EAGLE MOUNTAIN
CITY COUNCIL MEETING MINUTES

EAGLE
MOUNTAIN

September 15, 2020, 4:00 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

4:00 P.M. WORK SESSION – VIA LIFESIZE ELECTRONIC MEETING

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

CITY STAFF PRESENT ELECTRONICALLY: Paul Jerome, City Administrator/Finance Director; Steve Mumford, Assistant City Administrator/Community Development Director; Pete Kane, Long-Range Planning Manager; Michael Hadley, Planning Manager; Fionnuala Kofoed, City Recorder; Elizabeth Fewkes, Recording Secretary; Chris Trusty, City Engineer; Aaron Sanborn, Economic Development Director; Jeremy Cook, City Attorney; Brad Hickman, Parks and Recreation Director; Mack Straw, Public Utilities Manager; Zac Hilton, Streets and Storm Drain Manager; Jeff Weber, Fleet and Facilities Operations Director; Ross Fowlks, Fire Chief; Linda Peterson, Communications Director; Angela Valenzuela, Human Resource Manager; and Robert Ballif, Engineering Assistant.

Public meetings will be held electronically in accordance with Executive Order 2020-1 Suspending the Enforcement of Provisions of Utah Code 52-4-202 and 54-4-207 due to Infectious Disease COVID-19 Novel Coronavirus issued by Governor Herbert on March 18, 2020.

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

1. CITY ADMINISTRATOR INFORMATION ITEMS

1.A. DISCUSSION ITEM – Proposed Code Amendment Concerning Lot Size and Zoning Transition

Long-Range Planning Manager Pete Kane presented the item. The intent of the amendment is to incorporate a Zone Transition section into Municipal Code in order to identify appropriate adjacent zoning districts. The proposed standard changes to EMMC 17.60 Landscaping, Buffering, Fencing, and Transition include revisions to the lot size transition tables to remove tier system references, update the categories to match the lot size allowances of the current residential zoning districts, and to add a zoning transition table and related language. Staff recommends adding subitem E to Section 17.60.150 to allow for the City Council to approve a modification to the lot size transition requirement if the Council determines the intent of the lot size transitioning is being met where the lot size transitioning is not attainable. The Planning Commission has discussed the amendment and will vote on it next week.

Councilmember Curtis stated his preference is to exclude the staff-suggested amendment due to concerns that the exemption clause will be exploited by developers; lot size transitioning standards can be amended should they prove problematic.

Councilmember Burnham said the proposed transitioning requirements are extreme and will result in unappealing uniform lot sizes.

Mr. Kane stated he has worked for municipalities with codified zone transition and adjacency standards; however, he is unaware of other communities with lot size transition requirements. Lot size transitioning concerns are usually addressed during plat approvals.

Councilmember Love concurred with Councilmember Burnham and believed that the transitioning requirements are excessive and expressed concern regarding the practicality of implementation. She recommended combining lot size categories to reduce the number of transitions. She inquired if the inclusion of language allowing the City Council to approve exemptions is necessary as the City Council can already approve exceptions to City standards.

Mr. Kane explained that excluding the exemption clause enables entities to appeal exemptions granted by the City Council. Municipalities include these clauses to codify the councils' power to waive specific requirements and to mitigate the possibility of disputations.

Councilmember Clark noted the intention of transition requirements is to prevent problematic development and the resulting impact on residents. She requested clarification regarding the recommendations to combine lot size categories.

Councilmember Burnham recommended combining the 8,500-square feet, 1/4-acre, and 1/3-acre lots into a single category, and combining the MF1 and MF2 categories.

Councilmember Clark expressed concern regarding the suggestion to combine the MF1 and MF2 zones due to the density variance within the zones.

Councilmember Curtis said he is willing to consider combining lot sizes; however, he concurs with retaining separate MF1 and MF2 designations to prevent high-rise apartment buildings adjacent to single-family homes. He said he had assisted with the creation of the lot size transition standards to address the prevalence of developer requests for non-compatible uses adjacent to single-family homes.

Mr. Kane clarified that the MF2 zone allows for a maximum of 12 units per building with a maximum height of 35 feet, which is the same height limit as all other residential units.
Councilmember Love stated her willingness to retain separate categories for MF1 and MF2, and clarified her objection is to the number of categories, not the inclusion of lot size transitioning standards.

