EAGLE MOUNTAIN
CITY COUNCIL MEETING MINUTES

August 4, 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, Jared Gray, and Carolyn Love.

CITY STAFF PRESENT ELECTRONICALLY: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Steve Mumford, Assistant City Administrator/Community Development Director; Pete Kane, Long-Range Planning Manager; Michael Hadley, Planning Manager; Jessa Porter, Planner; Fionnuala Kofoed, City Recorder; Elizabeth Fewkes, Recording Secretary; Chris Trusty, City Engineer; Jeremy Cook, City Attorney; Mack Straw, Public Utilities Manager; Zac Hilton, Streets and Storm Drain Manager; Linda Peterson, Communications Director; and Angela Valenzuela, Human Resource Manager.

Mayor Westmoreland called the meeting to order at 4:05 p.m. and stated the meeting was being held remotely.

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.

1. CITY ADMINISTRATOR INFORMATION ITEMS

1.A. PRESENTATION – Envision Utah Valley Visioning Project

Cameron Martin, Committee Chair of Valley Visioning and member of the Utah Valley Chamber of Commerce, introduced Envision Utah representatives Ari Bruening, Leota Coyne, and Ryan Beck, and Holly Harwood with the Eagle Mountain Chamber of Commerce. In 2008, the Associations of Utah Valley Chambers of Commerce united with Utah Valley University and Brigham Young University to create the Valley Visioning Project to manage the rapid growth of Utah County, recognizing the individual needs of various communities, to better coordinate and address issues. Valley Visioning also advocates for the combined priorities of Utah County to the State Legislature. Envision Utah is currently collecting feedback through town hall and city council meetings.

Envision Utah President and CEO Ari Bruening presented a summary of the phases of the project. Phase One involved obtaining growth ideas through twelve public workshops across Utah Valley and an online survey, with a total of 3,149 participants. The groups discussed desired outcomes for housing, transportation, air quality, agriculture and open space, water quality and quantity, and workforce and education.

During Phase Two, Valley Visioning utilized online surveys and public workshops to obtain feedback from 11,000 people regarding the scenarios developed from Phase One data. The scenario options considered were Current Conditions—growth continues as it has for the last 20 years with 10 percent support; Organized Centers—growth occurs in mixed-use centers near high-capacity transportation with 32 percent support; Westward Growth—growth primarily occurs west of Utah Lake and into Cedar Valley with 25 percent support; Southern Growth—growth primarily occurs south between Provo and Santaquin with 12 percent support; and Urban Infill—growth is primarily accommodated in existing urban areas with 21 percent support. Although the support for the desired growth strategy varied, 90 percent of the participants favored a new growth strategy over a continuance of current growth trends.

Phase Three of the project focused on developing the following vision statement that incorporates the desired goals of residents: As Utah County residents, we envision a future in which we provide convenient transportation choices, support housing options, provide open space and recreation opportunities, support local agriculture, manage water wisely, foster a well-educated population, and ensure clean air. The goals were incorporated into a transportation and land use investments map in conjunction with individual city and Mountainland Association of Governments (MAG) transportation plans. A public release of the Valley Visioning project is scheduled for the fall of 2020.

Councilmember Clark expressed concern regarding a disproportionate number of survey respondents representing the southern region of Utah County. She said that the survey format was confusing and may have skewed results, as the desired outcomes do not directly align with the growth strategy scenarios.

Mr. Bruening stated random sampling was used to ensure geographical representation and explained the desired outcomes are considered separately from the scenarios.

Mr. Martin explained the plan is fluid and will be updated annually. Information was obtained through the consideration of each scenario option, and the adopted growth strategy will include elements from multiple scenarios.

2. CONCEPT PLANS

2.A. DISCUSSION – Hoofbeats to Healing (Concept Plan and Rezone)

Long-Range Planning Manager Peter Kane presented the concept plan and rezone application for the Council's review and stated the rezone request for the property is scheduled for the next policy session. The applicant is seeking to rezone 27.37 acres from Residential to Agriculture. The concept plan proposes the development of an equine-assisted therapy center. The City Council approved a rezone of the property from Agricultural to Residential in 2018. The rezone is necessary because the desired use is a conditional use in the Agriculture zone and is not permitted in the Residential zone. The existing single-family home on the property will remain a residential dwelling, and the applicant intends to construct a 44,000-square foot riding arena, a 28,500-square foot stall barn, and a 6,000-square foot hay barn. The remaining property will be open pasture for the horses and therapy sessions.

