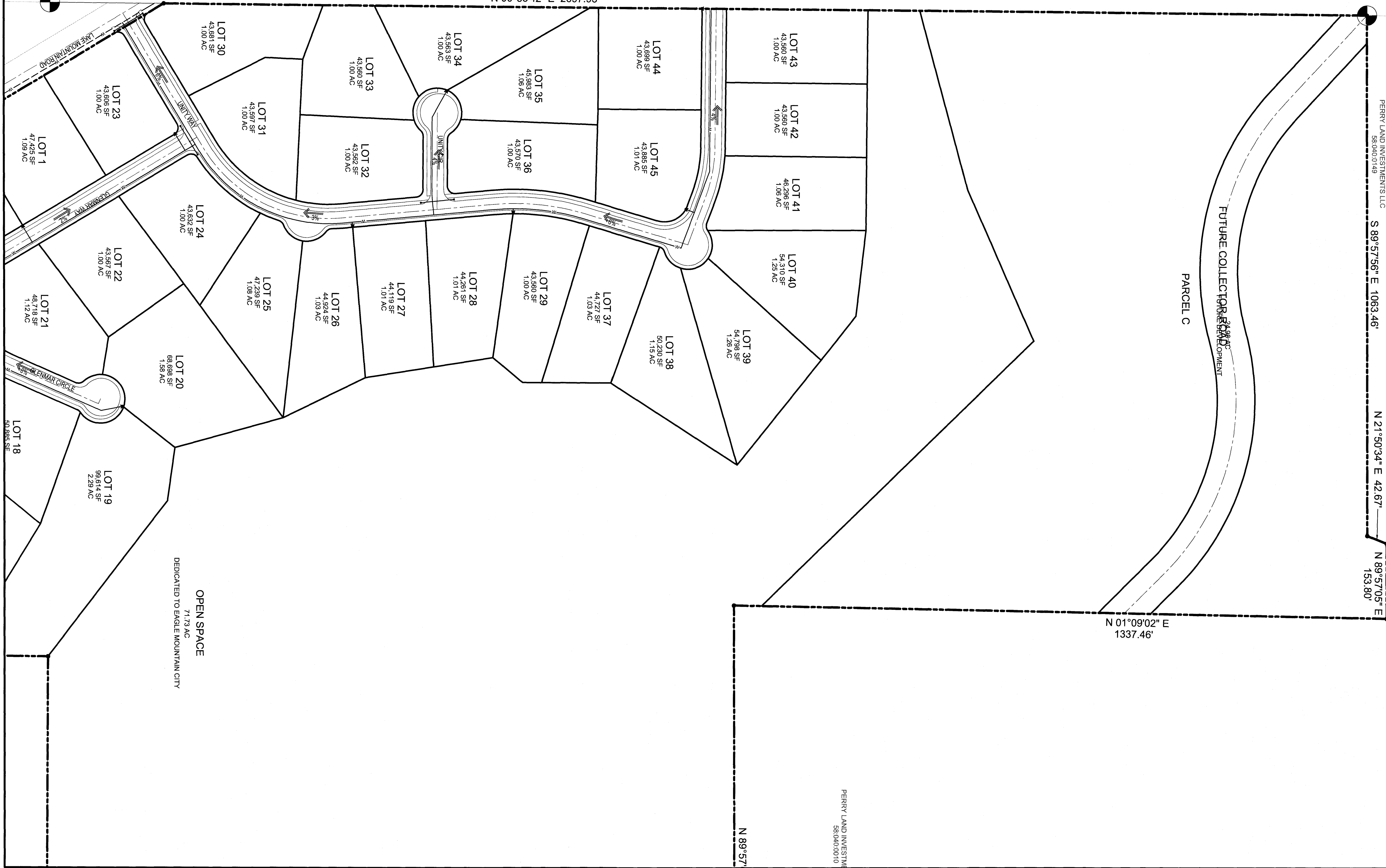
STATE OF UTAH
58.054:001.8

N 00°35'42" E 2697.93'

STATE OF UTAH
58.054:001.8

W 1/4 COR. SEC. 31
T.5S., R.1W., SLB&M
(FOUND BRASS CAP)

