



EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

August 1, 2023, 4:00 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

4:00 P.M. WORK SESSION

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

ELECTED OFFICIALS PRESENT ELECTRONICALLY: Councilmember Donna Burnham.

CITY STAFF PRESENT: Paul Jerome, City Administrator; Steve Mumford, Deputy City Administrator/Community Development Director; Evan Berrett, Economic Development Director; Marcus Draper, City Attorney; Cliff Strachan, Director of Legislative Affairs; Kimberly Ruesch, Finance Director; Tyler Maffitt, Communications Manager; Angela Valenzuela, Human Resource Manager; Todd Black, Wildlife Biologist/Environmental Planner; Robert Hobbs, Planning Manager; David Stroud, Senior Planner; Steven Lehmitz, Planner; Lianne Pengra, Chief Deputy Recorder; Chris Trusty, City Engineer; Mack Straw, Public Utilities Manager; Zac Hilton, Streets and Storm Drain Manager; Jeff Weber, Fleet and Facilities/Operations Director; Brad Hickman, Parks and Recreation Director; Embret Fossum, Unified Fire Authority Battalion Chief; Eric McDowell, Chief Deputy Sheriff; Terrence Dela Pena, Finance/Management Analyst; and Natalie Winterton, Grants Coordinator/Management Analyst.

CITY STAFF PRESENT ELECTRONICALLY: Michele Graves, Library Director; and Elizabeth Fewkes, Recording Secretary.

Mayor Pro Tempore Wright called the meeting to order at 4:01 p.m.

1. CITY ADMINISTRATOR INFORMATION ITEMS

1.A. DISCUSSION – UPDATE – City Administrator Items

Community Development

- In July, 115 new residential permits were issued, 97 single-family and 18 multifamily.
- Commercial permits were issued for Ramen Hero and Clippers.
- Certificates of Occupancy were issued for Subway, Vitalogy, and Unified Fire Authority Station 253.
- The Moderate Income Housing annual report was submitted last week. The State moved the deadline up to August 1, 2020. While the City has not made a lot of progress on the strategies, since they were just adopted earlier this year, the report is complete. Staff will be working on the strategies and provide updates to the Council as warranted.

Streets and Storm Water

Safe Routes to School:

- John Hancock Charter School is isolated and does not currently have any walking routes. Flagship is working on widening Tiffany Lane from Pony Express Parkway to Lake Mountain Road to provide a safe roadway. They anticipate the work to be completed the weekend before school begins.
- The Streets Department is paving the trail way on Old Airport Road today to provide a safe walking route from the Overland Subdivision to Desert Sky Elementary. Staff have met with the school to discuss walking routes and preferred driving routes to the school. The school is distributing maps of both walking and driving routes to parents.
- There is construction near a school walking path to build a road on the south side of Mountain Trails Elementary School that will not be completed before school begins. Staff have already met onsite with the contractor with requirements on providing a safe path and staff have reached out to the school to keep them informed about construction progress.
- Silver Lake Elementary School has some construction to the south of the school that will lead to an increase in students walking to the school. This location will be monitored for the volume of students walking and vehicle traffic to determine potential future needs.
- City staff is meeting with Cedar Valley High School staff on Thursday to discuss possible pedestrian and vehicular improvements.
- Middle Valley Road is currently under construction to widen the road in front of Frontier Middle School. City staff will be working with the contractor and school staff to coordinate the construction and pedestrian access to and from the school.
- The additional seven schools in Eagle Mountain have no significant changes to report.

Communications

- The request for proposals process continues for upgrading the City's website as part of the branding exercise. The City Council can expect to see a proposal award in September.

Engineering

- Silver Creek Way – culverts have all been placed and backfilling will be taking place this week.
- Intersection signals projects – Bases are being placed at Woodhaven Boulevard this week. The contractor will move to Stonebridge Lane next. Steel is still not expected until the end of September or the first part of October.
- Pony Express Parkway left turn – currently in construction with a completion date of August 15th.
- Mid Valley Road is currently being widened.
- Well 8 – casing came up short by 80 feet. The well should still perform as expected. Gravel pack has been placed and the well was developed. Test pumping is expected within the next week.
- Well 7 – Grimshaw should be mobilized to the site by the end of this week
- The water main on the Cedar Pass waterline is nearing completion. The contractor is expecting to begin utility connections next week.
- The Pony Express booster pump is ready for the electric panel and should have startup in the next couple of weeks along with the Corey Wride booster pump.

