EAGLE MOUNTAIN

CITY COUNCIL MEETING MINUTES

February 18, 2020, 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 Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Fionnuala Kofoed, City Recorder; Jeremy Cook, City Attorney; Elizabeth Fewkes, Recording Secretary; Steve Mumford, Community Development Director; Michael Hadley, Planning Manager; Chris Trusty, City Engineer; Linda Peterson, Communications Director; Aaron Sanborn, Economic Development Director; Mack Straw, Public Utilities Manager; Zac Hilton, Streets and Storm Drain Manager; Brad Hickman, Parks and Recreation Director; Ross Fowlks, Fire Chief; and Eric McDowell, Deputy Sheriff.

Mayor Westmoreland called the meeting to order at 4:03 p.m.

1. CITY ADMINISTRATOR INFORMATION ITEMS

1.A. DISCUSSION – Marketplace at Eagle Mountain Town Center

Community Development Director Steve Mumford presented background information regarding the Marketplace at Eagle Mountain Town Center to the City Council. The City Attorney determined that the project requires a rezone application. Mr. Mumford stated the applicant desires feedback from the City Council regarding the proposed sign height, building elevations, and rezoning a portion of the project to residential before submitting the rezone application.

Bill Gaskill, representing the owner Monte Vista Ranch, explained the Planning Commission recommended approval of the master site plan and preliminary plat on January 28. Mr. Gaskill requested feedback from the City Council regarding sign specifications and elevation requirements to facilitate his discussions and planning with potential business occupants, particularly for the anchor grocery store.

Mr. Gaskill proposed rezoning a section of the northern portion of the 36-acre property, adjacent to existing single-family homes, to Residential for 105 single-family units and 96 townhomes. Discussion ensued regarding the density of the proposed residential portion.

Councilmember Curtis expressed concern due to issues with past developments where residential units were completed, but the commercial property was not developed, as well as insufficient buffering between the residential and commercial areas. He said he was open to allowing residential if it were conditioned upon the completion of the commercial units. Discussion ensued regarding the specifications of Councilmember Curtis' suggestion.

Councilmember Love requested an extension of Raven Way to the south to route the increased traffic away from the surrounding neighborhoods and create a more direct turn to Eagle Mountain Boulevard.

Councilmember Clark said that locating residential units near the commercial could be a draw for buyers and supported Councilmember's Curtis' suggestion to condition the approval of the residential zone on the commercial construction as a compromise to meet both the City's and the developer's needs.

City Attorney Jeremy Cook stated the master development agreement could include verbiage to condition the residential construction upon the commercial development.

Mr. Gaskill expressed willingness to condition the approval of residential units upon construction of the anchor grocery store. In a previous project for another city, he was allowed to begin residential construction once he had a permit in place for the anchor store. He said the retention pond in the area would cause difficulties in extending Raven Way or installing a full-width road. He suggested incorporating a private road within the shopping center as an alternative solution to address traffic concerns. Discussion ensued regarding the potential specifications of a private road. Councilmember Curtis stated the need for an additional road for the traffic load increase due to the multifamily units.

Councilmember Burnham stated the residents of the Eagle Park subdivision travel through the Autumn Ridge neighborhood on Raven Way to reach Eagle Mountain Boulevard; residents of the proposed residential area would use the same route instead of a new road within the shopping center.

Discussion ensued regarding potential route options to prevent increasing traffic through the Autumn Ridge subdivision. Mr. Gaskill said he would consider the Council's suggestions and feedback to determine a solution to their traffic concerns.

Mr. Gaskill stated the northern commercial lot would be converted into office space, if he was unable to find a retail store for the location. He said the location makes it undesirable as a commercial space. Councilmember Curtis said that the roundabout at the entry to Eagle Park could increase the access making it viable as commercial property and would be a better use of the space due to the existing number of residential areas in the City.

Councilmember Love said filling lots A through K with businesses would be worth allowing a portion of the property to be rezoned to residential.

Mr. Gaskill presented proposed designs for exterior elevations to the Council. Councilmember Curtis stated the designs lacked all the elements necessary to meet Municipal Code.

Mr. Mumford stated the City would ensure an adequate wall would be constructed between the residential and commercial sections and presented the sign design options.

Mr. Gaskill explained the anchor grocery store is considering five different municipal locations and Eagle Mountain's Municipal Code height limit of ten feet is ten to twenty feet shorter than the other cities and below the grocer's desired sign height. He said a potential grocer is concerned about the visibility of a smaller sign and desires a 16-foot tall sign with two panels, which are 63-square feet in size, one stationary panel and one electronic panel. Municipal Code allows up to 100 square feet of panel area and prohibits electronic signs. Mr. Gaskill clarified the lights on the proposed signs are either haloed or backlit.

Mr. Mumford stated Ridley's Family Market was only permitted a ten-foot sign and expressed the opinion the allowed height provides inadequate signage for the other businesses in the shopping center and makes the City less competitive with cities that permit taller signs.

Councilmember Burnham proposed making sign size contingent upon the size of the business. Councilmember Curtis expressed concerns that electronic signs distract drivers and discouraged approving any exceptions. Councilmember Love stated the proposed signs would be appropriate due to the sign and building height ratios. Discussion ensued regarding sign height.