The property is bordered by Lake Mountain Road to the west, and the plan proposes a 50-foot wide roadway on the north end of the property. This will provide access to the residential unit and therapy parking area. The power line corridor, which is designated as Parks and Open Space on the Future Land Use Map, is located to the west and crosses the northwest corner of the property. The remaining area is designated Agricultural/Rural Density 1; the requested zone is consistent with these land uses. The land to the west, east, and south of the property is designated and used for large-lot residential purposes. The land to the north and farther northeast is open space owned by the Bureau of Land Management.

If rezoned, the property will have less impact on City services than a residential development. The total estimated traffic load is 200 daily trips, and the 100-stall parking lot shown in the concept plan will be reduced to approximately 40 parking stalls. The facility is not intended to be used as an equestrian center or commercial riding arena. The large amounts of open space and pasture on the property should have a positive impact on property values.

The Planning Commission unanimously recommended approval of the rezone to the City Council with the following conditions: the area of land within the powerline corridor shall be preserved as open space for a possible future regional trail, and the applicant shall install raptor nesting boxes on the property, in consultation with Hawk Watch and the Eagle Mountain Kestrel Project. Mr. Kane explained the conditions were included in the 2018 Residential rezone approval.

Mr. Kane verified the proposed north end roadway will be a paved, public road which will provide access to the approved residential development east of the property. The applicant intends to pave a portion of Lake Mountain Road.

Councilmember Gray verified that there are no open space requirements for agricultural areas and asked if a 50-foot road width met Municipal Code standards.

Applicant engineer David Peterson explained the Fire Marshall requires Lake Mountain Road to be paved, and the width of the roadway will adhere to City standards. Horse trailers will most likely be parked in the pastures near the barn, rather than in the parking lot.

Applicant Tami Clegg explained the background of Hoofbeats to Healing and stated she is looking for a permanent location. The current facility must be relocated due to a Utah Department of Transportation road expansion.

2.B. DISCUSSION – Rush Creek Development (Concept Plan)

Mr. Kane explained the concept plan presented to the Council at the meeting was received during the last hour and is different than what was presented to the Planning Commission. The development encompasses three parcels of land east, southwest, and west of Eagle Mountain Boulevard. The land use concept plan as outlined will include 69.63 acres of Neighborhood Residential 1 (NR1), 21.63 acres of Neighborhood Residential 3 (NR3), 66.67 of acres Employment Center/Campus (ECC), 9.04 acres of Neighborhood Commercial (NC), 40.78 acres Business Park/Industrial (BPI), and 27.29 acres for a right-of-way for a UDOT highway. An additional concept plan for the NR1 portion of the property includes approximately 200 quarter-acre lots, open space areas, and pedestrian access routes. The overall density would be 2 to 3 units per acre. Residential developments, including Overland Village 6, have been approved for the areas south and southeast of the property and a commercial storage development has been approved for the adjacent area south of the property and east of Eagle Mountain Boulevard.

Limited information is available regarding connectivity for the potential lots and roadways for the western portion of the subject property. Overland Village 6 to the east has a trail connection with this area but is not included in the concept plan. The road alignments in the concept plan now align with the City's Master Transportation Plan. The General Plan has identified the entire subject property as ECC. Most of the land uses in the concept plan meet this future land use designation. The proposed NR1 designation (which includes R1, R2, and R3 zoning) is not compatible with the General Plan. The properties to the east and southeast of this portion have a land use designation of NR1.

The Planning Commission reviewed the concept plan on July 28, 2020, and expressed concern regarding allocating a large area to residential that has been identified in the General Plan for an ECC. The Commission discussed replacing the single-family homes with multifamily units where residential area abuts commercial and employment center. They acknowledged that land use designations that encompass significant amounts of land will likely need a mix of uses and requested that a trail connection be placed through Overland Village 6 to Wride Memorial Park. Mr. Kane stated several of the Planning Commissioner's concerns have been addressed in the updated plan.

