



EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

November 1, 2022, 4:00 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

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

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

CITY STAFF PRESENT: Paul Jerome, City Administrator; Steve Mumford, Assistant City Administrator/Community Development Director; Robert Hobbs, Planning Manager; Todd Black, Wildlife Biologist/Environmental Planner; Fionnuala Kofoed, Director of Administrative Services/City Recorder; Chris Trusty, City Engineer; Evan Berrett, Economic Development Director; Jeremy Cook, City Attorney; Kimberly Ruesch, Finance Director; Brad Hickman, Parks and Recreation Director; Mack Straw, Public Utilities Manager; Jeff Weber, Fleet and Facilities/Operations Director; Tyler Maffitt, Communications Manager; and B.J. Eccles, Sergeant.

CITY STAFF PRESENT ELECTRONICALLY: Angela Valenzuela, Human Resource Manager; Michele Graves, Library Director; and Embret Fossum, UFA Battalion Chief.

Mayor Westmoreland called the meeting to order at 4:07 p.m.

1. CITY ADMINISTRATOR INFORMATION ITEMS

1.A. UPDATE – City Administrator Items

Facilities, Fleet, and Emergency Management

- The Community Development Building Equipment Garage project is nearing completion, and the plow trucks have been moved into the garage.
- The Eagle Mountain Boulevard Widening completion date is scheduled for November 8. Updates related to the traffic signal at Major Street will be provided once available.
- The Community Development Building Mezzanine has been ordered and should be delivered and installed in December.
- Staff is working on a request for proposals for HVAC upgrades to the well houses to improve equipment longevity.
- A Master Facilities Plan request for proposals was sent out to bid. Staff is reviewing the two bids received.
- A fire extinguisher training is scheduled for staff on November 9.
- The City is working with high school staff to create a teen Community Emergency Response Team program.

Communications

- The Communications Department is working to finalize a rebuild of the City's Economic Development website. This project is nearing completion.
- An upgrade to the City's Resident Portal will be implemented in mid-November. Residents will notice changes in the coming weeks. Staff training for the upgrades is beginning this week.

Community Development

- Glenmar Nature Trail – Texas Instruments, the Eagle Mountain Nature and Wildlife Alliance, and City staff are working on a nature trail above the Glenmar Ranch area. The City thanks the groups responsible for donations and efforts on this project.
- Cory B. Wride Memorial Highway Wildlife Crossing – If the bid is approved tonight, work will begin tomorrow. Several companies have donated work and supplies to this project, reducing the cost and allowing the City to use some of the funds for fencing. Five deer were recently hit in this area. Residents are advised to exercise caution during the migration season.
- Building Permits – The City issued 20 new residential building permits in October and 1 commercial permit for Arby's. Additionally, 34 basement permits, 45 solar permits, and 28 other permits were issued.

Parks, Recreation, Events, and Cemetery

- Walden Park Observatory – Staff have been communicating final items for construction documents. Once plans are received, they will be submitted for building review and approval. A better timeline of completion will be available by the next City Council meeting.
- Smith Ranch Community Park – Staff are waiting for the 90% review of construction documents, including the skatepark and playground equipment for the park. The timeline for receipt of these documents needed to be extended to allow coordination between engineering firms. It is expected that the City will review the final plans and they will be completed on November 21, 2022. Updated engineering estimates are anticipated for this project.
- Off-Street Trail Network – Staff will be digitizing GIS data to verify trails that have been mapped during the last couple of years. After the trails have been mapped and digitized, there will be effective data available to move forward with trail and directional signage. This data will also offer information detailing what percentage of trails are on City and private property. It will allow the City to analyze the best strategies to obtain and retain these trails.
- Sage Valley Park – Staff were able to work with residents to complete a tree planting project in the park. Also, in response to concerns earlier in the season, staff installed a small booster pump in the park to help create adequate water flow for the park and achieve sprinkler head maximum coverage. The system was tested before seasonal closure and staff is confident that it will solve many of the problems that arose earlier in the season.