2. AGENDA REVIEW

9. AGREEMENTS

9.A. IT Services Agreement with Executech, LLC

Economic Development Director Aaron Sanborn explained to the Council that in 2018, Eagle Mountain City contracted with Executech for managed information technology services. As a part of the contract, Executech provides an on-site service technician for 45 hours per month (10.5 hours per week) for regular support. Additionally, Executech provides 24/7 monitoring of City network and systems, with the ability to provide additional support as needed. Staff has been impressed with the level of service and professionalism of all Executech staff and recommends continuing the contract. Starting in July 2020, the contracted hourly rate will increase from $105 per hour to $108 per hour. The agreement reflects the price change for a full year, but the City will not begin paying the full amount until July. The price change will be included in the Fiscal Year 2021 budget.

Mr. Sanborn said the City retains the ability to adjust the hours per week if not needed, or the City can bank unused hours. An additional benefit of contracting the work includes the guaranteed 24/7 coverage of technicians with varying specialties, which an individual, in-house technician would be unable to provide, at a lower cost than the salary and benefits for one full-time employee.

Councilmember Love requested the beginning and ending dates of the agreement. City Recorder Fionnuala Kofoed explained the original contract has expired. Mr. Sanborn stated the City initiated this three-year agreement for the City's benefit. Executech usually provides service on a month-to-month basis.

10. BID AWARDS

10.A. Eagle Mountain Digital Signs — YESCO

Councilmember Curtis asked if the sign complies with the dark sky ordinance. Communications Director Linda Peterson verified the architects integrated the dark sky ordinance requirements into the design of the dimmable sign.

Ms. Peterson explained that, due to complications with obtaining an easement from the Utah Department of Transportation, the City has a verbal agreement to relocate the sign to Direct Communications property.

Parks and Recreation Director Brad Hickman explained the bids for the project came in under budget, although there is a possibility of future change orders.

Mr. Cook verified the bid award may be approved with a condition to obtain the land easement from Direct Communications.

14. SITE PLANS

14.A. SilverLake South 21 & 24 – Site Plan

Councilmember Curtis expressed concern that the elevations proposed in the site plan do not comply with the SilverLake Master Development Agreement (MDA), as the design includes neither a rock accent on the bottom of the front pillars, nor an eighteen-inch masonry wrap-around to the sides from the front exterior.

Mr. Mumford explained the builder offers three options, some of which include the rock accents.

Applicant Bronson Tatton with Flagship Homes stated that when a homeowner selects either Hardie board siding or other masonry as an option, they include the required eighteen-inch wrap-around from the front to the side of the unit.

Councilmember Love expressed concern that many of the single-family homes in the previous plats do not include stone or brickwork on the exterior and asked if there was a price difference. Mr. Tatton stated the final design of the homes are what homeowners have chosen and explained the elevations submitted to the City included all options.

Councilmember Curtis expressed concern that homeowners were allowed options that did not comply with the MDA, and that the use of Hardie board siding fails to meet the "fundamentally consistent" requirement as stated in the MDA.

Mr. Mumford stated Hardie board is considered a masonry element in the MDA.

Mr. Tatton said due to Hardie board siding being considered a masonry product, the developer believed they were in compliance with the MDA. When the front exterior is primarily Hardie board siding, they allow the homeowner the option to use the single material, based on design trends and customer requests.

Mr. Mumford presented design option examples that include the stone and brick façade. Councilmember Curtis expressed concern approving the site plan with design renderings that do not include the required eighteen-inch wrap-around to the sides of the house or a stone or brick masonry element.

Councilmember Curtis asked why Phases 22 and 23 and the concurrent installation of the extension of Golden Eagle Road was not included in the site plan. He expressed concern regarding the timing of the completion of Golden Eagle Road.

Mr. Tatton explained the phasing is due to the location of utilities and said that Phases 21 and 24 include townhomes. He stated the preconstruction meeting for the completion of Golden Eagle Road was scheduled for the following morning; the delay is due to disputes with the City over the reimbursement agreement for the road installation.

Mr. Cook explained the City and Flagship Homes are still under negotiations for a reimbursement agreement for Golden Eagle Road and other roads.

Councilmember Love verified that the portions of Golden Eagle Road already under construction will provide access to the new elementary school in the SilverLake subdivision.

Councilmember Clark suggested tabling the site plan until the reimbursement agreement is finalized. Mr. Tatton said they have been working on a reimbursement agreement for two years and they desire to begin construction of the road. City Administrator Ifo Pili said the City and Flagship Homes are not close to finalizing the agreement.

Mr. Mumford asked if the City Council would be willing to reduce the road width from the proposed 77 feet to 70 feet. He indicated a smaller width would assist negotiations regarding the reimbursement agreement. Councilmember Clark stated the expected elementary school traffic along Golden Eagle Road will necessitate a 77-foot width.

Mr. Cook explained that the construction of a new elementary school in the area has altered the plan for the road and the road width could be decreased, if parking were prohibited along the road. Councilmember Clark expressed concerns regarding the likelihood of the townhome residents utilizing the road for parking.

