



## EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

SEPTEMBER 16, 2025, 4:00 PM

EAGLE MOUNTAIN CITY COUNCIL CHAMBERS

1650 E STAGECOACH RUN, EAGLE MOUNTAIN, UT 84005

ELECTED OFFICIALS PRESENT: Mayor Tom Westmoreland; Councilmembers Melissa Clark, Donna Burnham, Rich Wood and Brett Wright.

ELECTED OFFICIALS PRESENT ELECTRONICALLY: Councilmember Jared Gray.

CITY STAFF PRESENT: Benjamin Reeves, City Manager; Steve Mumford, Deputy City Manager; Fionnuala Kofoed, Assistant City Manager; Carson Stapley, Information Systems Manager; John Magness, Legislative and Policy Analyst; Evan Berrett, Economic Development Director; Marcus Draper, City Attorney; Gina Olsen, City Recorder; Kimberly Ruesch, Director of Administrative Services; Tyler Maffitt, Communications Manager; Angela Valenzuela, Human Resource Manager; Parker Wallentine, Human Resources Specialist; Natalie Winterton, Assistant to the City Manager; Terrence Dela Pena, Finance and Management Analyst; Brandon Larsen, Community Development Director; Jeret Shaffer, Finance Manager; Lacie Messerly, Deputy Recorder; Vince Hogge, City Engineer; Jeff Weber, Fleet and Facilities/Operations Director; Zac Hilton, Assistant Public Works Director; Brad Hickman, Public Works Director; David Salazar, Assistant City Engineer; Bailey Ensign, Digital Communications Specialist; Ashley Coles, Digital Communications Specialist; David Ulibarri, Public Safety Director; Embret Fossum, UFA Battalion Chief; Erik Knutzen, Chief Deputy Sheriff; and Melissa Yates, Purchasing Agent.

CITY STAFF PRESENT ELECTRONICALLY: Mack Straw, Assistant Public Works Director

### **4:00 PM WORK SESSION – CITY COUNCIL CHAMBERS**

Mayor Westmoreland called the meeting to order at 4:02 PM. Councilmember Jared Gray was excused from the Work Session.

#### **1. DISCUSSION AND INFORMATION ITEMS**

- 1.A. DISCUSSION - Horizon Master Development Agreement - Circle 5 Ranch  
(*anticipated time 30 minutes*)

This item was removed at the request of the developer.

- 1.B. DISCUSSION - Request from Scenic Mountain HOA Regarding Private Lift Stations -  
Marcus Draper, City Attorney  
(*anticipated time 15 minutes*)

[The recording of the discussion can be found online here at 00:00:35.](#)

City Attorney Marcus Draper, Public Works Director Brad Hickman, HOA President Courtney Johnson and HOA Manager Brian Bullock discussed a proposal to create a Special Utility District for the Scenic Mountain

Community. The proposal would allow the City to assume ownership of two private lift stations, with the HOA paying the Public Works Department to manage and maintain them. This arrangement aims to address ongoing issues with the lift stations, which have led to multiple flooding incidents and insurance claims.

## 2. AGENDA REVIEW

- 13.A. RESOLUTION - A Resolution of Eagle Mountain City, Utah, Updating Sections of the Eagle Mountain City Employee Policies and Procedures Manual

[The recording of the discussion can be found online here at 01:18:14.](#)

Human Resource Specialist Parker Wallentine discussed that this proposed revision to the Personnel Policies introduces an annual PTO cash-out option. This provision gives employees flexibility in how they use accrued time off while also helping the City manage leave balances and associated financial liabilities. By allowing limited cash-out of hours, the policy reduces the risk of large payouts at separation and encourages employees to maintain reasonable balances. The timing of the cash-out window has been set for the fall time of year to provide consistency in administration and predictability in budgeting.

- 13.B. RESOLUTION - A Resolution of Eagle Mountain City, Utah, Awarding the Bid for the EMC Scarlet 009 4MG Water Tank Project to Probuild Construction, Inc. and Approving the Contract

[The recording of the discussion can be found online here at 01:35:48.](#)

Public Works Director Brad Hickman responded to questions from Councilmembers, explaining that approving the bid award at this time will keep the project on schedule and help meet the City's long-term water storage needs as outlined in the Water Master Plan. The tank is anticipated to be operational and integrated into the system by the summer of 2027.