N 00°35'42" E
256.63'



PERRY LAND INVESTMENTS, LLC
58.044:001.0

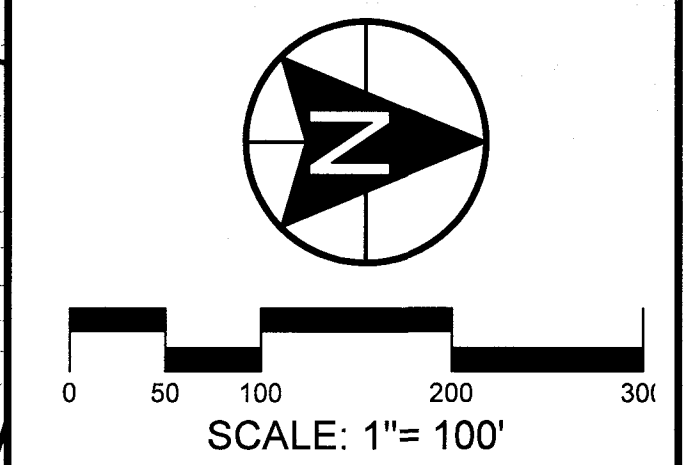
N 89°57'05" E

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DRAPER, UT 84020
OFFICE 801.994.6656
MOBILE 801.209.1875

DEVELOPMENT

GLENMAR RANCHES

PRELIMINARY PHASE B



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REVISIONS			SEAL
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ACTION	DATE
PRELIMINARY PLAN	09/24/18

PROJECT

GLENMAR RANCHES

PRELIMINARY PHASE B

DESCRIPTION

PRELIMINARY PLAN

SHEET NAME	SHEET NUMBER
GRADING PLAN	C3.1



STATE OF UTAH
38105410018

BUSVILL LLC
58040D0014

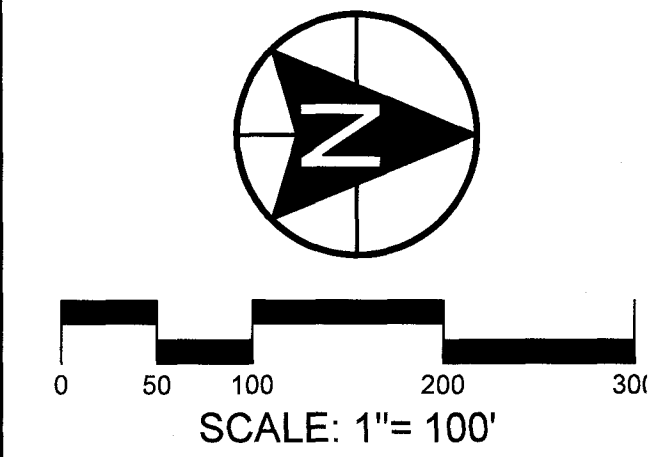
UNITED STATES OF AMERICA
58040D0193

SANCTUARY DEVELOPMENT GROUP
2021 EAST VILLAGE GREEN CIR
DRAPER, UT 84020
OFFICE 801.994.6656
MOBILE 801.209.1875

DEVELOPMENT

GLENMAR RANCHES

PRELIMINARY
PHASE B



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Highland Ut, 84003
office (801) 492-1277
cell (801) 616-1677

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ACTION	DATE
PRELIMINARY PLAN	09/24/18