City Attorney Jeremy Cook stated an exemption clause should be included if the City Council desires the flexibility to make transitioning exceptions. Exclusion of the clause may result in a legal challenge should the Council grant an exemption.

Councilmember Curtis suggested including specific criteria that allows the City Council to consider an exemption.

Councilmember Love stated that due to the prescriptiveness of the proposed standards, the ability for the City Council to grant exemptions is likely a necessity.

Councilmember Curtis advocated for set standards without exemptions. He expressed concern that the existence of the exemption clause will lead to challenges by developers.

Mr. Kane stated appreciation for Councilmember Curtis' concerns; however, due to the inability to foresee all potential scenarios, the City is likely to encounter projects in need of exemptions. He said combining some lot size categories will reduce the likelihood of required exemptions. Should the City Council determine to allow exceptions, exemptions could be limited to the adjacent lot size transition category indicated on the table.

Councilmember Burnham expressed concern that complications such as one non-compliant lot will nullify a project and would be onerous to developers.

Discussion ensued regarding potential criteria to include as exemption requirements.

Councilmember Clark recommended providing the Planning Commission the City Council's feedback and directed the Planning Commission to propose exemption criteria requirements for the City Council's consideration.

Councilmember Love expressed concern that standards may prevent developers from offering desirable products if the Council's preferred lot size is not compliant, especially in locations where smaller lots have been approved or developed. She advocated for the flexibility to grant exemptions to permit a decrease in density when applicable.

2. AGENDA REVIEW

9. AGREEMENTS

9.A. Cooperation Agreement for Visual and Performing Arts – Eagle Mountain Arts Alliance (EMAA)

Councilmember Curtis recommended considering a term longer than one year.

City Recorder Fionnuala Kofoed stated the City has approved multi-year agreements for other organizations and the City Council may approve a longer timeframe if desired. This agreement is the same as the previous agreement except for the addition of paragraph 3 to incorporate the tiered program discussed during the previous meeting.

Discussion ensued regarding the desired timeframe for the agreement in relation to other City agreements.

Mr. Cook clarified that paragraph 3 allows for other groups to request collaboration with EMAA, and if approved by EMAA, that group will be entitled to the same privileges as EMAA to use City facilities and for event promotion.

EMAA Representative Zac Summers verified the affiliate program will be similar to the Eagle Mountain City Chamber of Commerce tiered partnership program.

Councilmember Love inquired if groups approved by EMAA would be allowed free use of City facilities and expressed concern regarding a reduction in revenue to the City.

Councilmember Burnham expressed concerns regarding the verbiage in paragraph 3 and recommended changing "requesting assistance from" to "working in conjunction with" to clarify privileges are contingent upon application approval by EMAA.

Councilmember Curtis concurred with Councilmember Burnham's suggestion. He verified that groups may approach EMAA directly without a referral from the City and recommended the addition of a dissolution timeframe clause.

Councilmember Clark concurred with the recommendations to amend the verbiage in paragraph 3 to include a dissolution timeframe clause.

Mr. Summers explained the affiliate application process for the tiered program to vet groups and events before approval.

Mr. Cook expressed concern regarding the inclusion of the word affiliate due to legal connotations of the term and recommended broad terminology. He suggested verbiage to clarify that privileges are contingent upon approval by EMAA while preventing the unintended inference of legal affiliation or partnership requirements and liabilities.

Mr. Summers said a 90-day dissolution timeframe would be sufficient for their contract requirements.

Councilmember Curtis recommended a three-year timeframe for the contract.

Councilmember Clark expressed concern that a 90-day time period may be insufficient due to royalties and rental agreements and recommended a six-month cancelation period.

Ms. Kofoed requested that EMAA provide adequate notification to the City Events Department to facilitate scheduling.

Councilmember Clark concurred with Ms. Kofoed's scheduling notification request and advocated for staff to refer art-related facility use requests to the EMAA to mitigate scheduling conflicts.

The City Council determined to amend the agreement to include a 180-day dissolution clause and to retain a three-year term for the agreement.

Mr. Cook stated he emailed an updated draft of the agreement to the Councilmembers with the amended terms.

10. BID AWARDS

10.C. Spoils Pile Removal – Arrow Engineering

City Engineer Chris Trusty explained that excavation spoils were placed on City property during the construction of the Facebook winter storage ponds. This bid is for the removal of the spoils pile from City property; Facebook has agreed to finance the removal.

14. RESOLUTION

14.A. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Amending and Adopting the 2020 Eagle Mountain City Parks, Trails & Open Space Master Plan.