Mr. Kane explained the General Plan includes large portions of land with single-use designations; however, those areas will require additional uses to support and sustain the designated development.

Councilmember Gray stated his desire to see a plan for the commercial area before approving residential development.

Councilmember Love stated the residential zoning looks out of place and inappropriate for the area; she would not oppose a small amount of residential property to serve as a buffer between Overland and this project. She concurred with Councilmember Gray that the residential uses should be developed in tandem with, not prior to, the ECC development.

Councilmember Curtis expressed appreciation to the applicant for increasing the ECC acreage; however, the intent of the project appears to be the residential development. He stated residential use is not desirable for the area. If residential development is included, it should be compatible with other uses in the area, such as dormitories in association with educational uses or housing support for a large employer. Locating residential uses in the center of a commercial development is not in harmony with the General Plan. He would consider supporting the Business Park zone and believes the Medical/Educational Campus zone or Office Professional zone are most appropriate; Light Manufacturing/Distribution zone (LMD) might be appropriate on the peripheries of the property.

Councilmember Gray concurred with Councilmember Curtis's suggested Business Park zone uses.

Councilmember Clark said she agreed with most of the previous comments and noted future growth considerations for the City. This is a crucial location for the City and has great potential; the projects need to be carefully considered in relation to City growth.

Councilmember Burnham agreed with most of the comments and stated R3 may be appropriate near the highway to serve as a buffer between uses. She recommended relocating the uses and said the project proposed too many residential units; R1 is an inappropriate use for the area.

Applicant representative Dan Ford thanked staff for accommodating the late submission of the updated plan, which was drafted based upon the Planning Commission feedback. He explained the economically viable commercial development potential is limited and unlikely to attract business park uses until the highway is installed. R3 zoning has not been included in the original proposal; however, he is interested in the Planning Commission's recommendation for multifamily uses. He currently has interested parties for business park industrial uses and due to the vast size of the area, the ability to incorporate residential uses will help to utilize the full acreage. He desires to reserve property near the future highway access points and protect the prime commercial locations for future growth, while moving forward with currently viable development use options.

3. AGENDA REVIEW

12. RESOLUTIONS

12.A. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Amending the Policies and Procedures Manual to Adopt a Remote Work Program.

Councilmember Love requested to modify section K to clarify that the Remote Work Program is voluntary, except in certain circumstances, such as the pandemic, building repairs, or other issues that may arise. She said she received a copy of the remote work agreement from Human Resource Manager Angela Valenzuela and requested to table the item to provide time to review it, to address concerns with the amendment, and to compare the City's remote work agreement with other entities' remote work agreements.

Councilmember Clark concurred with the request to table the item to provide additional time to review the terms of the agreement in comparison with other remote work programs she has experience with.

12.B. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving a Cooperative Agreement between the Utah Department of Transportation and Eagle Mountain City for the Placement of Two Engine Brakes Restricted Signs on Wride Memorial Highway.

City Engineer Chris Trusty stated the agreement is for the placement of signs to restrict the use of engine breaks along Wride Memorial Highway at the northern and southern boundaries of the City, near 4000 North and Pole Canyon Boulevard, respectively. He explained the City has permitted engine breaks in the past; however; this section of the highway has less traffic than other areas, and City staff has received concerns regarding engine breaks several times. The restriction only applies to non-emergency situations.

Councilmember Gray stated that although he is sensitive to impacted residents, restricting the ability of a truck driver to stop the vehicle creates safety concerns. It decreases the stopping distance by half, and the decibel of engine breaks does not exceed the permissible noise ordinance. Even though drivers are permitted to use engine breaks in emergency situations, the restriction remains problematic, as the driver must look away from the road to employ the switch to engage the engine breaks. It is unlikely drivers will have adequate time to make the transition in an emergency.

Councilmember Curtis stated engine breaks are unnecessary in residential areas if speed limits are followed. Municipal Code prohibits the use of engine breaks, and the signage supports existing standards, rather than creating new ones.

Councilmember Clark expressed appreciation for Councilmember Gray's driving experience but agreed with Councilmember Curtis. Drivers are using engine breaks inappropriately in her neighborhood and are adversely impacting residents; the signage will serve as a reminder to truck drivers and will facilitate Municipal Code enforcement.