## 3. CITY MANAGER INFORMATION ITEMS

## 4. ADJOURN TO A CLOSED SESSION

MOTION: *Councilmember Clark moved to adjourn to a Closed Session for the purpose of discussion of pending or reasonably imminent litigation; the character, professional competence, or physical or mental health of an individual; and/or the purchase, lease, or exchange of real property, pursuant to Section 52-4-205(1) of the Utah Code, Annotated. Councilmember Wright seconded the motion.*

|               |         |
|---------------|---------|
| Donna Burnham | Yes     |
| Melissa Clark | Yes     |
| Jared Gray    | Excused |
| Rich Wood     | Yes     |
| Brett Wright  | Yes     |

*The motion passed with a unanimous 4:0 vote.*

The Work Session was adjourned at 5:46 PM.

[The recording of the motion can be found online here at 01:43:21.](#)

## **7:00 PM POLICY SESSION – CITY COUNCIL CHAMBERS**

### **5. CALL TO ORDER**

Mayor Westmoreland called the meeting to order at 7:08 PM and noted that Councilmember Gray would attend electronically.

[The recording of the discussion can be found online here at 01:46:07.](#)

### **6. PLEDGE OF ALLEGIANCE**

Fionnuala Kofoed led the Pledge of Allegiance.

### **7. INFORMATION ITEMS/UPCOMING EVENTS**

### **8. RECOGNITION**

- 8.A. RECOGNITION - Sheriff's Office Deputies, Fire Department Personnel and a Resident for Heroic Actions to Multi-Family Residential Structure Fire

[The recording of the discussion can be found online here at 01:47:04.](#)

The Mayor and City Council recognized the following individuals from each department for their heroic actions in response to a multi-family residential structure fire:

Utah County Sheriff's Office: Sergent Friedrichsen, Deputy Kashea Estrada, Deputy JT Allen, Deputy Robert Bingham, Deputy Michael Chidester, and Deputy Kyle Walkingshaw.

Unified Fire Department: Captain Sam Christensen, Engineer Alex Rogerson, Paramedic Ashley Fyle, Paramedic Brandon Dougall, Firefighter Tyler Breuer, Firefighter Ryan Pifer.

Saratoga Springs Fire Department: Captain Ryan Rackman, Engineer Brian Holliday, Firefighter Josh Cluff, Firefighter Alec Olsen, Paramedic David McNamara, Paramedic Abby Walz.

- 8.B. RECOGNITION - Eagle Mountain City Communications Team - Recipients of the 3CMA Savvy Award

[The recording of the discussion can be found online here at 02:02:19.](#)

The Mayor and City Council recognized Communications Manager Tyler Maffitt, Communication Specialist Bailey Ensign, and Communications Assistant Ashley Coles for receiving a National 3CMA Savvy Award for the Eagle Mountain City Trailhead magazine.

### **9. PUBLIC COMMENTS**

*Mayor Westmoreland opened the public comment period at 7:28PM.*

The following individuals spoke during the Public Comment period: Melissa Yates

*Mayor Westmoreland closed the public comment period at 7:30 PM.*

[The recording of the public comments can be found online here at 02:05:20.](#)

#### **10. CITY COUNCIL/MAYOR ITEMS**

The Mayor and Councilmembers shared comments and memories of the late Wildlife Biologist and Open Space Manager Todd Black, honoring his contributions to the community and expressing their condolences to Eagle Mountain Staff and the public.