Parks and Recreation Director Brad Hickman explained the intent of the document is to envision the parks and open space identity desired by the City. The process included gathering data to inventory the existing amenities and to create a classification system. A trails and transportation assessment and open space and wildlife consideration are included in the plan. He stated that several of the goals of the 2009 Parks, Trails, and Open Space Master Plan have been achieved. The current Parks, Trails, and Open Space Master Plan provides the opportunity to plan, create, and preserve systems to achieve the parks, trails, and open space vision for the City's future.

Mayor Westmoreland noted the difficultly in creating a long-term City vision; however, a plan is necessary to implement the values and to secure and preserve a high quality of life for residents. Individuals have diverse interpretations and requests of the City, and the plan assesses and implements the comprehensive desires of the residents. The plan sets expectations and goals to protect the natural interests and qualities of the City. He expressed his support for the overall vision of the proposed plan.

Mr. Hickman stated he compiled a list of the comments he had received from the City Councilmembers and noticed recurrences in expressed concerns. The comments included concerns regarding urbanism, air quality, recommendations, emphasis on bikes as transportation rather than recreation, and community events. Suggestions also included verbiage changes. He noted residents also submitted comments regarding wildlife preservation.

Councilmember Burnham expressed concern regarding the recommended removal of bike facilities from the plan, as bike lanes and trails are used for recreation in addition to transportation. She stated survey results indicated bikes are the second most common method of traveling to City parks. Walking was the number one method and vehicles were number three. She expressed her support of the goal to encourage physical activity. She did not object to the recommendation to amend "encourage" to "facilitate" but advocated to retain the word "daily."

Councilmember Curtis stated he disagreed with the inclusion of dedicated bike facilities in the plan due to the resulting infrastructure investment; he prefers the use of funds for park installation and improvement. He expressed concern regarding the inclusion of neo urbanism terminology, as the philosophy's goal is to urbanize suburban areas; urbanization is undesired by City residents. He stated the plan also promotes climate change agendas.

Mayor Westmoreland explained that the plan is not intended to control resident vehicular use nor to urbanize the City. The purpose of the plan is the opposite and is meant to protect natural resources and quality of life.

Councilmember Clark recommended changing the wording of the plan's goal from "encourage" to "facilitate" due to her view that the role of government is to provide healthy options and to allow residents the liberty of choice rather than prescribing behavior. She expressed concern regarding the verbiage in the goals that encourages non-vehicular transportation and clarified that her concern regarding the installation of road lanes for bike-only use is due to the expense. She objected to the inclusion of language that excludes individuals with special needs and other populations.

Councilmember Burnham stated she understands Councilmember Clark's reasoning for requesting the removal of the word "daily"; however, she objects to the removal of the bike language as it is a vision document and removing the language is exclusionary to residents that use bikes.

Discussion ensued regarding the inclusion or exclusion of bike facility language due to budgetary concerns and use popularity. Councilmember Clark expressed concern regarding the impact of the language in the plan to Municipal Code and the City budget.

Mayor Westmoreland stated that once a city is urbanized, the municipality loses opportunities and it is difficult to retroactively install infrastructure. Eagle Mountain has the rare opportunity to protect and plan for recreation amenities like bike transportation routes. Permanently losing wildlife and agricultural land uses to development is one of his biggest concerns.

Councilmember Clark stated she concurs with the desire to preserve open space. She advocated for evaluating the park location layout in the City in order to replicate desired uses.

Mr. Hickman stated he reviewed the plan and noted park discrepancies in the City including the lack of specific park types in some areas. His desire is to secure land in order to ensure an adequate level of service (LOS) and appropriate park dispersion throughout the City.

Councilmember Clark advocated for the discussion to focus on extrapolating the data in the plan to rectify insufficient levels of service.

Councilmember Curtis stated his desire to remove problematic language and methodology prescriptions in order to focus on facilities and plan implementation.

Councilmember Love objected to the suggested removal of pickleball courts from the plan due to the popularity of the sport. She inquired about the recommendation to focus on regional and community parks and advocated for the installation of open space and small parks near multifamily areas.

Mr. Hickman explained that the community spaces near multifamily units are usually not owned by or deeded to the City and can be best addressed with open space and park standard requirements during development approvals. He recommended focusing on inventorying and planning uses for the City-owned land.