1.B. UPDATE – Moreton Asset Management Investment Accounts – Andy Robbins

Andy Robbins with Moreton Asset Management Investment Accounts explained inflation components over the past ten years and that the 8% to 9% inflation over the past year has been influenced by fuel and money supply impacts. Inflation is expected to slow but remain over 5% for the next year to year and a half. Yield curve rates have been unprecedented. The Federal Reserve (FED) is expected to continue to raise interest rates with a peak predicted in the spring or early summer of 2023. He reviewed their strategies to manage, diversify, and protect City funds.

Moreton has managed approximately \$3,000,000 for the City for six years. That amount was increased a few months ago to about \$43,000,000. Their investments have netted a yield of \$778,200.07 for the City, an increase of \$161,566.78 over the funds remaining in the State pool.

Discussion ensued regarding the following items:

- Moreton calculating anticipated trends based upon trading statistics and projections rather than economist predictions;
- Concerns regarding the impacts of rates being quickly reduced in the future;
- The delay in the FED raising rates due to the erroneous belief the trends were transitory, resulting in more drastic increases over a short time period; and
- The possibility of high interest rates negatively impacting employment further and creating a long-term recession.

Finance Director Kimberly Ruesch said that hiring a City Treasurer has allowed the City to be more active in its investments and utilize methods to earn money through building portfolios.

City Administrator Paul Jerome explained staff's involvement in monitoring and directing the investments to ensure funding is available when needed.

2. AGENDA REVIEW

10. BID AWARDS

10.A. Wildlife Crossing Detection System – CrossTek

Wildlife Biologist/Environmental Planner Todd Black explained that due to the newness of the technology, operation and maintenance cost projections are unavailable at this time; however, he does not anticipate a high expense. The parts and labor have a one-year warranty.

14. SCHEDULED ITEMS

14.A. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Approving the Amended Plat and Related Right-of-Way Vacation Petition for Scarlet Ridge Phase A, Plat 1.

Planning Manager Robert Hobbs presented the item. The proposed amendment to Scarlet Ridge Phase A, Plat 1 to create Plat 1A is intended to accommodate a charter school. The lot for the school is created by combining 16 residential building lots and Taylee Lane into a single lot. The new lot will accommodate the school and conforms to relevant zoning standards. The Planning Commission unanimously recommended approval of the amended plat.

14.B. MOTION – John Hancock Academy Charter School Site Plan.

Mr. Hobbs presented the item. The proposed site plan for the school was originally contemplated to be developed in Phase 2; however, it was later moved to Phase 1 at the request of the school. According to EMMC 17.25.030, a public, private, or charter school within an RD2 Zone

may be allowed upon receiving Special Use approval from the City. The City may regulate setbacks, height, bulk and massing, off-site parking, curb cuts, traffic circulation, construction staging, and other standards to reasonably reduce risks to health and safety. The City may not regulate landscaping outside of the right-of-way, fencing, aesthetics, construction methods or materials, or the placement of temporary classrooms. The school improvement drawings suggest that the school will comply with pertinent City development standards.

The Planning Commission unanimously recommended approval. The developer explained during the Planning Commission meeting that the placement of the handicapped parking was due to the grade of the site and that the lighter lines in the northwest corner are for a future cafeteria expansion if funding becomes available.

Discussion ensued regarding an email that was sent about fire code required access to the school. Mr. Hobbs stated that the certificate of occupancy could be held should the school not have adequate access.

Councilmember Gray arrived at 4:50 p.m.

City Attorney Jeremy Cook stated the Council could deny the vacation petition for the removal of Taylee Lane. There are insufficient legal grounds for a denial of the school itself. However, the City could argue the need to revise the master development agreement (MDA) because the agreement lacked a school. He verified the MDA prohibits transferring the density lost to other areas in the development.

Councilmember Curtis expressed concern with schools preferring to purchase fewer large lots.

Discussion ensued regarding whether schools could be a prohibited use in certain zones.

Councilmember Wright expressed concern with the compatibility of equestrian lots and school traffic patterns and inquired if school representatives have considered other locations in the City. Councilmember Gray concurred.