PROJECT

GLENMAR RANCHES

PRELIMINARY
PHASE B

DESCRIPTION

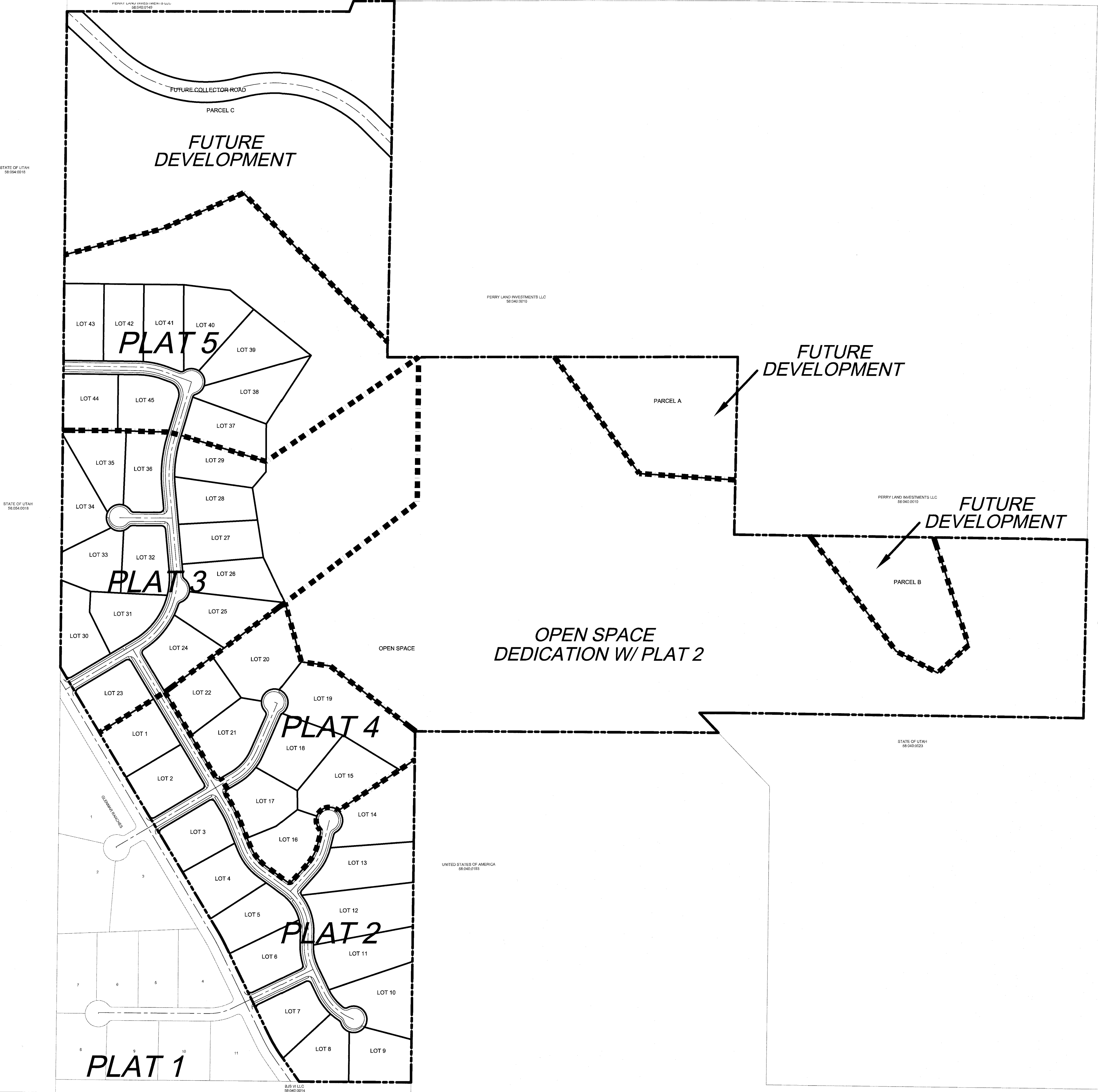
PRELIMINARY PLAN

SHEET NAME	SHEET NUMBER
GRADING PLAN	C3.2



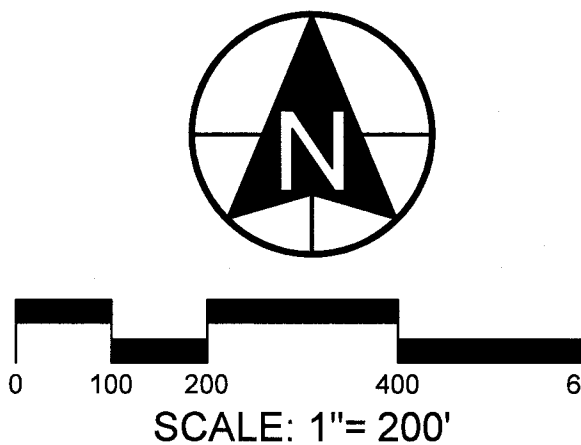
PHASING PLAN

PLAT 2	14 LOTS
PLAT 3	14 LOTS
PLAT 4	8 LOTS
PLAT 5	9 LOTS
TOTAL	45 LOTS



SANCTUARY DEVELOPMENT GROUP
2021 EAST VILLAGE GREEN CIR
DRAPER, UT 84020
OFFICE 801.994.6656
MOBILE 801.209.1875

GLENMAR
RANCHES
PRELIMINARY
PHASE B



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ACTION	DATE
PRELIMINARY PLAN	09/24/18