Councilmember Clark stated she shares Councilmember Love's concern regarding the need for park space and amenities near multifamily units and concurs with the recommendation to retain open space and small park standard requirements for high-density units. She further recommended limiting fee-in-lieu donations for multifamily developments.

Councilmember Love expressed concern regarding trail connectivity interruptions and recommended evaluating trail connectivity between neighborhoods during development approvals. She stated her appreciation for the natural trail system in the Hidden Hollow area and suggested installing wayfinding signs along the natural trails.

Assistant City Administrator/Community Development Director Steve Mumford stated that the Municipal Code requires trail connectivity to existing City and natural trail systems and the standards will facilitate the implementation of the vision for the City's trail system.

Councilmember Clark inquired if the installation of trail connectivity can be required across undeveloped property for continuity.

Mr. Cook stated that requiring the installation of trail connections on undeveloped land depends upon land ownership, easement rights, and the proportionality of the requested connection in relation to the size and density of the development.

Councilmember Clark asked if ADA requirements obligate the City to provide trail connectivity across undeveloped land.

Mr. Cook stated ADA requirements include sidewalk compliance standards. It is difficult to create standard requirements that apply to all situations due to variance in connectivity length, ownership, and other variables. Each case will need to be evaluated individually.

3. ADJOURN TO A CLOSED EXECUTIVE SESSION

No closed session was held. Mayor Westmoreland adjourned the meeting at 6:05 p.m.

7:00 P.M. POLICY SESSION – VIA LIFESIZE ELECTRONIC MEETING

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

CITY STAFF PRESENT ELECTRONICALLY: Paul Jerome, City Administrator/Finance Director; Steve Mumford, Assistant City Administrator/Community Development Director; Pete Kane, Long-Range Planning Manager; Michael Hadley, Planning Manager; Fionnuala Kofoed, City Recorder; Elizabeth Fewkes, Recording Secretary; Chris Trusty, City Engineer; Aaron Sanborn, Economic Development Director; Jeremy Cook, City Attorney; Brad Hickman, Parks and Recreation Director; Mack Straw, Public Utilities Manager; Zac Hilton, Streets and Storm Drain Manager; Jeff Weber, Fleet and Facilities Operations Director; Ross Fowlks, Fire Chief; Linda Peterson, Communications Director; Angela Valenzuela, Human Resource Manager; and Robert Ballif, Engineering Assistant.

4 CALL TO ORDER

Mayor Westmoreland called the meeting to order at 7:05 p.m.

5. PLEDGE OF ALLEGIANCE

City Recorder Fionnuala Kofoed led the Pledge of Allegiance.

6 INFORMATION ITEMS/UPCOMING EVENTS

- Free meals for seniors are available at the Eagle Mountain Senior Center, Monday through Thursday from 12:00 to 12:30 p.m. Reservations are required. Details about the program are available on the City website.

- Free fall cleanup dumpsters will be provided for Eagle Mountain residents on the west side of Wride Memorial Park off of Mid Valley Road from September 17 to 20, 2020. Details are available on the City website.

- Facebook's Eagle Mountain Data Center is accepting applications through October 16, 2020, for Community Action Grants. 501(c)3 organizations and schools are eligible to apply. The application and details are available on the Eagle Mountain Data Center Facebook page.

- 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 7:08 p.m.

Bettina Cameron with the Eagle Mountain Nature and Wildlife Alliance thanked the City and MHTN Architects for their work and efforts in creating the Eagle Mountain City Parks, Trails, and Open Space Master Plan and for making the amendments requested during the previous meeting. She advocated for the City Council to vote in favor of the recommended 330-foot wide wildlife corridor and the recognition for Shon Reed's efforts with the Kestrel project. She requested that the City Council capitalize on this opportunity to determine and implement the desired City branding. She suggested incorporating a conservation easement on dedicated areas of open space to protect the land, especially along the wildlife corridor. She expressed concern regarding the development of open space dedicated to the Ranches Golf Course, and requested the City reject the removal of the language promoting recreational events.

Councilmember Clark requested clarification regarding Ms. Cameron's comments regarding City branding.

Ms. Cameron explained that her comment was due to redline comments in the draft document regarding rebranding. She loves Eagle Mountain not only due to the open space but also the community events and feels small events promote community identity, pride, and unity. She recommended implementing the plan in a way that incorporates the City's unique, natural identity and the priorities indicated by resident surveys.

Mayor Westmoreland closed public comment at 7:22 p.m.