Councilmember Curtis expressed frustration that the applicant is trying to receive more money in the reimbursement agreement than is reasonable. He stated he does not want to approve the site plan if it will put City staff in the position of having to enforce conditions implemented by the City Council or risk the applicant not meeting the conditions.

City Engineer Chris Trusty expressed his preference to prohibit street parking along collector roads, such as Golden Eagle Road, and to instead include a center turn median to facilitate traffic flow.

Discussion ensued regarding the proposed road widths and the existing widths of other sections of Golden Eagle Road.

Mr. Cook expressed concern regarding past road construction that created unutilized street parking at the exclusion of a beneficial center median.

Councilmember Love stated that as no houses front the disputed section of Golden Eagle Road, a turn lane would be more beneficial than parking. Councilmember Clark expressed concern that the eastern portion of the project, near the townhomes, will experience street parking due to its similarity to the townhomes across from Brookhaven Elementary. Even though the townhomes do not front on Seeding Drive, residents park along the street, causing traffic flow obstructions to Brookhaven Elementary. Mr. Cook explained the road can be marked with signage or curb paint to inform residents that parking is prohibited.

Discussion ensued debating the benefits of street parking versus a certain turn lane.

Councilmember Clark reiterated that, due to the likelihood of traffic issues similar to the townhomes by Brookhaven Elementary, her preference is the 77-foot width.

Mayor Westmoreland stated the item will be removed from the consent agenda and placed as a scheduled item to allow further discussion during policy session.

15. ORDINANCES

15.A. ORDINANCE — An Ordinance of Eagle Mountain City, Utah, Amending Eagle Mountain Municipal Code Chapter 15.50 Storm Drains.

Mr. Trusty explained the Federal Clean Water Act requires the storm water discharge from certain types of facilities be authorized under storm water discharge permits. The December 1, 2016 renewed permit included more specific requirements than the previous permit for on-site retention of storm water, and the use of a Low Impact Development (LID) approach which implements Best Management Practices (BMPs) to infiltrate, evapotranspire, harvest, and reuse storm water. The permit was modified moving the retention and LID implementation date from September 1, 2019 to March 1, 2020.

Prior to the change of the implementation date, Eagle Mountain adopted a standard by which runoff from a 90th percentile storm event would be required to be retained on site. The State placed the implementation of this requirements on hold while they reviewed concerns from communities and engineers regarding the standards that were set. The State's conclusion was to reduce the standard for retention from retaining runoff from a 90th percentile storm event to an 80th percentile storm event. The State also requires cities to allow for a minimum of five of the twelve outlined LID BMPs, and for municipalities to provide an appeals process that will allow a construction operator to appeal an enforcement option.

Mr. Trusty said he or a third party could function as the appeal authority and explained types of BMPs utilized by the City. He stated the verbiage allows for future refinements and adaptations of the ordinance as necessary. The purpose of the five BMPs is to provide several options for builders to choose from that best meet their needs.

15.B. ORDINANCE — An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Chapter 17.80 Sign Regulations and Sign Permits.

Planning Manager Michael Hadley stated this item was presented to the City Council in December and the City Council directed the applicant to work with staff and the City Attorney to adjust the language and specifics of the proposed change. The amendment was presented to the City Council again on January 21, 2020 and was tabled to allow staff to make additional changes to the amendment.

Mr. Mumford requested Council feedback regarding the posting of signs, in relation to the business location and right-of-way, and the time period signage should be allowed.

Councilmember Love clarified the City, community events, and partner agencies were exempt from the signage restrictions, and that the amendment allows for an on-premise sign one time a year for sixty days, and up to four on-premise or right-of-way special event signs three times year for twelve consecutive days.

Councilmember Curtis expressed concern that allowing a sign that is 32-square feet in rights-of-way could cause safety hazards. Councilmember Clark said signs of that size are allowed for political signs and events, but not in rights-of-way. Discussion ensued regarding potential visibility issues with allowing large signs in rights-of-way.

Councilmember Clark expressed concerns regarding visibility issues already caused due to smaller, non-compliant signs placed in rights-of-way and said it may be best to not allow any signs in rights-of-way.

Mr. Cook expressed the need to better regulate on-premise, special events signs specific to businesses, such as sales, class registration, or help wanted signs, and the possibility of allowing the placement of non-obstructive signs in a right-of-way adjacent to the applicable business; off-premise signs would be limited to community-wide events, such as farmers markets, art events, or fundraisers.

Discussion ensued regarding permitted locations for right-of-way signage.

Councilmember Clark asked if the ordinance addressed actual business needs. Councilmember Burnham suggested getting feedback from the Eagle Mountain Chamber of Commerce. Discussion ensued regarding how to best harmonize business and community needs with consideration for City growth.

Councilmember Clark suggested prohibiting signage in rights-of-way until safety concerns could be examined and addressed. Discussion ensued concerning businesses without a good on-premise location for signs.

16. J & J RANCHES

16.A. RESOLUTION: A Resolution of Eagle Mountain City, Utah, Approving the Fourth Amendment to the Pole Canyon Annexation and Master Development Agreement.