[The recording of the discussion can be found online here at 02:07:38.](#)

#### **CONSENT AGENDA**

#### **11. BOND RELEASES**

- 11.A. Overland Village 2 Phase A, Plat 6 - Into Warranty
- 11.B. Overland Village 2 Phase A, Plat 7 - Into Warranty
- 11.C. Overland Village 2 Phase A, Plat 8 - Into Warranty
- 11.D. Overland Village 2 Phase A, Plat 9 - Into Warranty

#### **12. MINUTES**

- 12.A. August 19, 2025 Minutes - Regular City Council Meeting
- 12.B. September 2, 2025 Minutes - Regular City Council Meeting

#### **13. RESOLUTIONS**

- 13.A. RESOLUTION - A Resolution of Eagle Mountain City, Utah, Updating Sections of the Eagle Mountain City Employee Policies and Procedures Manual
- 13.B. RESOLUTION - A Resolution of Eagle Mountain City, Utah, Awarding the Bid for the EMC Scarlet 009 4MG Water Tank Project to Probuild Construction, Inc. and Approving the Contract

#### **14. ORDINANCES**

- 14.A. ORDINANCE - An Ordinance of Eagle Mountain City, Utah, Approving a Development Agreement with Mountainland Supply

- 14.B. ORDINANCE - An Ordinance of Eagle Mountain City, Utah, Approving a Franchise Agreement with Avative LLC
- 14.C. ORDINANCE - An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain City Consolidated Fee Schedule

**MOTION:** *Councilmember Clark moved to approve the Consent Agenda removing item 14.A. to be placed on the Scheduled Items for further discussion. Councilmember Wright seconded the motion.*

|               |     |
|---------------|-----|
| Donna Burnham | Yes |
| Melissa Clark | Yes |
| Jared Gray    | Yes |
| Rich Wood     | Yes |
| Brett Wright  | Yes |

*The motion passed with a unanimous vote.*

[The recording of the motion can be found online here at 02:29:38.](#)

#### **SCHEDULED ITEMS**

#### **14. ORDINANCE**

- 14.A. ORDINANCE - An Ordinance of Eagle Mountain City, Utah, Approving a Development Agreement with Mountainland Supply

[The recording of the discussion can be found online here at 02:30:45.](#)

City Attorney Marcus Draper and applicant Matt Cook discussed that Mountainland Supply is opening a store in the Rush Creek Industrial development. Mountainland needs to construct a retaining wall on their property. City Code requires a 3 foot setback for retaining walls. Mountainland would like to construct the retaining wall on the property line. The proposed development agreement would provide a legal path to allow them to do so.

*The motion on this item was delayed to Staff could research location of building on the adjacent storage units at the back of the Mountainland lot. The below motion occurred later in the meeting.*

**MOTION:** *Councilmember Wright moved to adopt an Ordinance of Eagle Mountain City, Utah, Approving a Development Agreement with Mountainland Supply. Councilmember Wood seconded the motion.*

|               |     |
|---------------|-----|
| Donna Burnham | Yes |
| Melissa Clark | Yes |
| Jared Gray    | Yes |
| Rich Wood     | Yes |
| Brett Wright  | Yes |

*The motion passed with a unanimous vote.*

[The recording of the motion can be found online here at 04:04:09.](#)

#### **15. RESOLUTION/PUBLIC HEARING**

15.A. RESOLUTION/PUBLIC HEARING - A Resolution of Eagle Mountain City, Utah, Authorizing the Disposal of Significant City-Owned Real Property Pursuant to Eagle Mountain Municipal Code Chapter 3.30

[The recording of the discussion can be found online here at 02:46:19.](#)

City Recorder Gina Olsen discussed that this is a public hearing to consider the Land Disposal Application from Jon and Brooke Newcomb to dispose of approximately 0.02 acres of real public property, identified as a portion of Utah County Parcel No 38:335:0148. The City has designated this parcel as "Significant Real Property".

*Mayor Westmoreland opened the Public Hearing period at 8:14 PM.*

The following individuals spoke during the public hearing period: Jon Newcomb, Real Estate Agent Shawna Turner with Century 21, Christa Kelley, Jessie Southworth.