8. CITY COUNCIL/MAYOR'S ITEMS

Councilmember Love
None.

Councilmember Burnham
Councilmember Burnham announced that her granddaughter was born on Thursday, September 10, 2020.

Councilmember Curtis
None.

Councilmember Clark
Councilmember Clark thanked the residents participating in the meeting and thanked Eagle Mountain Nature and Wildlife Alliance for their involvement and efforts to preserve open space. She requested that residents check on and support each other during these difficult times and to be mindful of and to nurture each other's mental health. She stated new Ham radio operators were certified on Saturday, August 29, 2020. Be Ready Eagle Mountain will be holding another parking lot Ham certification exam on Saturday, November 7, 2020.

Mayor Westmoreland
Mayor Westmoreland expressed appreciation for Councilmember Clark's comments. He requested that residents support, assist, and be patient with each other and encouraged residents to enjoy the City's natural and park amenities.

CONSENT AGENDA

9. AGREEMENTS

9.A. Cooperation Agreement for Visual and Performing Arts – Eagle Mountain Arts Alliance

10. BID AWARDS

10.A. Eagle Mountain Boulevard and Aviator Avenue Traffic Light Installation – Landmark Excavating

10.B. 2021 Ford F-350 Crew Cab and Chassis, and 2021 Ford F-250 Crew Cab Super Duty – Ken Garff Ford (State Contract)

10.C. Spoils Pile Removal – Arrow Engineering

11. BOND RELEASES

11.A. Cedar Corners Phase A, Plat 2 – Out of Warranty

11.B. Eagle Point Town Homes Plat B – Out of Warranty

11.C. Evans Ranch Plat G-1 – Out of Warranty

11.D. Evans Ranch Plat H-1 – Out of Warranty

11.E. Evans Ranch Plat K-3 – Out of Warranty

11.F. Sage Park Phase A, Plat 1 – Out of Warranty

11.H. Sage Park Phase A, Plat 4 – Into Warranty

11.G. Evans Ranch Plat C-1 – Into Warranty

12. CHANGE ORDERS

12.A. Waste Water Treatment Plant Expansion Change Order #1 – FX Construction

13. MINUTES

13.A. September 1, 2020 – Regular City Council Meeting

MOTION: ***Councilmember Burnham moved to approve the consent agenda with the amendments to item 9.A. per the email from City Attorney Jeremy Cook. Councilmember Curtis seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, and Carolyn Love. The motion passed with a unanimous vote.***

SCHEDULED ITEMS

14. RESOLUTION

14.A. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Amending and Adopting the 2020 Eagle Mountain City Parks, Trails & Open Space Master Plan.

Mayor Westmoreland introduced the item and explained the purpose of the plan is to serve as a guiding document based upon the City's goals and vision for the future. The plan does not serve as a land use document nor is it codified, rather, it assists with protecting and preserving the unique attributes and the resiliency of Eagle Mountain's current and future residents.

Parks and Recreation Director Brad Hickman requested feedback to ensure the document accurately represents the desired vision for the City and facilitates the implementation of that vision.

Mr. Hickman stated Ms. Cameron's concerns expressed during the previous meeting had been resolved with edits to the document. The width of the wildlife corridor was amended to correctly reflect the recommended 330-foot/110-yard width, the name of the Eagle Mountain Nature and Wildlife Alliance had been corrected, and notation regarding the Kestrel Project had also been added.

Councilmember Clark recommended including language from the 2009 plan regarding gardens, crops, and orchards into the current document and advocated for the exclusion of or appropriate precautions when planting nut trees due to food allergy concerns.

Councilmember Curtis clarified his concerns regarding dedicated bike facilities were due to the cost of the requisite infrastructure investment and scope of implementation and felt that the funds should be allocated to other amenities utilized by a larger percentage of the community.

Mayor Westmoreland stated obtaining funding for City projects is one of his greatest focuses and concerns. He shared that the City was awarded the number one Mountainland Association of Government (MAG) funded project for the first time in the City's history which is meaningful as it requires and demonstrates support and respect for the City from other municipalities.

Assistant City Administrator/Community Development Director Steve Mumford explained that air quality improvement is one of the criteria on the MAG qualification list. Bike lanes improve the overall project score, which increases the likelihood of obtaining funding. MAG has federal funds specifically allocated for trails or other non-vehicular uses including bike facility projects.