Mr. Cook stated this item was included prior to speaking with the Pole Canyon developer representative. In later communications, the representative explained he is not comfortable with agreeing to reduce the density at this time. The developer intends to address density with an amendment to the Pole Canyon Master Development Agreement (MDA) in the near future. He said the City Council could either approve the subdivision based upon waiving the requirement, or table the item until the applicant is able to produce a master development plan for the neighborhood, as required by the MDA. Other than the master development plan, the proposed plat complies with the MDA, so the Council does not have grounds for denial. The Council may table the request until the MDA renegotiation is completed.

3. ADJOURN TO A CLOSED EXECUTIVE SESSION

No closed session was held; Mayor Westmoreland adjourned the meeting at 6:11 p.m.

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

ELECTED OFFICIALS PRESENT: Mayor Tom Westmoreland, Councilmembers Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Fionnuala Kofoed, City Recorder; Jeremy Cook, City Attorney; Elizabeth Fewkes, Deputy Recording Secretary; Steve Mumford, Community Development Director; Michael Hadley, Planning Manager; Chris Trusty, City Engineer; Linda Peterson, Communications Director; Aaron Sanborn, Economic Development Director; Mack Straw, Public Utilities Manager; Zac Hilton, Streets and Storm Drain Manager; Brad Hickman, Parks and Recreation Director; Ross Fowlks, Fire Chief; and Eric McDowell, Deputy Sheriff.

4. CALL TO ORDER

Mayor Westmoreland called the meeting to order at 7:00 p.m.

5. PLEDGE OF ALLEGIANCE

Girl Scout Troop 475 presented the Colors and led the Pledge of Allegiance.

6. INFORMATION ITEMS/UPCOMING EVENTS

- Princess Academy: Miss Eagle Mountain's Outstanding Teen Rachel Mortensen hosts the Princess Academy for ages four and up on Saturday, February 22 from 10:00 a.m. to 12:30 p.m. at Garden Near the Green. Register on the City website.

- Seniors Movie Night & Potluck: The Seniors will show Age of Adaline and host a potluck dinner on Monday, February 24 at 5:00 p.m.

For details about these and other upcoming events, please visit the City website at emcity.org/events. To receive City notifications, sign up at emcity.org/notifyme.

7. PUBLIC COMMENTS

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

Denise Hickman, a steward at the Smith Family Archeological Preserve, requested the following statement be included for the record: The Smith Family Preserve includes 200 plus rock art panels on almost 200 acres of land along Redwood Road in Saratoga Springs. Last fall, we were able to offer weekly guided tours to the public for the first time since the Smith family preserve was established in 2013. Our goal is to involve and educate the public on the cultural heritage left locally by civilizations as far back as 12,000 years ago. Because we are a nonprofit organization, we depend on donations to continue our efforts. The Eccles Foundation and the Utah Division of State History are among those who have been very supportive of the preserve in the past. Their donations and the generosity of the public have allowed us to create an asphalt parking area inside the preserve gates and build as kiosk at the site as well. With letters of support we are submitting a new grant request this spring to the Eccles Foundation. Our organization of volunteers has specific plans for growth. We will be paving a viable road into the preserve, creating a pavilion for teachers and interpreters to instruct, and will be providing portable sanitation facilities, seasonally, for our scheduled tours. We are asking that you help us succeed in encouraging historic education, creating pride in our heritage, and promoting individual, family, and community involvement. Each Eagle Mountain City Councilmember's letter of support will be an asset to our grant efforts. We hope that you will grow with us as our plans for public education grow, too.

Marianne Smith expressed concerns regarding poor visibility at road turnouts along Lake Mountain Road and stated the need to repair an askew stop sign on Lake Mountain Road. She said ATVs are causing damage to the slope at the intersection of Lake Mountain Road and Pony Express Parkway and expressed concern regarding the brightness of the lights on the Overland subdivision sign, as well as insufficient signage at the narrowing of Pony Express Parkway.

City Engineer Chris Trusty said the City has discussed improvements in addition to existing merge signs for the narrowing of Pony Express Parkway. Assistant City Administrator/Finance Director Paul Jerome suggested painting the road once the weather warms and said the City hopes to widen that section of Pony Express Parkway next year.

Mr. Trusty said he will follow up with Streets and Storm Drain Manager Zac Hilton regarding the turn reflectors and the askew stop sign.

Ruth Monson, from Girl Scout Troop 475, said she would like to hold a fundraiser for additional books for the Library.

Mayor Westmoreland asked if the Girl Scouts had an idea or were looking for help determining a fundraiser for library books. He thanked them for their willingness to help and said the City

Council would send them ideas. Councilmember Clark suggested the Girl Scouts meet with the Library Advisory Board. Mr. Jerome suggesting working with Library Director Michele Graves.

Rebecca Shirts, from Girl Scout Troop 475, suggested planting more trees and providing more garbage cans along hiking trails.

Sara Lower, from Girl Scout Troop 475, said she wants to help the environment by planting more trees and providing more garbage cans.