Mr. Trusty explained that UDOT will conduct a study to verify the signage and will be responsible for sign placement, if warranted. The City will reimburse UDOT for material and installation costs and will be responsible for enforcement, which can be difficult as citations can only be issued when the infraction is observed.

Councilmember Gray requested for the item to be removed from the consent agenda and placed as a scheduled item to allow for further discussion.

12.C. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving an Agreement between Mountainland Association of Governments and Eagle Mountain City to Provide Meal Services for the Senior Center.

City Recorder Fionnuala Kofoed explained the original agreement expired and this agreement will extend the contract for two years with the same terms. Due to the pandemic, the meal service has increased from two meals a week to four, which will impact the cost of the service. The meals are funded through participant contributions, City donations, and MAG, and the Events Department employees are assisting with providing the service.

12.D. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving an Interlocal Agreement between Eagle Mountain City, the City of Saratoga Springs, and Utah County for Substance Misuse Prevention Services and Communities That Care Prevention Model.

Mayor Westmoreland explained the service provides suicide prevention services to schools.

Councilmember Love verified the purpose was to improve public notification regarding the program.

Councilmember Burnham stated that Communities that Care offers outreach programs at school facilities.

Communication Director Linda Peterson stated Communities that Care works in conjunction with the Utah County Health Department and said she will research Spanish and ESL program offerings as requested by Councilmember Clark.

13. ORDINANCES

13.A. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Rezoning the Marketplace at Eagle Mountain Town Center Property to a Mix of Commercial Community, MF1, and MF2.

Assistant City Administrator/Community Development Director Steve Mumford explained the only change to the concept plan is the removal of the MF1 and MF2 designation of the future development area on the north portion of the property. The applicant has agreed to rezone the entire property to Commercial Community in order to allow the commercial development to move forward, with the intent to return to the Council with a rezone application for a future residential development area. He noted the concerns expressed by the Planning Commission have been addressed by the applicant.

14. AGREEMENTS

14.A. AGREEMENT – Consideration of an Employment Contract for the Position of City Administrator.

Councilmember Clark requested an explanation regarding closed sessions for the benefit of the public. Ms. Kofoed explained that State statute permits closed sessions to allow participants to speak freely for a variety of reasons. The City usually conducts closed sessions to discuss potential litigation, the sale of real property, or to discuss the professional competency of an individual. The closed session during this meeting is to discuss the professional competency of an individual. The reason for the closed session is required to be stated in the motion.

Councilmember Curtis asked if the candidate selection process can be discussed during the closed session or if only the competency of an individual may be discussed. City Attorney Jeremy Cook stated the process should be discussed during the public meeting and explained a vote cannot be held during the closed session; items must be approved during a public session. The purpose of the closed session is to allow the City Council to privately discuss an individual's competency.

Councilmember Gray inquired if the terms of the contract may be discussed during a closed session. Mr. Cook stated the terms of the contract need to be discussed during an open meeting.

Councilmember Curtis expressed concern that it would be difficult to discuss the terms of the contract during an open meeting.

Councilmembers Curtis, Gray, Love, and Clark expressed concerns regarding the succession plan process. Concerns included internal and external postings, public transparency, resident concerns, the terms of the agreement, and mayoral authorities granted in ordinance O-04-2006 Delegating Authority to the Mayor of Eagle Mountain to Adopt Operating Procedures for Eagle Mountain City Employees to Augment and Supplement the Personal Procedures of Eagle Mountain City.

Councilmember Clark requested that the succession policy be included on future City Council agenda for discussion.

Mr. Pili explained the purpose of the succession plan is to prepare and facilitate a transition in City leadership. It provides growth opportunities and promotes loyalty in City employees. He stated that most external applicants will not apply for a position against internal candidates. It did not make sense to search externally for a candidate simply as a formality when the City has an internal candidate qualified for the position. He stated the City Council maintains the authority to deny the agreement and search for an external candidate, should they determine the candidate recommended by the Mayor to be unsuitable. He assured the Council that nothing inappropriate or nefarious occurred in the recommendation of Mr. Jerome for the position of City Administrator.

Discussion ensued regarding the Councilmembers' concerns including clarifying the appointment process and the responsibilities of the Council to provide advice and consent during the selection process.