PROJECT
GLENMAR
RANCHES
PRELIMINARY
PHASE B

DESCRIPTION
PRELIMINARY PLAN

SHEET NAME	SHEET NUMBER
PHASING PLAN	C4

11/20/2019 g:\glenmar\glenmar_ranches\glenmar_c4-phasing.dwg

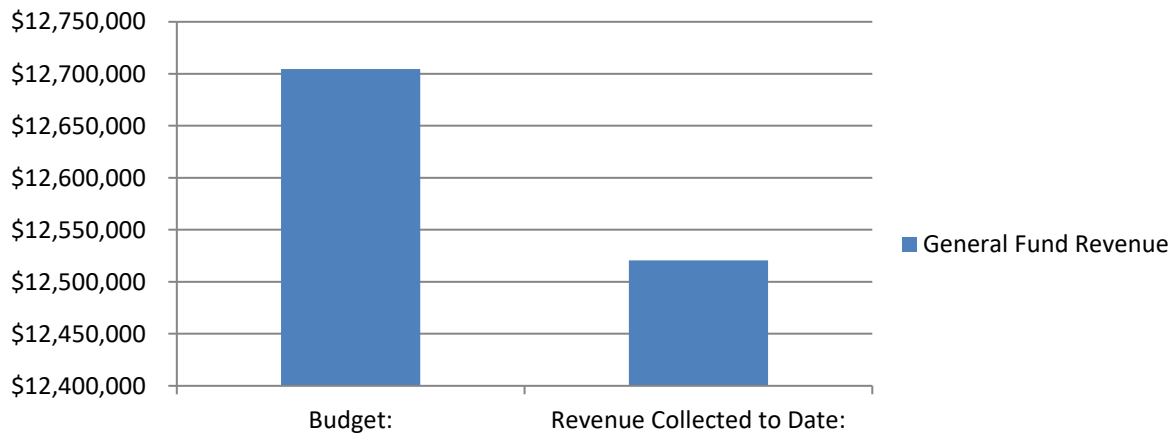
EXECUTIVE SUMMARY OF REVENUES AND EXPENSES*

Through March 31, 2019

GENERAL FUND

General Fund Revenues

Budget:	\$ 12,704,464
Revenue Collected to Date:	\$ 12,520,752
Percent of Total Budget Collected:	99%
Percent of Year Completed:	75%



Revenue Analysis

Property Taxes:

Sales Tax:

B&C Road Funds:

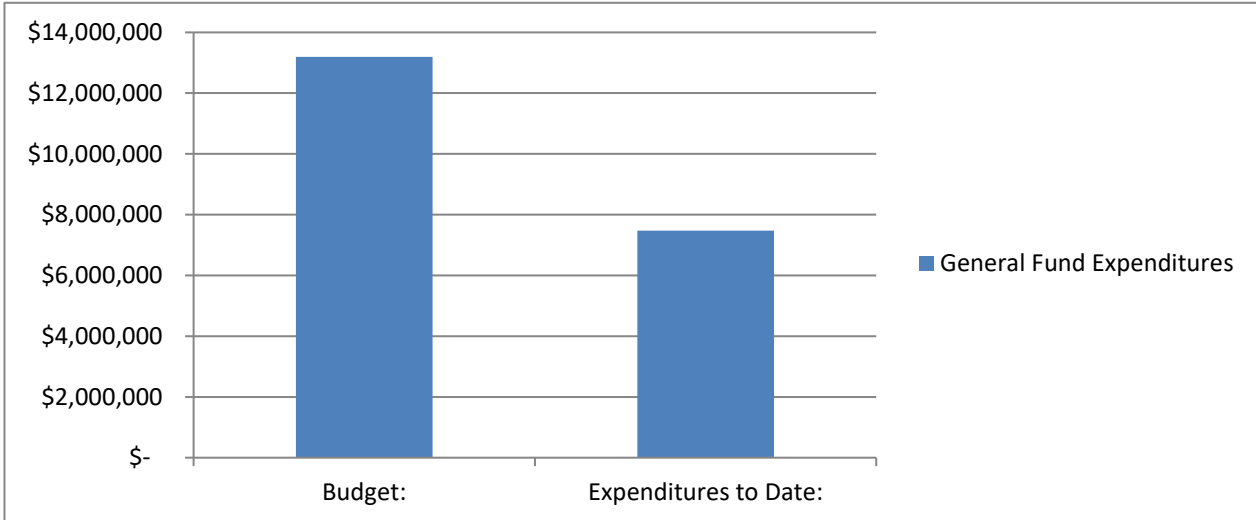
Transfers:

Development: Development revenue outpacing budgeted revenues.

Miscellaneous:

General Fund Expenditures

Budget: \$ 13,199,464
Expenditures to Date: \$ 7,478,479
Percent of Total Budget Expended: 57%
Percent of Year Completed: 75%



Expense Analysis

	Budget	To Date	% Expended	% Yr. Completed
Sub 11 - General Administration	\$ 2,134,091	\$ 1,408,169	66%	75%
Sub 18 - Community Services	\$ 1,211,542	\$ 798,217	66%	75%
Sub 19 - Non-Departmental	\$ 1,120,044	\$ 842,889	75%	75%
Sub 21/25 - Public Safety	\$ 2,808,000	\$ 1,187,286	42%	75%
Sub 32 - Planning/Zoning	\$ 652,988	\$ 350,243	54%	75%
Sub 33 - Building	\$ 918,306	\$ 634,793	69%	75%
Sub 41 - Public Works	\$ 4,354,493	\$ 2,256,882	52%	75%

Sub 11 - General Administration:

Sub 18 - Community Services:

Sub 19 - Non-Departmental:

Sub 21/25 - Public Safety: Utah County invoice delay in receiving invoices (Sheriff costs)

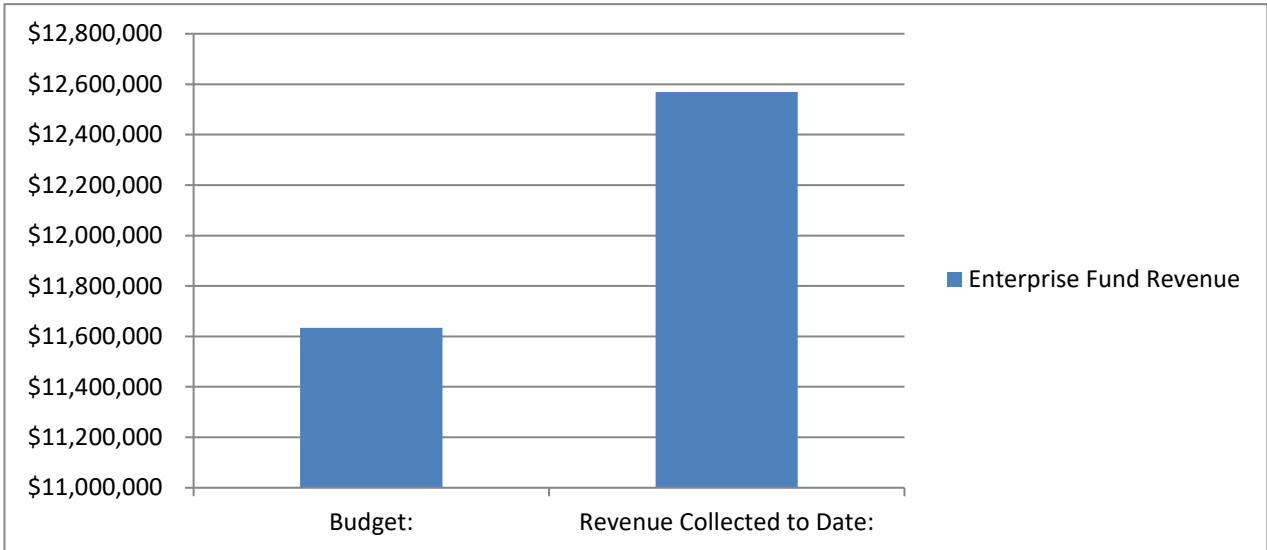
Sub 32/33 - Planning/Zoning/Building:

Sub 41 - Streets/Parks/Recreation:

ENTERPRISE FUNDS

Enterprise Fund Revenues

Budget: \$ 11,634,000
Revenue Collected to Date: \$ 12,568,523
Percent of Total Budget Collected: 108%
Percent of Year Completed: 75%



Revenue Analysis

	Budget	To Date	% Received	% Yr. Completed
Fund 51 - Water Fund	\$ 5,912,000	\$ 6,409,547	108%	75%
Fund 52 - Wastewater Fund	\$ 3,847,000	\$ 4,626,716	120%	75%
Fund 57 - Solid Waste Fund	\$ 1,350,000	\$ 1,111,509	82%	75%
Fund 59 - Storm Water Fund	\$ 525,000	\$ 420,751	80%	75%

Fund 51 - Water Fund: Reflects CWP Shares sold.

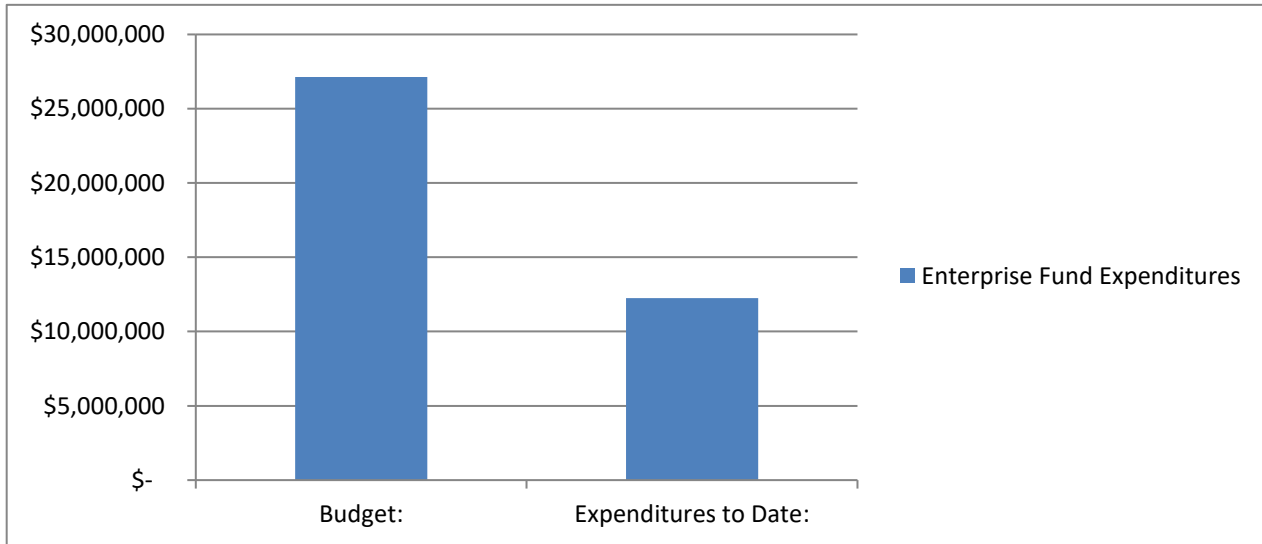
Fund 52 - Wastewater Fund: Reflects bond proceeds for latest W&S Bond.