Councilmember Gray suggested the Girl Scouts determine locations for tree planting and garbage can placement and provide the information to him to pass forward to the Parks and Recreation Advisory Board.

Teah, from Girl Scout Troop 475, suggested planting more trees and donating to the homeless shelter.

Emma Shirts, Girl Scout Troop 475 Leader, stated she was assisting the girls in earning their Bronze Award, which includes helping in the community, and she asked the City Council for any additional suggestions of ways they could help. She suggested providing the community with a list of local hiking trails and creating a local food pantry.

Councilmember Clark said the City website includes an extensive map of local hiking trails and a park database that includes amenities at each park. She explained the Library holds an annual food drive for a local shelter and could provide a way for the girls to serve.

Mayor Westmoreland explained various City boards meet monthly and would be an excellent resource for service ideas.

Councilmember Curtis suggested participating in the community cleanup day.

Mayor Westmoreland closed public comment at 7:27 p.m.

8. CITY COUNCIL/MAYOR'S ITEMS

Councilmember Gray

Councilmember Gray thanked those in attendance and Girl Scout Troop 475 for helping with the flag ceremony and for their willingness to serve. He stated City Administrator Ifo Pili and he have been looking for solutions to assist the homeless adults and youth in Eagle Mountain City.

Councilmember Clark

Councilmember Clark thanked Girl Scout Troop 475 and the members of the community for their attendance and participation. The Pony Express Events Rodeo Queen contest will be held on March 28. This event provides an opportunity for participants to display their horsemanship skills and assist the community.

Councilmember Love

Councilmember Love welcomed those in attendance and commended the Girl Scouts for their excellent comments.

Councilmember Burnham

Councilmember Burnham welcomed the public and praised the Girl Scouts for their bravery for speaking during the public comment portion of the meeting.

Councilmember Curtis

Councilmember Curtis concurred with the other Councilmember comments, apologized for his behavior during the previous City Council meeting, and expressed appreciation for the other Councilmembers.

Mayor Westmoreland

Mayor Westmoreland thanked Girl Scout Troop 475 and said he looks forward to working with them on future City improvement projects.

CONSENT AGENDA

9. AGREEMENTS

9.A. IT Services Agreement with Executech LLC

10. BID AWARDS

10.A. Eagle Mountain Digital Signs – YESCO

11. BOND RELEASES

11.A. Brandon Park Phase A, Plat 4 – Into Warranty

11.B. Brandon Park Phase A, Plat 5 – Into Warranty

12. CHANGE ORDERS

12.A. 2019 Eagle Mountain Traffic Signals Change Order #3 – Hunt Electric

13. MINUTES

13.A. February 4, 2020 Minutes

14. SITE PLAN

14.B. SilverLake South 21 & 24 – Site Plan

MOTION: ***Councilmember Burnham moved to approve the consent agenda, removing item 14.A. and placing it as a scheduled item. Councilmember Gray seconded the motion. Those voting aye: Donna Burnham, Colby Curtis, Melissa Clark, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.***

SCHEDULED ITEMS

14. SITE PLANS

14.A. SilverLake South 21 & 24 – Site Plan

Planning Manager Michael Hadley explained Plats 21 and 24 are included in the SilverLake South preliminary plat approved by the City Council on October 1, 2019. This application is for a site plan for both plats. Plat 21 consists of 27 single-family lots and 32 town home units for a total of 59 units. Plat 24 consists of 39 single-family lots and 33 town home units for a total of 72 units. Items to consider include setbacks, fencing, landscaping, architectural design, and parking. The Planning Commission reviewed the site plan and recommended approval on January 28, 2020.

Councilmember Gray asked if the applicant had updated rear elevations, per the Planning Commission's recommendations.

Applicant Bronson Tatton said the architect is still working on the rear elevation alterations to differentiate between units. They are exploring vertical banding or changes to the roofline as possible solutions; the six-plex units already have rear pop-outs to assist with differentiation.

Councilmember Curtis expressed concerns regarding approving the site plan when the renderings do not include all the elements stipulated by the City Council.

Mr. Hadley said the City Council could direct staff to review and approve the elevations, or they can require the final plans to return to a future City Council meeting.

Mr. Tatton stated conditions set by the City Council in the approval would help direct him, and staff can verify the desired alterations are included in the updated renderings.

Councilmember Curtis stated his preference to review the plans before approving the site plan or to approve the site plan with the renderings from the approved SilverLake Master Development Agreement (MDA).

Mr. Tatton stated these plans are similar to what they have used in previous phases. Architectural drawings for Phases 19 and 20 were altered to comply with the City Council's stipulations. He expressed frustration that they are being asked to revise plans that have been approved and used in previous phases.

Councilmember Curtis stated the Council did not notice missing architectural aspects during the approval of previous renderings; they were not in compliance with the MDA.

Mr. Cook suggested the City Council give clear direction to enable Mr. Tatton to return with renderings that meet their conditions. He cited the MDA and interpreted it to require the use of a minimum of two masonry materials on the front façade in order to remain compliant with what was fundamentally depicted in the MDA renderings. Mr. Cook stated the City Council could approve single material usage if they so desired.