Applicant representative Sheldon Killpack said he has worked on almost 100 charter schools in Utah. Safety concerns are the only reason cities are able to deny school applications. They have found that schools work best if they are constructed in a neighborhood prior to people purchasing homes in the area. Their model provides excess parking that is double-striped to serve as a stacking area for drop-off and pickup to reduce traffic impacts, along with dedicated stopping and bypass lanes. The bypass lane is used for additional parking for evening events to reduce street parking. The financing is in place, plans for the school are complete, and materials to begin construction have been ordered. Originally, the school had been planned for the second phase of the Scarlet Ridge subdivision. However, due to economic changes, the infrastructure in that phase would not be complete in time for the school. Even without advertising, 450 students have already enrolled. The school will have students from kindergarten through eighth grade.

Councilmember Curtis asked Mr. Killpack if he was aware of the animal rights of the surrounding properties and of the potential for odors, student and animal interactions, and other livestock-related issues.

Mr. Killpack said considering other challenges their charter schools have faced, they view this site as a favorable location. Full enrollment is 900 students – 100 students per grade. Pickup is more challenging than drop-off because drop-off times are more staggered. Nevertheless, with the dual-lane system, pickup usually takes ten to fifteen minutes. When the school first opens, most of the students will be driven from other neighborhoods. With time, as the surrounding area develops, enrollment tends to shift to being primarily students living in proximity to the school.

Mr. Cook clarified that Utah Code 10-9a-305(7)(a) states, “A charter school shall be considered a permitted use in all zoning districts within a municipality.”

Councilmember Wright recommended updating Municipal Code to list charter schools as a permitted rather than special use. Councilmember Curtis agreed.

Mr. Cook noted the difficulties in updating Municipal Code to reflect recent legislative changes and clarified that State statute will always trump any conflicting City standards.

15. ORDINANCES/PUBLIC HEARINGS

15.A. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Amending Eagle Mountain Municipal Code Section 17.80.080, Off-Premises Ladder Signs.

Mr. Hobbs presented the item. The Eagle Mountain Chamber of Commerce has requested the following amendments to EMMC 17.80.080:

- C: Advertisers may reserve a maximum of two full slat signs throughout the city and any additional space would be limited to a single or double slat. The maximum signs a single entity, or its associated affiliates, may advertise on is five. All copy shall be approved by the community development director and/or the economic development director or designee.
- E: Eagle Mountain City or designee may bill advertisers on a semi-annual or annual basis. Signs may be removed for nonpayment. Out-of-city advertisers must be billed on a semi-annual basis and allow for higher priority advertisers, if any are on the wait list, to take their place.
- H: The community development director and/or the economic development director or designee shall determine which signs from the approved map should be constructed. Business shall be drawn from the wait list. Existing signs should be filled before new signs are added.
- I: Excluding any directional ladder signs to city facilities, the maximum number of ladder signs that will be permitted in the rights-of-way is ~~40~~ 60.

Eagle Mountain Chamber of Commerce President Melissa Clark said the addition of “or designee” was added at the request of a Planning Commission member to allow either the Economic Development Director or the Community Development Director to make the decision rather than requiring approval from both.

Councilmember Wright expressed his preference to require the approval of both directors.

Ms. Clark noted that only needing the approval of one director would make approvals timelier. Nevertheless, as she sends the requests to both individuals, she is amenable to requiring joint approval. The Chamber has sold 40 signs and has a waiting list with six additional businesses. The signs are primarily utilized by local Eagle Mountain small businesses. The ladder signs are also constructed by Eagle Mountain businesses.

Councilmember Gray expressed concern that the sign location map had not been included with the submission materials.

Councilmember Curtis stated that he is against increasing the number of developer signs in the community.

Discussion ensued regarding existing locations, the requirements for approval of new locations per EMMC 17.80.080(G), the intention to spread the signs throughout the City, and the benefits of the sign program to the Chamber and the City.

Councilmember Wright advocated for supporting the ladder signs as a method to support Chamber efforts and businesses.