Mr. Pili stated Councilmember concerns regarding the mayoral powers and responsibilities should be discussed independently from an employment contract. The system of government within Eagle Mountain employs a City Administrator, who is generally appointed by the Mayor, rather than a City Council-supervised City Manager. As such, the existing City Administrator selection process, which predates the current administration, was appropriately followed. If the City Council dislikes the adopted process standards, they can take appropriate steps to amend the Municipal Code. He stated the City Council retains the power to vote for or against the candidate and said it is not appropriate for the Council to discuss the contract behind closed doors.

Councilmember Burnham said during her tenure, she has been involved in the selection process of two City Administrators and stated that Mr. Pili was also an internal hire. She noted some Councilmembers' desire for increased communication and expressed her opinion that, as the City Council had all voiced support for Mr. Jerome as a City Administrator, the Mayor likely had not felt the need for additional communication during the process. She concurred with Mr. Pili's recommendation to have the City Council vote upon an internal mayoral-proposed candidate prior to posting the position externally. She suggested the City Council adopt an external recruiting process to be implemented in the case that a satisfactory internal City Administrator candidate is not available for future appointments.

Mayor Westmoreland stated that concerns regarding communication was surprising, as Mr. Pili and he have had ongoing, frequent communication with the Councilmembers since Mr. Pili announced his acceptance of another position. Throughout the process, he has sought the advice of the proper authorities to ensure the process was followed correctly. He agreed clarifying the terms and responsibilities regarding "advise and consent" will be beneficial and advocated to appropriately address those concerns. During discussions with Councilmembers, none had expressed concerns regarding appointing Mr. Jerome as City Administrator.

Throughout the discussion, the Councilmembers individually noted that concerns expressed were regarding the process only, and stated support and approval of Mr. Jerome's competency and ability to fulfill the office of City Administrator. The Councilmembers also expressed the desire to discuss the succession process during a future meeting to implement clearer standards regulating internal and external candidate recruitment and better define the responsibilities of each body.

Mr. Cook recommended discussing concerns regarding the contract after the closed session, of which the purpose is to discuss the professional competency of an individual.

Councilmember Curtis suggested the closed session is unnecessary, as Mr. Jerome's competency is not in question.

Mr. Cook clarified that specific negotiation tactics and issues regarding the contract terms, such as salary, qualify the item for closed session discussions; other concerns regarding the agreement, which do not qualify for closed session discussion, should be discussed during policy session.

Discussion ensued and the City Council determined to hold the closed session.

4. ADJOURN TO A CLOSED EXECUTIVE SESSION

MOTION: ***Councilmember Curtis moved to adjourn to a closed session for the purpose of discussing the professional competency of an individual. Councilmember Gray seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.***

The meeting was adjourned at 6:29 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, Jared Gray, and Carolyn Love.

CITY STAFF PRESENT ELECTRONICALLY: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Steve Mumford, Assistant City Administrator/Community Development Director; Pete Kane, Long-Range Planning Manager; Michael Hadley, Planning Manager; Jessa Porter, Planner; Fionnuala Kofoed, City Recorder; Elizabeth Fewkes, Recording Secretary; Chris Trusty, City Engineer; Jeremy Cook, City Attorney; Mack Straw, Public Utilities Manager; Zac Hilton, Streets and Storm Drain Manager; Linda Peterson, Communications Director; and Angela Valenzuela, Human Resource Manager.

5. CALL TO ORDER

Mayor Westmoreland called the meeting to order at 8:07 p.m.

6. PLEDGE OF ALLEGIANCE

City Recorder Fionnuala Kofoed led the Pledge of Allegiance.

7. INFORMATION ITEMS/UPCOMING EVENTS

None.

8. PUBLIC COMMENTS

Ms. Kofoed noted the Recorder's Office had received a public comment in support of the Hoofbeats to Healing concept plan and rezone from resident Clarissa Tobiasson.

9. CITY COUNCIL/MAYOR'S ITEMS

Councilmember Burnham
Councilmember Burnham expressed gratitude for the technology that provides the ability to meet during difficult times and while she is out of town.