*Mayor Westmoreland closed the Public Hearing at 8:29 PM.*

[The recording of the public hearing can be found online here at 02:51:06.](#)

**MOTION:** *Councilmember Burnham moved to adopt a Resolution of Eagle Mountain City, Utah, Authorizing the Disposal of Significant City-Owned Real Property Pursuant to Eagle Mountain Municipal Code Chapter 3.30 and using the price of the land at \$45,000 per acre (\$1.03 per square foot) nothing the parcel does not require additional water rights. Councilmember Clark seconded the motion.*

|               |     |
|---------------|-----|
| Donna Burnham | Yes |
| Melissa Clark | No  |
| Jared Gray    | No  |
| Rich Wood     | No  |
| Brett Wright  | No  |

*The motion failed for lack of a majority vote, 1:4.*

[The recording of the motion can be found online here at 03:45:33.](#)

**MOTION:** *Councilmember Wright moved to table a Resolution of Eagle Mountain City, Utah, Authorizing the Disposal of Significant City-Owned Real Property Pursuant to Eagle Mountain Municipal Code Chapter 3.30 and directed Staff to work on refining water requirements and draft a policy to ensure consistent review of future Land Disposal Applications. Councilmember Wood seconded the motion.*

|               |     |
|---------------|-----|
| Donna Burnham | No  |
| Melissa Clark | No  |
| Jared Gray    | No  |
| Rich Wood     | Yes |
| Brett Wright  | Yes |

*The motion failed for lack of a majority vote, 2:3.*

[The recording of the motion can be found online here at 03:53:07.](#)

MOTION: *Councilmember Gray moved to adopt a Resolution of Eagle Mountain City, Utah, Authorizing the Disposal of Significant City-Owned Real Property Pursuant to Eagle Mountain Municipal Code Chapter 3.30 with a sales price of \$95,000 per acre (\$2.18 per square foot). Councilmember Clark seconded the motion.*

|               |     |
|---------------|-----|
| Donna Burnham | Yes |
| Melissa Clark | Yes |
| Jared Gray    | Yes |
| Rich Wood     | No  |
| Brett Wright  | No  |

*The motion passed with a 3:2 vote.*

[The recording of the motion can be found online here at 03:58:42.](#)

## 16. RESOLUTIONS

16.A. RESOLUTION - A Resolution of Eagle Mountain City, Utah Approving a Settlement Agreement with Meritage Homes

This item was removed from the agenda at the request of Meritage Homes.

## 17. LEGISLATIVE ITEMS

17.A. UPDATE – Legislative Priorities List

Management and Policy Analyst John Magness discussed updates on the Legislative Priorities List.

[The recording of the discussion can be found online here at 04:16:42.](#)

MOTION: *Councilmember Clark moved to add drafting a Telecommunications Ordinance and/or Franchise Agreement to the Legislative Priorities List. Councilmember Wright seconded the motion.*

|               |     |
|---------------|-----|
| Donna Burnham | Yes |
| Melissa Clark | Yes |
| Jared Gray    | Yes |
| Rich Wood     | Yes |
| Brett Wright  | Yes |

*The motion passed with a unanimous vote.*

[The recording of the motion can be found online here at 04:20:29.](#)

MOTION: *Councilmember Wright moved to add drafting a policy for code adoption to guide Staff in evaluating Land Disposal Applications to the Legislative Priorities List. Councilmember Clark seconded the motion.*

|               |     |
|---------------|-----|
| Donna Burnham | Yes |
| Melissa Clark | Yes |
| Jared Gray    | Yes |
| Rich Wood     | Yes |
| Brett Wright  | Yes |

*The motion passed with a unanimous vote.*

[The recording of the motion can be found online here at 04:22:32.](#)

## 18. CITY COUNCIL/MAYOR'S BUSINESS AND LIAISON REPORTS

Mayor Westmoreland and the City Councilmembers offered comments and reports on committees to which they are assigned as liaisons.

[The recording of the discussion can be found online here at 04:26:44.](#)

## 19. COMMUNICATION ITEMS

## 20. ADJOURNMENT

**MOTION:** *Councilmember Wood moved to adjourn the meeting at 9:53 PM. Councilmember Wright seconded the motion.*

|               |     |
|---------------|-----|
| Donna Burnham | Yes |
| Melissa Clark | Yes |
| Jared Gray    | Yes |
| Rich Wood     | Yes |
| Brett Wright  | Yes |

*The motion passed with a unanimous vote.*

[The recording of the motion can be found online here at 04:30:36.](#)

The meeting was adjourned at 9:53 PM.

Approved by the City Council on October 7, 2025.

  
Gina L. Olsen, CMC  
City Recorder