15.B. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Amending Eagle Mountain Municipal Code Chapter 17.15.030 Planning Commission Organization.

Director of Administrative Services/City Recorder Fionnuala Kofoed presented the item. The proposed amendment to EMMC 17.15.030 Planning Commission Organization clarifies that an alternate planning commissioner shall serve a term of three years unless appointed as a regular member of the Planning Commission during that term, or is removed in accordance with subsection G. This amendment is in conjunction with changes to other sections of Municipal Code that were noticed separately.

Councilmember Curtis stated that due to recent changes to Section 2.27 that identify the Planning Commission separately from advisory boards, the verbiage in EMMC 17.15.030(E) should be amended to remove the word “advisory.”

3. ADJOURN TO A CLOSED EXECUTIVE SESSION

MOTION: *Councilmember Burnham moved to adjourn to a closed session for the purpose of discussing the purchase, lease, or exchange of real property pursuant to Section 52-4-205(1) of the Utah Code, annotated. Councilmember Gray seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>

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

The motion passed with a unanimous vote.

The meeting was adjourned at 5:33 p.m.

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

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

CITY STAFF PRESENT: Paul Jerome, City Administrator; Steve Mumford, Assistant City Administrator/Community Development Director; Todd Black, Wildlife Biologist/Environmental Planner; Robert Hobbs, Planning Manager; Fionnuala Kofoed, Director of Administrative Services/City Recorder; Jeremy Cook, City Attorney; Brad Hickman, Parks and Recreation Director; and B.J. Eccles, Sergeant.

CITY STAFF PRESENT ELECTRONICALLY: Chris Trusty, City Engineer; Kimberly Ruesch, Finance Director; Mack Straw, Public Utilities Manager; Zac Hilton, Streets and Storm Drain Manager; and Tyler Maffitt, Communications Manager.

4. CALL TO ORDER

Mayor Westmoreland called the policy session to order at 7:20 p.m.

5. PLEDGE OF ALLEGIANCE

Councilmember Burnham led the Pledge of Allegiance.

6. INFORMATION ITEMS/UPCOMING EVENTS

- Eagle Mountain residents are invited to attend the annual Veterans Day Breakfast on November 12. This event will be hosted at the Eagle Mountain Senior Citizens Center. More details will be available at www.eaglemountaincity.com.
- The City's annual Turkey Trot will take place Thursday, November 24. The race starts at 8:00 a.m. Please see Eagle Mountain social media for additional details and registration information.
- Eagle Mountain continues to provide services for its annual Bag the Leaf program. Through December 2, residents can place bags of leaves on the curb of their property, and City crews will dispose of them. Bags are now available at Eagle Mountain City Hall. Help Eagle Mountain keep its storm drains clear by participating in Bag the Leaf.
- Residents are reminded to refrain from watering their lawns for the remainder of the year. Please help Eagle Mountain City accomplish its conservation goals.

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

7. PUBLIC COMMENTS

Mayor Westmoreland opened public comment at 7:23 p.m.

Zac Huish expressed gratitude on behalf of his community for the improvements at Sage Valley Park. The neighborhood planted ten trees provided by the City, and a kestrel box may be placed in the park. He reviewed the Master Transportation Plan and asked about the alignment of the Old Airport Road expansion, as it appears to align with several existing driveways.

City Administrator Paul Jerome explained that discussions between staff and the traffic engineers have considered using Old Airport Road as a frontage road for the future freeway. They are aware of the issue and are considering options before determining the final location and alignment of the road.

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

8. CITY COUNCIL/MAYOR'S ITEMS

Councilmember Gray

Councilmember Gray welcomed the meeting participants and said he is glad to be attending in person.

Councilmember Wright

Councilmember Wright expressed appreciation to the staff, public, and virtual participants. He recognized Texas Instruments and the Eagle Mountain Nature and Wildlife Alliance for their contribution and assistance with the trail network. He welcomed Fire Chief Burchett.