Councilmember Love
Councilmember Love thanked Mr. Pili for his service, commended him for his monumental impact on the City, and wished him and his family well in their new endeavors.

Councilmember Gray
Councilmember Gray said he had the privilege to tour the City with the Eagle Mountain Wildlife Group to discuss the corridor and other wildlife issues. He expressed appreciation for the passionate volunteer involvement of residents and the far-reaching impacts of their efforts. He thanked Mr. Pili for his honesty, service, and friendship.

Councilmember Clark
Councilmember Clark expressed her heartfelt appreciation to Mr. Pili for his example and work. She recognized Alpine School Board Representative Julie King for her efforts to keep the City Council and public informed and to implement pandemic-related school safety measures. She commended the Eagle Mountain Arts Alliance for the Story Walk event held at Nolen Park from 9:00 a.m. to 8:00 p.m. on Wednesdays from July 22 to August 18, 2020 and recognized their creative efforts to provide a safe activity celebrating the literary arts.

Councilmember Curtis
Councilmember Curtis recognized and addressed resident concerns regarding the appointment of the new City Administrator. He stated that despite differences in opinion and frustrations, he assured the public that no nefarious intentions or deceit occurred in the appointment process. He

said the differences were due to misunderstandings and variance in policy interpretations and expressed appreciation to all of those involved in the process.

Mayor Westmoreland left the meeting at 8:22 p.m. due to technical difficulties.

CONSENT AGENDA

10. BOND RELEASES

10.A. Sage Park Phase A, Plat 3 – Into Warranty

11. MINUTES

11.A. July 21, 2020 – Regular City Council Meeting

12. RESOLUTIONS

12.A. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Amending the Policies and Procedures Manual to Adopt a Remote Work Program.

12.B. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving a Cooperative Agreement between the Utah Department of Transportation and Eagle Mountain City for the Placement of Two Engine Brakes Restricted Signs on Wride Memorial Highway.

12.C. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving an Agreement between Mountainland Association of Governments and Eagle Mountain City to Provide Meal Services for the Senior Center.

12.D. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving an Interlocal Agreement between Eagle Mountain City, the City of Saratoga Springs, and Utah County for Substance Misuse Prevention Services and Communities That Care Prevention Model.

MOTION: ***Councilmember Clark moved to approve the consent agenda, removing item 12.A. from the agenda and removing item 12.B. from the consent agenda and placing it as a scheduled item. Councilmember Gray seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.***

SCHEDULED ITEMS

12.B. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving a Cooperative Agreement between the Utah Department of Transportation and Eagle Mountain City for the Placement of Two Engine Brakes Restricted Signs on Wride Memorial Highway.

Councilmember Gray expressed sympathy for affected residents; however, he objects to the agreement due to safety concerns.

MOTION: ***Councilmember Curtis moved to approve a Resolution of Eagle Mountain City, Utah, Approving a Cooperative Agreement Between the Utah Department of Transportation and Eagle Mountain City for the Placement of Two Engine Brakes Restricted Signs on Wride Memorial Highway. Councilmember Love seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, and Carolyn Love. Those voting nay: Jared Gray. The motion carried with a vote of 4:1.***

Mayor Westmoreland rejoined the meeting at 8:27 p.m.

13. ORDINANCES

13.A. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Rezoning the Marketplace at Eagle Mountain Town Center Property to a Mix of Commercial Community, MF1, and MF2.

Assistant Administrator/Community Development Director Steve Mumford reviewed the item presented during the work session and explained that the rezone request had been amended to rezone the entire property to Commercial Community with the understanding the applicant intends to bring forward a site plan and rezone request for a residential development in the northern portion of the property at a future date.

MOTION: ***Councilmember Gray moved to approve an Ordinance of Eagle Mountain City, Utah, Rezoning the Marketplace at Eagle Mountain Town Center Property to Commercial Community. Councilmember Burnham seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.***

14. AGREEMENTS

14.A. AGREEMENT – Consideration of an Employment Contract for the Position of City Administrator.

Mayor Westmoreland presented the item and explained City Administrator Ifo Pili has accepted a position with the City of Las Cruses, New Mexico. He said the City wished him luck and thanked him for his service and the culture of excellence he has established.