Mayor Westmoreland requested Council feedback regarding the requirement for multiple materials used on front façades. Councilmember Gray said if the element is included in the MDA, it should be required. Councilmember Burnham said she thinks the homeowners should be able to choose the single material option, but she also feels the developer should be required to adhere to the MDA.

Councilmember Love suggested the possibility of allowing board and batten, which would meet the requirement for two materials while maintaining a more unified look.

Councilmember Clark said the point of the requirement of the two materials is to create variety and prevent a track housing appearance. She said if the Council wants to allow the single material usage, the MDA should be amended, as opposed to overlooking the noncompliant units.

Mr. Hadley explained staff only included the elevation renderings in the Council packet that had not been previously approved by the City Council with other phases.

Councilmember Burnham asked for clarification if the City Council had been given all or only some of the elevation design options when approving the SilverLake MDA. Councilmember Curtis said if the renderings were approved with the MDA, he would abide by the decision but does not want to approve options not previously included.

Mayor Westmoreland asked if the City Council wanted to table the site plan and have Mr. Tatton return with new renderings or approve the site plan with conditions and staff verification of compliance.

Councilmember Gray suggested discussing any other issues the Council has with the site plan before deciding to approve or table the item, and explained he would be open to staff verification of compliance with City Council conditions.

Councilmember Curtis expressed concern regarding previously constructed single-family and multifamily homes in the SilverLake subdivision that do not comply with the requirements of the MDA, and stated he wants to prevent construction of additional noncompliant units. Due to multiple issues with the project, he said he would prefer to table the item in order to see new rear elevation renderings and masonry wrapping before approval.

Discussion ensued regarding approving the site plan with the inclusion of conditions for rear elevation articulation or tabling the item and requiring Mr. Tatton to return with compliant renderings.

Councilmember Love asked if the City Council had a consensus on the road width, or if that should be determined by staff. Councilmembers Curtis and Gray stated a preference for the 70-foot width with a center turn lane. Councilmember Clark expressed the preference for the 77-foot width, due to the proximity of the elementary school to multifamily housing.

Mr. Tatton said the developer would have initially preferred the 70-foot width. However, the preliminary plat was designed according to the 77-foot width requirement. At this point, they would rather build the wider road and work out a reimbursement agreement with City staff.

Councilmember Clark expressed concern having the burden of enforcement fall upon staff and preferred for the applicant to return after the road negations were finalized.

Councilmember Curtis suggested conditioning the site plan approval so that no building permits would be issued until Golden Eagle Road is completed to Evans Ranch.

Councilmember Clark said Golden Eagle Road needs to be completed before the new elementary school opens in the fall for the safety and convenience of the residents.

Mr. Hadley verified a Municipal Code-compliant amenities list for the park has been submitted.

Councilmember Love expressed concerns about the distance of public parking from the cluster lots, and the reduced number of parking stalls for the area. She asked why the parking stalls at the end of the private lanes were removed.

Mr. Tatton stated willingness to add parking stalls and deepen the lanes, if necessary, and said they usually leave the areas open to serve as snow storage for plowing.

Councilmember Clark asked for staff to review Municipal Code requirements to see if an amendment is needed to ensure the City requires enough parking options for cluster lots. Discussion ensued over the need for cluster lot parking and sufficient widths of private drives.

Councilmember Love expressed concerns over the crushed rock pathways. Mr. Tatton said staff had already requested a change of path material, and he has agreed to use concrete or asphalt instead. He explained that some people prefer the crushed rock for aesthetics. He said concrete and asphalt are less expensive, and he has no objections to making the change.

Councilmember Curtis expressed concern that all of the conditions will not be met.

Councilmember Clark asked if a safe route to the new elementary school was included in the site plan. Mr. Tatton replied that they are exploring options and plan to remove a section of fencing to create a trail opening in the end of one the shared drives, and he stated the need to work with staff to place the opening in alignment with the school crosswalk.

Councilmember Clark said discussions with Deputy Sheriff Eric McDowell confirmed the danger of crossing the street near a roundabout and the need for a crosswalk location with adequate visibility.

Mr. Tatton said once staff determines the location of the crosswalk, they will remove the corresponding section of fencing for the trail. Councilmember Clark directed staff to make the crosswalk a priority to prevent safety issues.

Councilmember Curtis asked if improvement of the park strips on Golden Eagle Road was included in the site plan. Mr. Tatton said it would be included with the road installation.

Discussion ensured regarding parking strip timeframes, installation sequence, and requirements.

Councilmember Love asked for clarification on the installation sequence and timeframe for sections of Golden Eagle Road to facilitate traffic flow. Mr. Tatton said they were starting on Phases 22, 23, 25, and 26 on February 23, and once Phases 21 and 24 are approved, they will be able to finish Golden Eagle Road. He said they would prefer a sequential construction of the phases, but it is dependent upon the reimbursement agreement with the City. Discussion ensued regarding the installation sequence and approval needs for sections of Golden Eagle Road.