Councilmember Love

Councilmember Love welcomed the residents in attendance. She appreciates their input in assisting the Council in making decisions. She thanked Texas Instruments and the Eagle Mountain Nature and Wildlife Alliance for their help with the trails. She is excited to see the development of trails as Eagle Mountain grows and feels they are a valuable asset to the City.

Councilmember Burnham

Councilmember Burnham echoed the appreciation to Texas Instruments and the Eagle Mountain Nature and Wildlife Alliance. She acknowledged the member of the Alliance who works for Texas Instruments which garnered their interest in the City's trail network. The Eagle Mountain Chamber of Commerce is holding a free Business Bootcamp on November 3, 10, and 17 from 6:00 to 7:30 p.m. at the Chamber offices. More information and registration are available at www.eaglemountainchamber.com.

Councilmember Curtis

Councilmember Curtis thanked Texas Instruments and the Eagle Mountain Nature and Wildlife Alliance. He appreciates their hard work on the trail and other projects.

9. INTRODUCTION

9.A. Fire Chief Dominic Burchett – Unified Fire Authority

Mayor Westmoreland introduced Fire Chief Dominic Burchett.

Mr. Burchett gave an overview of his history with Unified Fire Authority (UFA), the new fire stations being built in the City, and UFA's plans for the future.

CONSENT AGENDA

10. BID AWARDS

10.A. Wildlife Crossing Detection System – CrossTek

11. BOND RELEASES

11.A. Sweetwater Industrial Park Phase A, Plat 1 – Into Warranty

11.B. Lone Tree Phase F, Plat 1 – Out of Warranty

12. CHANGE ORDERS

12.A. Smith Ranch Community Park Design Services Change Order #2 – MHTN Architects

13. MINUTES

13.A. October 18, 2022 Minutes – Regular City Council Meeting

MOTION: *Councilmember Curtis moved to approve the consent agenda. Councilmember Love seconded the motion.*

Those Voting Yes

☒ Donna Burnham
☒ Colby Curtis
☒ Jared Gray
☒ Carolyn Love
☒ Brett Wright

Those Voting No

☐ Donna Burnham
☐ Colby Curtis
☐ Jared Gray
☐ Carolyn Love
☐ Brett Wright

Those Abstaining

☐ Donna Burnham
☐ Colby Curtis
☐ Jared Gray
☐ Carolyn Love
☐ Brett Wright

Those Absent

☐ Donna Burnham
☐ Colby Curtis
☐ Jared Gray
☐ Carolyn Love
☐ Brett Wright

The motion passed with a unanimous vote.

SCHEDULED ITEMS

14. SCARLET RIDGE ESTATES

14.A. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Approving the Amended Plat and Related Right-of-Way Vacation Petition for Scarlet Ridge Phase A, Plat 1.

Planning Manager Robert Hobbs reviewed the item as presented during work session.

Mayor Westmoreland opened public comment at 7:46 p.m.

Ryan Kent, developer of the Scarlet Ridge subdivision, said he has been working in Eagle Mountain for 19 years, and his children and grandchildren have attended schools and played sports in the City. John Hancock Charter School's desire to build a school in Eagle Mountain is a testament to current and former City Councils and the quality of the City. The school represents the values he appreciates. He noted concessions that were made which resulted in a subdivision, lot sizes, and density they are proud of and are pleased that the school wishes to locate within their development. He advocated for Council support through approval of the school.

Arianna Snape noted the crowded conditions of public schools. She requested the Council approve the charter school to provide an option with fewer students, especially for children with special needs.

Erin Jeppson said she homeschools her children; however, she conducted research and was impressed with the charter school and its curriculum. She likes the class sizes and the values they stand for and thinks many children will thrive there.

Jessica Ashby said the charter school will provide students with opportunities unavailable at other schools due to overcrowding. Smaller class sizes will benefit both students and teachers.

Jacob Wright stated that Eagle Mountain needs additional schools to handle growth and overcrowding issues to reduce class sizes.

Elyse Osborne said she is in favor of the school as it allows teachers more one-on-one attention to students. As a former teacher, she appreciates the music and art focus of John Hancock Academy as she has seen that approach work well at other schools.