Mr. Pili thanked everyone for their kind words and said the City is being left in the hands of a capable team. During the two months that Mr. Pili was the interim City Administrator, the City searched externally for a candidate before finally appointing him as the official City Administrator. This experience led him to ensure that the City had qualified individuals to succeed himself. The City encourages staff to gain additional education, certifications, and qualifications through tuition reimbursement and training funding. He said Mr. Jerome is an International City/County

Management Association-credentialed city manager, former president of Government Finance Officers Association, and has a strong financial background. He expressed his support for Mr. Jerome's qualifications and capabilities in assuming the role of City Administrator.

Councilmember Curtis voiced support for Mr. Jerome and expressed appreciation for Mr. Jerome's passion for the City.

MOTION: ***Councilmember Love moved to approve employment contract for the position of City Administrator with the following modifications:***

1. ***The addition of "and a vote by the City Council" shall be added to the end of item 5; and***
2. ***Item 6 shall be amended to "Subject to City Code, Mr. Jerome shall work under the direction of the Mayor of Eagle Mountain City in the administration of City affairs; however, Mr. Jerome shall be responsive to the direction of the City Council as a body, as well as requests of individual members of the City Council, as long as such requests do not interfere with the administrative duties required by the Mayor in the performance of the day to day administration of the City."***

Councilmember Curtis seconded the motion.

Mr. Cook stated he did not have any concerns regarding the verbiage of the motion and reminded Mayor Westmoreland that he may also vote.

Those voting aye: Melissa Clark, Colby Curtis, Carolyn Love, and Tom Westmoreland. Those voting nay: Donna Burnham and Jared Gray. The motion carried with a vote of 4:2.

Councilmember Burnham stated she had concerns regarding the changes to Item 5.

Mayor Westmoreland expressed his understanding of Councilmember Burnham's concerns and stated he shared her concerns to some extent. He stated he has full faith and confidence that concerns regarding the agreement may be resolved.

Councilmember Gray clarified that he is in favor of Mr. Jerome's appointment and his nay vote was due to concerns regarding the motion. He stated he had advocated to remove a line in the agreement requiring a one-year review.

15. CITY COUNCIL/MAYOR'S BUSINESS

Councilmember Gray

Councilmember Gray stated that Communities that Care is sponsoring a free family scavenger hunt on Monday, August 10, 2020, and needs volunteers. Visit the City website for more information.

Councilmember Clark

None.

Councilmember Burnham
Councilmember Burnham stated she has complete confidence in Mr. Jerome as a City Administrator and her vote against his employment agreement was not a reflection upon him or his qualifications.

Councilmember Curtis
Councilmember Curtis stated Costco is opening in Saratoga Spring on August 13, 2020.

Councilmember Love
None.

16. CITY COUNCIL BOARD LIAISON REPORTS

Councilmember Love
Councilmember Love expressed appreciation to the Planning Commission for their work, insights, and recommendations regarding the Rush Valley concept plan and their service to the City.

Councilmember Curtis
Councilmember Curtis reminded residents about the Story Walk discussed by Councilmember Clark and stated the Eagle Mountain City Chamber of Commerce is thriving and commended them for their efforts.

Councilmember Clark
Councilmember Clark stated Pony Express Events is on a summer hiatus. She applauded the Be Ready Eagle Mountain emergency group that volunteers under the direction of the City Emergency Manager and Mayor for their joint efforts and said they are planning a parking lot Ham radio test. She encouraged residents to sign up for City notifications through the City website to receive text updates with official City information.

Councilmember Burnham
None.

Councilmember Gray
Councilmember Gray noted the senior meal services had been discussed earlier in the meeting and stated due to health concerns, he has not met personally with the Senior Advisory Council. As previously mentioned, things are going well with City wildlife preservation efforts.

Mayor Westmoreland
Mayor Westmoreland expressed appreciation for everyone's efforts. He said Eagle Mountain City is in a great place despite the current challenges and advocated to move forward cautiously, but confidently.

17. ADJOURNMENT

MOTION: ***Councilmember Gray moved to adjourn the meeting at 9:00 p.m. Councilmember Curtis seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.***

The meeting was adjourned at 9:00 p.m.

Approved by the City Council on August 18, 2020.

Fionnuala B. Kofoed, MMC
City Recorder