Discussion ensued regarding bike facility funding concerns including impact fee allocation and other internal and external revenue options.

City Administrator Paul Jerome stated that for an item to be impact fee eligible, it must be included in the impact fee facility plan (IFFP) and projects must be able to be completed during the six-year funding eligibility window. The probable cost of specific projects is calculated prior to being added to the IFFP to ensure funding. He stated that MAG has funding available specifically for trails and bike lanes. Should the City determine to install bike facilities, the funds will be obtained for the specific project rather than reallocated from funds intended for parks and other amenities.

City Engineer Chris Trusty concurred that the funding for bike transportation would be obtained from different revenue sources than park amenities, and the intended use of impact fees must be specified in the IFFP. The inclusion of bike lanes had been a beneficial factor of consideration when the City received MAG funding for the Pony Express Parkway expansion project.

Councilmember Burnham stated she is in favor of retaining bike facilities in the plan's verbiage.

Councilmember Curtis stated he understands the mechanism of obtaining MAG funding and inquired regarding the City's intent and scope of implementation regarding allocating City funds, that can be used for other amenities, for bike facilities.

Mr. Mumford stated the City has a Bike and Pedestrian Master Plan that includes detailed plans for City bike trails, systems, and lanes. He said the intent of the bike verbiage in the parks and open space plan is to offer options and park and trail and connectivity. The park and open space plan excludes the level of investment intended for bike facilities and the trail maps exclude bike lanes. Staff plans to update the Bike and Pedestrian Master Plan and funding concerns can best be addressed with that plan.

Mayor Westmoreland explained the park and open space plan identifies options for the City; however, the plan does not prescribe the decisions the City will make regarding the options provided.

Mr. Jerome stated impact fees have not always been available for transportation expansion and General Funds have been used for projects deemed necessary. The Bike and Pedestrian Master Plan will offer options to decreases the strain on the City roads, but bike lanes are not considered a necessity. The funding of recommended projects will be determined according to the prerogative of the elected officials. He noted that bike lanes also provide a safe emergency lane for motorists.

Councilmember Clark expressed her support of allowing other modes of transportation, including horseback and multipurpose lanes, without removing money from other amenities.

Councilmember Love stated her favor to retain the language regarding bike lanes as the City Council has the prerogative to determine the amount of money to invest in bike facilities.

Mayor Westmoreland stated the park plan provides options to address parking concerns.

Mr. Hickman concurred with the importance of securing areas to provide adequate parking and to address concerns regarding trailhead connections to bike trails throughout the City.

Councilmember Curtis stated that his objections to transit stops are related to funding and the urbanization of the City. He clarified that should the City adopt transit, he would be in favor of park transit stops; however, in order to support transit, cities require high density. His vision for the City does not encourage mass transit, although he concurs that the City should prepare for the future possibility of transit, including right-of-way considerations.

Discussion ensued regarding mass transit.

Mayor Westmoreland stated the document is meant to provide options for potential implementations, not absolutes. He advocated for preparing for as many eventualities and scenarios as possible including undesirable outcomes and emergencies.

Councilmember Burnham stated as residents had indicated bikes as a utilized method of transportation within the City to access park facilities, the option may not need to be prioritized, but non-vehicular, active methods should be included or encouraged considerations.

Mayor Westmoreland advocated against aggressively promoting either active transportation or recreation.

Councilmember Clark requested verifying the survey data regarding park access as she believed that vehicular transportation had not been included as an option.

Mr. Hickman clarified that vehicular transportation was not included as a mode option in the survey but could have been added as a write-in option.

Councilmember Curtis expressed concern that as vehicular transportation was only included in the document once and active transportation was included 38 times, he felt the document advocated against vehicle use in an attempt to prescribe behavior.

Councilmember Love suggested excluding a specific purpose of either transportation or recreation for bike facilities.

Councilmember Burnham stated that as it is a parks plan, active transportation will be included more frequently than vehicular uses.

Mayor Westmoreland concurred with Councilmember Burnham's assessment regarding the exclusion of vehicular transportation considerations in the document.

Mr. Hickman stated the transportation and recreation references can be removed to reduce interpretation if desired by the City Council; however, the implications will be retained in the document. He requested feedback from the City Council regarding suggested verbiage amendments.

Councilmember Clark advocated to replace the word "sustainability" with "resiliency" in the guiding principles and goals.

Councilmembers Love and Clark recommended replacing "sustainable" with "fiscally responsible" in the resilient approaches.