Mayor Westmoreland closed public comment at 8:00 p.m.

Councilmember Wright stated although he agrees with the benefits of the school, he is hesitant to approve the school due to safety concerns caused by conflicts between the school's traffic and the equestrian uses.

Applicant representative Sheldon Killpack said when he was working with the Utah League of Cities and Towns (ULCT), one of the biggest concerns noted was the difference between objective

and subjective issues. Utah Code 10-9a-305 limits the denial of charter schools to objective safety concerns and allows for working diligently to resolve safety issues. They have other schools in similar areas and one has an equestrian trail around the school. They have made efforts to mitigate issues and will address any that arise. They have followed the rules and have invested funds in placing the school at this location. The school site was placed on the smallest lots in the development. He said he hopes that everyone is familiar with what criteria can and cannot be used to deny a charter school application.

Councilmember Gray stated that he disagrees with the applicant's interpretation of State statute regarding the parameters for denial of charter schools.

Councilmember Curtis said although he is leaning towards approval, he believes the City has grounds and the ability to deny the vacation petition. He asked the applicant why they were signing up students prior to the approval of the school.

Mr. Killpack stated they followed the requirements to notice the purchase of the property and the intent to build a school, requested feedback from staff and the Development Review Committee prior to the purchase of the property, performed a traffic study, and turned in a site plan with the required information. The process gathers information prior to the review and approval by the City Council. He stated that concerns with this location were not indicated in previous discussions with City representatives.

Councilmember Burnham agreed with disliking losing larger lots for the school. However, she is leaning toward approval because she feels the City lacks strong legal grounds to deny the school site. She clarified that she is excited for the school to come to Eagle Mountain. Her apprehension is only with the location. She suggested the City add additional large lots in another area in compensation for the lots lost to the school site.

City Attorney Jeremy Cook said school representatives are required to notify the City of the location. The City can express its concerns; however, it cannot deny the location. Schools can only be denied based on health and safety issues. Nevertheless, it could be argued that the development agreement designating the area for single-family homes takes precedence. As the Statute is new, the existence of case law addressing existing development agreements is unlikely. State law is slightly ambiguous about the process that should be followed.

Councilmember Burnham stated that because the City has approved Alpine District Schools in projects with existing development agreements, she would be uncomfortable denying a charter school on those grounds.

Councilmember Gray stated he concurs with Councilmember Wright's concerns. He thinks the master development agreement (MDA) should be amended to allow the school. He would prefer the school be built in the Brandon Park subdivision.

Mr. Cook explained that staff felt that the MDA did not need to be amended because no other lots are impacted, and the developer has not requested additional density. Nevertheless, the Council

could require the MDA be amended. He confirmed that zoning in the project was assigned based on lot size and the approval of the school will not entitle the developer to density transfer.

Discussion verified the size of the roads and sidewalks at a local rather than rural standard and the exclusion of horse trails in the development.

Councilmember Love stated the purview of the Council is to provide for the health, safety, and welfare of the residents. She believes the school will enhance the welfare of the residents by providing a charter school option in the City Center. Schools have existed in rural areas for a long time. The children walking to school will be from the surrounding neighborhoods and will already have interaction with animals. She feels the application is a reasonable request.

Mayor Westmoreland observed that the complaints the City receives in relation to school traffic are generally about increased traffic in already dense and congested areas.

Mr. Kent confirmed that some of the lots not impacted by the school have been sold. Feedback from the future homeowners regarding the school has been positive. The road infrastructure is sufficient to handle school traffic and is supported by the traffic study.

MOTION: *Councilmember Curtis moved to approve an ordinance of Eagle Mountain City, Utah, approving the Amended Plat and Related Right-of-Way Vacation Petition for Scarlet Ridge Phase A, Plat 1. Councilmember Burnham seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>
☒ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>
☐ <i>Jared Gray</i>	☒ <i>Jared Gray</i>	☐ <i>Jared Gray</i>	☐ <i>Jared Gray</i>
☒ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>
☒ <i>Brett Wright</i>	☐ <i>Brett Wright</i>	☐ <i>Brett Wright</i>	☐ <i>Brett Wright</i>

The motion passed with a vote of 4:1.