MOTION: ***Councilmember Curtis moved to approve the SilverLake South 21 and 24 site plan with the following conditions:***

1. ***Applicant shall pay a landscape cash escrow to the City of $2,810.40 per lot/unit at plat recording;***
2. ***Fencing along Golden Eagle Road shall match the collector road fencing approved for the Silverlake South area;***
3. ***The rear elevation shall be changed to include more architectural articulation, and the material and color shall be changed to be more in line with the current multifamily design standards;***
4. ***The fire pit shall be moved away from any structures;***
5. ***An ADA-compliant parking stall shall be included;***
6. ***No building permits shall be issued in SilverLake South Phases 21 and 24 until Golden Eagle Road is completed to Evans Ranch;***
7. ***The included elevations are excluded from approval; the applicant shall provide updated elevations, and staff shall verify the following: rear elevations include articulation, front elevations include multiple materials, and all elevations include masonry that wraps around to the sides of the structures, as required in the SilverLake Master Development Agreement; and***
8. ***All trails shall be built to required standards set forth in Municipal Code, including asphalt material.***

Councilmember Burnham seconded the motion.

Discussion ensued regarding the possibility of requiring the trail to provide a safe route to the new elementary school as a condition, as it was previously included as a condition of the approval for the SilverLake South preliminary plat but was not included on the site plan under discussion.

Mr. Tatton reiterated his willingness to provide a fence opening once the City determines the location of the crosswalk.

Ms. Kofoed explained that because of existing bonding in place for Phase 20, a condition is not necessary. The trail should be tied to Phase 20.

Councilmember Curtis expressed concerns with the timeframe for completion of Golden Eagle Road and lack of adherence to conditions included in previous approvals. Councilmember Clark suggested tabling the site plan until staff and the developer can finalize the reimbursement agreement.

Mr. Tatton objected to conditioning the issuance of building permits to the installation of Golden Eagle Road, as he needs the permits in order to install the road. He stated he was not comfortable explaining his objections and issues with the suggested reimbursement agreement in a public meeting.

SUBSTITUTE MOTION: ***Councilmember Burnham moved to table the SilverLake South 21 and 24 site plan until the following conditions are met:***

1. ***A reimbursement agreement between City staff and the developer is in place;***
2. ***A safe route to the elementary school is determined;***
3. ***The applicant submits updated elevation renderings that include architectural articulation to rear elevations, multiple masonry materials, and masonry wraparound depths that meet the standards set in the SilverLake Master Development Agreement; and***
4. ***The applicant submits updated plans with approved trail materials.***

Councilmember Curtis seconded the motion. Those voting aye: Donna Burnham, Colby Curtis, Melissa Clark, Jared Gray, and Carolyn Love.

15. ORDINANCES

15.A. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending Eagle Mountain Municipal Code Chapter 15.50 Storm Drains.

Mr. Trusty explained the purpose of the ordinance is to come into compliance with recent changes to Utah State Code as it relates to our municipal storm drain system. The amendment changes the requirement of retention from a 90th to an 80th percentile storm event, adds an appeal process for operator violation notifications, and allows for future alterations of the Best Management Practices, used to infiltrate, evapotranspire, harvest, and reuse storm water, in the Low Impact Design approach.

MOTION: ***Councilmember Clark moved to approve an ordinance of Eagle Mountain City, Utah, amending the Eagle Mountain Municipal Code Chapter 15.50 Storm Drains. Councilmember Love seconded the motion. Those voting aye: Donna Burnham, Colby Curtis, Melissa Clark, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.***

15.B. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Chapter 17.80 Sign Regulations and Sign Permits.

Mayor Westmoreland asked if the City Council wanted to table the item and seek input from the Eagle Mountain Chamber of Commerce, as suggested during the work session.

Councilmember Burnham suggested approving the item with a condition to remove the disputed section of the amendment. Discussion ensued regarding the amendment.

Councilmember Clark stated that Section B of Chapter 17.80 required further thought and examination and that the Council should possibly encourage more strict enforcement of Municipal Code.

Councilmember Love clarified that Section B should say "on-premise and right-of-way special event signs" and suggested removing "right-of-way" from the amendment. Discussion ensued regarding the sections and verbiage to include in the amendment.

Councilmember Curtis suggested discussing the need for right-of-way signs with the Chamber of Commerce.

Mr. Cook suggested alterations to address the on-premise and right-of-way issues. Councilmember Burnham verified the wording would allow businesses that are not located along a main road to place signs in a right-of-way near their businesses.

Mr. Cook explained his edits have one category for on-premise special event signs, which allows for one sixty-day permit and up to four twelve-day permits per year that can be approved for a right-of-way location, adjacent to the business location. A separate category for right-of-way special event signs is limited to community activities such as fundraising events, farmers markets, concerts, and school activities, with a limited size to prevent visibility obstruction.

Councilmember Clark asked for the final verbiage to be included in Granicus to assist the City Council. Ms. Kofoed said the item will be codified and can be included in Granicus as well for more immediate access.

The City Council reviewed and discussed Mr. Cook's suggested amendments to Sign Regulations and Sign Permits.

Councilmember Love requested section A(1) of Chapter 17.80.090 be amended to allow one permit per calendar year, section A(2) be changed to limit all four signs to a total combined size of 32 square feet, and A(2)b be changed to allow signs to be posted for up to twelve consecutive days.