Fund 57 - Solid Waste Fund:

Fund 59 - Storm Water Fund:

Enterprise Fund Expenditures

Budget: \$ 27,145,485
Expenditures to Date: \$ 12,243,186
Percent of Total Budget Expended: 45%
Percent of Year Completed: 75%



Expense Analysis

	Budget	To Date	% Expended	% Yr. Completed
Fund 51 - Water Fund	\$ 17,252,559	\$ 6,826,368	40%	75%
Fund 52 - Wastewater Fund	\$ 7,953,653	\$ 4,271,045	54%	75%
Fund 57 - Solid Waste Fund	\$ 1,317,141	\$ 830,841	63%	75%
Fund 59 - Storm Water Fund	\$ 622,132	\$ 314,932	51%	75%

Fund 51 - Water Fund: Expenditure for CWP Water Shares (much paid in previous fiscal year) plus reimburseable Facebook costs.

Fund 52 - Wastewater Fund: Includes reimbursable Facebook costs.

Fund 57 - Solid Waste Fund: Ace Disposal invoice for March not reflected.

Fund 59 - Storm Water Fund:

IMPACT FEE FUNDS

Fund Balance - current total balance in the fund.

Restricted Balance - current amount that is restricted to pay reimbursement agreements, etc.

Available Balance - amount in the fund that is available for projects in the Capital Facilities plan.

Projected Available Balance - amount projected through building trends to be available for projects in the Capital Facilities Plan by the end of the current fiscal year.

FUND NAME	Fund Balance as of 3/31/19	Restricted Balance as of 3/31/19	Available Balance as of 3/31/19	Projected Available Balance by 6/30/19**
Water Impact Fee Fund	\$6,192,295	\$1,578,700	\$4,613,595	\$5,256,387
Wastewater Impact Fee Fund	\$3,219,762	\$71,000	\$3,148,762	\$3,287,533
Parks/Trails Impact Fee Fund	\$1,159,071	\$63,910	\$1,095,161	\$1,302,326
Stormwater Impact Fee Fund	\$1,025,640	\$2,820	\$1,022,820	\$1,073,262
Transportation Impact Fee Fund	\$1,828,506	\$1,745,842	\$82,664	\$311,810

****Available balance + the average of the future facilities impact fee collected and projected out.**

CITY PROJECT STATUS

Subdivision Slurry Seal Application	Completed
Pony Express Parkway MicroSurface	To be started in late Spring 2019
Pony Express Pkwy Expansion (Hidden Hollow)	Completed
Pony Express Pkwy Expansion (to Lake Mtn. Rd.)	To be completed by start of '19-'20 school year
Aviator Ave. Expansion	In design stage
Woodhaven Traffic Study	Completed - need to submit to SS City
Smith Ranch Road Traffic Signal	Materials Ordered
Red Hawk Ranch Road Traffic Signal	Bid Awarded
Hidden Hollow Traffic Signal	Bid Awarded
Frontier M.S. Traffic Signal	Bid Awarded
High School Traffic Signal	Bid Awarded
Pony Express Pkwy Medians	Completed
Blackridge Elementary Trail	Completed
Porter's Crossing Curb and Asphalt	Completed
City Hall Security Camera System	Completed

*Unaudited figures - adjusting entries will be done throughout the fiscal year.

UPCOMING AGENDA ITEMS

MAY 7, 2019

- BUDGET AMENDMENT
- ORD – Animal Code
- ORD – Hillside Code
- ORD – Residential Code
- ORD – Extractive Industries Overlay Zone
- GENERAL PLAN
- ORD – Development Standards for Required Public Facilities
- Preliminary Plat for Lone Tree F
- Site Plan for Strides
- Site Plan / MDP / MDA for Eagle Heights Village

MAY 21, 2019

JUNE 4, 2019

JUNE 18, 2019

OTHER PROJECTS

- MOTION – Entryway monument
- ORD—Stubbed Road Connections
- Wayfinding Signage
- Business Licensing
- Carson Crossing Zone Change
- RESOLUTION – Park name change
- ORDINANCE – Animal Code
- MOTION – Land Disposal Golf Course
- Oquirrh Mountain Ranch
- SilverLake 21
- Stratton Estates
- SilverLake South