Councilmember Wright clarified he voted in favor of the school to support the educational needs of children over protecting additional large lots. He said he is taking the applicant at his word to mitigate safety concerns.

Councilmember Gray clarified that his vote against the application is to protect larger lots as stipulated in the existing contract. He would be in favor of the school if it were being built in a different development.

14.B. MOTION – John Hancock Academy Charter School Site Plan.

Discussion ensued clarifying that the reason for the proposed traffic pattern is to provide emergency access all day, including during pickup and drop-off times.

Councilmember Gray expressed health and safety concerns with the chain-link fencing between the school and other properties with animal rights.

Mr. Cook verified that the State allows for schools to have chain-link fencing and the City cannot require a different type of fence, as it is separate from the health and safety criteria. Homeowners have the right and ability to install different fencing adjacent to the school's fence.

MOTION: *Councilmember Burnham moved to approve the site plan for John Hancock Academy Charter School. Councilmember Wright seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>
☒ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>
☐ <i>Jared Gray</i>	☒ <i>Jared Gray</i>	☐ <i>Jared Gray</i>	☐ <i>Jared Gray</i>
☒ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>
☒ <i>Brett Wright</i>	☐ <i>Brett Wright</i>	☐ <i>Brett Wright</i>	☐ <i>Brett Wright</i>

The motion passed with a vote of 4:1.

15. ORDINANCES/PUBLIC HEARINGS

15.A. [ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Amending Eagle Mountain Municipal Code Section 17.80.080, Off-Premises Ladder Signs.](#)

Councilmember Burnham referenced the work session discussion about whether to require the approval of both the Economic Development Director and the Community Development Director. She would prefer to designate one or the other as the approval authority. Councilmembers Curtis, Wright, and Gray agreed.

Eagle Mountain Chamber of Commerce President Melissa Clark said the Community Development Director raised concerns about sign locations during the approval of the ladder sign map. The Economic Development Director reviews the sign copy to evaluate if it adheres to Municipal Code.

Discussion ensued regarding the benefits of designating the Economic Development Director, who serves as the liaison to the Eagle Mountain Chamber of Commerce, or the Community Development Director to approve sign locations.

Mayor Westmoreland opened the public hearing at 8:54 p.m. As there were no comments, he closed the hearing.

MOTION: *Councilmember Burnham moved to approve an ordinance of Eagle Mountain City, Utah, amending Eagle Mountain Municipal Code Section 17.80.080, Off-Premise Ladder Signs with the following changes:*

- *C: The last sentence shall be amended to read, “All advertising copy shall be approved by the economic development director or designee;” and*
- *H: “New Signs. The economic development director or designee shall determine which signs from the approved map should be constructed. Business shall be drawn from the wait list. Existing signs should be filled before new signs are added.”*

Councilmember Curtis seconded the motion.

Councilmember Curtis raised concerns about “designee” indicating different parties in different subsections.

AMENDED MOTION: *Councilmember Burnham moved to approve an ordinance of Eagle Mountain City, Utah, amending Eagle Mountain Municipal Code Section 17.80.080, Off-Premise Ladder Signs with the following changes:*

- *C: The last sentence shall be amended to read, “All advertising copy shall be approved by the economic development director or municipal designee;”*
- *H: “New Signs. The economic development director or municipal designee shall determine which signs from the approved map should be constructed. Business shall be drawn from the wait list. Existing signs should be filled before new signs are added;” and*
- *B: “Billing and Payment. Eagle Mountain City or municipal designee may bill advertisers on a semi-annual or annual basis. Signs may be removed for nonpayment after 30 days.”*

Councilmember Curtis seconded the motion.

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>
☒ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>
☒ <i>Jared Gray</i>	☐ <i>Jared Gray</i>	☐ <i>Jared Gray</i>	☐ <i>Jared Gray</i>
☒ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>
☒ <i>Brett Wright</i>	☐ <i>Brett Wright</i>	☐ <i>Brett Wright</i>	☐ <i>Brett Wright</i>

The motion passed with a unanimous vote.