The Council confirmed that the Planning Director or designee may approve right-of-way signage but is not required to approve this signage.

Ms. Kofoed stated that City Code Enforcement staff has and will remove noncompliant signs posing a hazard to the public. Councilmember Burnham verified that time-stamped photographs may be used as evidence of violations for the issuance of fines by Code Enforcement Officers.

MOTION: ***Councilmember Love moved to approve an ordinance of Eagle Mountain City, Utah, amending the Eagle Mountain Municipal Code Chapter 17.80 Sign Regulations and Sign Permits with the following changes:***

1. ***Chapter 17.80.090 Section A(1) is changed to allow one permit per calendar year;***
2. ***Chapter 17.80.090 Section A(2) is changed to limit all four signs to a total combined size of 32 square feet; and***
3. ***Chapter 17.80.090 Section A(2)b is changed to allow signs to be posted for up to twelve consecutive days.***

Councilmember Burnham seconded the motion. Those voting aye: Donna Burnham, Colby Curtis, Melissa Clark, Jared Gray, and Carolyn Love.

16. J & J RANCHES

16.A. RESOLUTION: A Resolution of Eagle Mountain City, Utah, Approving the Fourth Amendment to the Pole Canyon Annexation and Master Development Agreement.

16.B. J & J Ranches – Preliminary Plat

Mr. Hadley stated J & J Ranches preliminary plat creates two lots on thirteen acres in the Pole Canyon area. On February 4, 2020, the City Council tabled this item due to concerns regarding this plat increasing the potential for density transfers in the Pole Canyon development, as well as the requirement from paragraph 6.1 of the Pole Canyon MDA, which states: "Each Neighborhood Planning Area (NPA) shall be required to submit and obtain approval of a master development plan for the relevant area before development approval in the NPA is granted in any form by the City." This item also includes a minor amendment to the Pole Canyon MDA, allowing the approval of this two-lot preliminary plat without requiring the NPA-4 master development plan.

Mr. Hadley presented options for the Council's consideration. Option one is to approve the fourth amendment to the Pole Canyon MDA, revising section E to remove the reference to reducing units and remove paragraph two, and approve the J & J Ranches preliminary plat. Option two is to not approve the MDA amendment and table the preliminary plat until the master development plan is submitted and approved for NPA-4

Councilmember Curtis asked if, per State Code, the preliminary plat required reapproval from the Planning Commission due to the amendment to the MDA. Mr. Cook explained that contractual requirements, such as this MDA stipulation to provide individual master development plans for each NPA, do not require Planning Commission approval.

MOTION: ***Councilmember Clark moved to approve the amendment removing the end of recital E which states, "in exchange for PCIG agreeing to reduce the allowed units in NPA-4" and paragraph two, and approve J & J Ranches preliminary plat. Councilmember Gray seconded the motion. Those voting aye: Donna Burnham, Colby Curtis, Melissa Clark, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.***

17. CITY COUNCIL/MAYOR'S BUSINESS

Councilmember Gray
See City Council Board Liaison Report.

Councilmember Clark
See City Council Board Liaison Report.

Councilmember Love
See City Council Board Liaison Report.

Councilmember Burnham
See City Council Board Liaison Report.

Councilmember Curtis
Councilmember Curtis suggested extending permits for finishing basements for longer than six months to allow sufficient time for citizens completing some or all of the work themselves and including the cost of the basement permit with the builder fees at the time of the initial building permit issuance.

Mayor Westmoreland
None.

18. CITY COUNCIL BOARD LIAISON REPORTS

Councilmember Gray
Councilmember Gray the Parks and Recreation Advisory Board and Senior Citizen Advisory Council have both accomplished a lot; he is enjoying working with both groups.

Councilmember Clark
Councilmember Clark said she is excited for the Pony Express Rodeo Queen event on March 28, and the Eagle Mountain Art Alliance is working with the Senior Citizens Advisory Council for the second annual quilt show on April 24 and 25.

Councilmember Love
Councilmember Love said the Planning Commission and Youth Council are doing well.

Councilmember Burnham
Councilmember Burnham said she attended the Mountainland Association of Government and City projects are approximately in the middle of the list of approved projects, with the top projects receiving funding. The Military and Veterans Advisory Board will meet Thursday, February 20, at 7:00 p.m., and the Library Board meets again in March.

Councilmember Curtis

Councilmember Curtis said he missed the Economic Development Board meeting due to a conflicting obligation and the Eagle Mountain Arts Alliance rescheduled their meeting.

19. COMMUNICATION ITEMS

19.A. Financial Report

19.B. Upcoming Agenda Items

20. ADJOURNMENT

MOTION: ***Councilmember Curtis moved to adjourn the meeting at 9:04 p.m. Councilmember Love seconded the motion. Those voting aye: Donna Burnham, Colby Curtis, Melissa Clark, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.***

The meeting was adjourned at 9:04 p.m.

Approved by the City Council on March 17, 2020

Fionnuala B. Kofoed, MMC
City Recorder