Councilmember Burnham advocated against the recommended removal of "design spaces for people to live, work, and play that accommodate spaces for wildlife to thrive" and "light, water, and air pollution" from the Vision Statement, Guiding Principles, and Goals.

Councilmember Curtis explained his recommendation to remove the verbiage is because “live, work, play” is a neo urbanism tagline and expressed concern that the inclusion of the phrase promotes neo urbanism ideals and philosophies.

Councilmember Burnham advocated for retaining the verbiage as it is a common phrase not exclusive to neo urbanism.

Councilmember Clark stated appreciation for Councilmember Curtis’ concerns and creating awareness of the philosophies but expressed support of the phrase as it represents and encourages the City brand and vision.

Councilmember Burnham clarified that the intent was to remove the politically problematic language “light, water, and air pollution” to amend the goal to be, “use data to monitor and course correct adverse impacts.” The other Councilmembers concurred with the suggestion.

Discussion ensued regarding the suggested verbiage amendments and comments regarding potential funding mechanisms.

Mr. Hickman noted that several Councilmember comments in the draft document indicated concerns regarding potential developer incentives.

Councilmember Burnham recommended not defining developer incentives in order to provide flexibility and to prevent developers from expecting increased density.

Councilmember Curtis concurred and clarified his comments were due to increased density concerns.

Discussion ensued regarding concerns relating to granting increased density in trade for amenities.

Councilmember Clark requested the removal of the recommended policy to “provide a program that allows the City to trade higher density with developers for community or regional parkland contributions” to allow the City Council to address each case individually.

Mayor Westmoreland stated that the implementing of a plan rather than evaluating on a case to case basis allows the creation of standards and criteria.

Discussion ensued regarding the inclusion or exclusion of a density program in the parks and open space plan and concerns regarding the impact to land use Municipal Code policies and standards. The City Council determined to revisit the suggestion to amend the verbiage from “provide” to “consider" or to remove the verbiage regarding the program to trade higher density at a future meeting.

Mayor Westmoreland stated he understood Ms. Cameron's comments to be indicative of her desire for open space and wildlife preservation to be a part of the City's identity and central to City branding. He concurred with her recommendations as he is also passionate about preserving and promoting the City’s unique, natural aspects.

Councilmember Curtis expressed concern regarding promoting the idea of a recreation center due to the requisite tax increases and advocated for informing the public of the tax impact of a recreation center.

Mayor Westmoreland stated the plan indicates the possibility, not a promise of a recreation center, and that before the pandemic the City had explored recreation center costs and ramifications. He said the City intends to provide the information to the residents regarding recreation center options; however, the timetable for the availability of the data is a year or two in the future.

Councilmember Curtis advocated focusing on an outdoor pond rather than a pool facility due to the lower cost and an outdoor pond's alignment with City branding.

Mr. Mumford stated the survey results indicated a preference for a recreational pond of 59 percent, a swimming pool of 51, and a recreation center of 48 percent.

Councilmember Clark agreed that a recreational pond supports the City's outdoor identity and goal of financial responsibility. She requested to revisit a conservation easement at the next meeting.

Councilmember Curtis requested clarification regarding the legal implications and perpetual protection of a conservation easement.

Mr. Cook stated that a conservation easement and other options are available to protect open space from future development.

MOTION: ***Councilmember Burnham moved to table a Resolution of Eagle Mountain City, Utah, amending and adopting the 2020 Eagle Mountain City Parks, Trails, and Open Space Master Plan until a future meeting. Councilmember Curtis seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, and Carolyn Love. The motion passed with a unanimous vote.***

15. CITY COUNCIL/MAYOR'S BUSINESS

16. CITY COUNCIL BOARD LIAISON REPORTS

17. COMMUNICATION ITEMS

17.A. Upcoming Agenda Items

17.B. Financial Report

18. ADJOURNMENT

MOTION: ***Councilmember Clark moved to adjourn the meeting at 9:24 p.m. Councilmember Curtis seconded the motion. Those voting aye: Donna***

Burnham, Melissa Clark, Colby Curtis, and Carolyn Love. The motion passed with a unanimous vote.

The meeting was adjourned at 9:24 p.m.

Approved by the City Council on October 6, 2020.

Fionnuala B. Kofoed, MMC
City Recorder

CORPORATE SEAL
EAGLE MOUNTAIN
EST. 1996
STATE OF UTAH