[15.B. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Amending Eagle Mountain Municipal Code Chapter 17.15.030 Planning Commission Organization.](#)

Mayor Westmoreland opened the public hearing at 8:58 p.m. As there were no comments, he closed the hearing.

MOTION: *Councilmember Curtis moved to approve an ordinance of Eagle Mountain City, Utah, amending Eagle Mountain Municipal Code Chapter 17.15.030*

Planning Commission Organization removing the word “advisory” from Section E. Councilmember Wright seconded the motion.

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>
☒ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>
☒ <i>Jared Gray</i>	☐ <i>Jared Gray</i>	☐ <i>Jared Gray</i>	☐ <i>Jared Gray</i>
☒ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>
☒ <i>Brett Wright</i>	☐ <i>Brett Wright</i>	☐ <i>Brett Wright</i>	☐ <i>Brett Wright</i>

The motion passed with a unanimous vote.

16. CITY COUNCIL/MAYOR'S BUSINESS

17. CITY COUNCIL BOARD LIAISON REPORTS

Councilmember Curtis

Councilmember Curtis stated that the Senior Citizen Advisory Council has asked that the cement area outside the backdoor of the Senior Center be connected to the path. He requested the General Plan Map be brought to the Council to discuss a location to designate for large lots in compensation for the lots lost to the charter school.

Discussion ensued regarding identifying areas with vested unit counts to determine additional locations to designate for additional large lots in the City and incentivization for larger lot development.

Assistant City Administrator/Community Development Director Steve Mumford stated that the Planning Commission has requested a joint meeting to discuss the Affordable Housing Plan. He suggested reviewing the General Plan Map at that meeting unless the Council desires to review it at the next work session.

The Council requested to review the General Plan Map at the next meeting to reserve more time at the joint meeting for discussion of the Affordable Housing Plan.

Councilmember Curtis and Mr. Mumford clarified that staff never met with representatives from John Hancock Academy Charter School regarding locating the school in Scarlet Ridge Phase A, Plat 1.

Councilmember Burnham

Councilmember Burnham reminded the public about the Eagle Mountain Chamber of Commerce Business Boot Camp mentioned earlier. The meeting is located on the second floor of the fire station. If anyone has mobility issues, please contact the Chamber and they will find another location or a way to accommodate the individual. She confirmed with staff that the Eagle Mountain Art Alliance small library will be moved out of the path of the sprinkler system.

Councilmember Love

Councilmember Love stated that the American Legion is sponsoring a Veterans Day Breakfast Saturday, November 12 at 9:00 a.m. with a speaker at 9:30 a.m. at the Senior Citizen Center.

Councilmember Wright

Councilmember Wright stated that the Youth Council will assist with the Veterans Day Breakfast.

Councilmember Gray

Councilmember Gray said that the Circuit Cowboys nominated the Eagle Mountain Rodeo for small rodeo of the year. Eagle Mountain has won the honor previously. Circuit finals will be held this weekend in Heber City and the winner will be announced. He will be volunteering for the Freedom Hunt over Veterans Day weekend and encouraged the Council to read the stories associated with the charity.

18. COMMUNICATION ITEMS

18.A. Upcoming Planning Items

19. ADJOURNMENT

MOTION: *Councilmember Gray moved to adjourn at 9:15 p.m. Councilmember Curtis seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>
☒ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>
☒ <i>Jared Gray</i>	☐ <i>Jared Gray</i>	☐ <i>Jared Gray</i>	☐ <i>Jared Gray</i>
☒ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>
☒ <i>Brett Wright</i>	☐ <i>Brett Wright</i>	☐ <i>Brett Wright</i>	☐ <i>Brett Wright</i>

The motion passed with a unanimous vote.

The meeting was adjourned at 9:15 p.m.

Approved by the City Council on December 6, 2022.



Lianne Pengra, CMC
Chief Deputy Recorder