- City staff are working with Mountainland Association of Government (MAG) to generate a scope of work for the planning study for the Mid Valley Road extension from the City Center into Saratoga Springs.

Facilities, Fleet, and Emergency Management

- Sheriff's and Recorder's office remodel – Furniture is scheduled to be delivered on the first of September.
- Dave Ulibarri is teaching another Stop The Bleed training for City staff in August.
- The hand railing for the senior building has been ordered.

Deputy City Administrator/Community Development Director Steve Mumford provided an update on the zoning map. Discussion considered potential methods to expedite the process.

Mayor Pro Tempore Wright asked Mayor Westmoreland to add the zoning map as a work session discussion item, and he requested the Transportation Master Plan be updated to reflect the Mid Valley Road expressway designated in the MAG 2050 plan.

Discussion expounded on the Safe Routes to School issues and plans. Councilmember Love requested the City evaluate Safe Routes to School in May of future years to allow additional time to resolve issues.

2. CODE AMENDMENT DISCUSSION ITEMS

The discussion of these items occurred following item 3.

2.A. DISCUSSION – Land Use Authority, Public Hearings, and Appeal Authority

Senior Planner David Stroud presented the item. In response to recent State Code changes, the approval authority of preliminary plats needs to be changed in Eagle Mountain Municipal Code Title 16 to reflect the Planning Commission as the land use authority.

SB 174 is applicable to preliminary and final plats for subdivisions for one to two family dwellings and townhomes and requires or allows the following:

- A new Land Use Academy of Utah (LUDMA) Section 604.1 – review of subdivision land use applications and subdivision improvement plans;
- Designation of an administrative land use authority;
- The applicant may request a pre-application meeting;
- A land use authority may complete the preliminary plat review by the staff, or in a public meeting; may hold one public hearing; and
- The final plat cannot be reviewed by the City Council or Planning Commission.

Councilmember Curtis requested to have proposed amendments indicate which changes are State requirements and which are staff suggestions, advocated for allowing public input on preliminary plat approvals, and the City to be more restrictive with the standards by removing discretion in from Municipal Code.

Councilmember Burnham agreed with tightening Municipal Code.

Mayor Pro Tempore Wright recommended adding two members of the City Council to the Development Review Committee and requested for the City to review all the development standards in Eagle Mountain Municipal Code Titles 16 and 17 to better define expectations and implement State requirements without adding additional allowances beyond State mandate.

Discussion:

- The staff recommendation to amend table 16.05.220(a) Public Notice to decrease the noticing distance and increase the number of residents notified.
- The recourse of aggrieved parties should the Planning Commission approve an application that fails to meet Municipal Code.
- The City Council may serve as the appeal authority but cannot appeal decisions to themselves unless an individual member has standing as an aggrieved party.
- The City would be an aggrieved party with standing should a plat approval violate the terms of the applicable development agreement.
- Councilmembers can serve on the development review committee for some reviews or as liaisons but cannot be a part of the approval authority for final plats.
- Options to allow the City Council or some members of the body additional review of preliminary plats.

Mayor Pro Tempore Wright requested to have the following statement included in the public record, “I am concerned that our state representatives are taking active steps to eliminate the peoples duly elective representative’s ability to evaluate and adjust to give input into preliminary platting process among many other legislative authorities. It appears to be a broader effort by these same leaders to remove the ability of individual communities to the constitutional right of self-government and self-determination”.

2.B. DISCUSSION – Lot Line Adjustments

Planning Manager Robert Hobbs presented the item. The draft amendment is provided in response to recent legislative amendments to State law and to clarify language. The amendment defines and distinguishes the difference between a parcel and a lot and clarifies that a property line adjustment between a parcel and a subdivision lot no longer triggers the need for a plat amendment to be filed and processed.

2.C. DISCUSSION – Rights-of-Way Vacations EMMC 16.56

Mr. Hobbs explained the origins of the amendment request to simplify rights-of-way vacation without requiring a plat amendment.

City Attorney Marcus Draper explained that the County will still update the map and the process is already allowable under State law.

Discussion clarified the proposed standards, implications, allowances, and protections.

2.D. DISCUSSION – Off-street Parking Regarding Alleys and Service Drives, Fire Department-related Access Standards, and ADA Parking Standards

Mr. Hobbs presented and explained the reasons for the following proposed Municipal Code amendments.

- Service drives shall be allowed to cross over and/or through required setback areas.
- Service drives, or sections thereof, lacking parking spaces to either side shall be at least 12 feet wide when designed to move traffic in a one-way direction and at least 20 feet wide when designed to move traffic in two ways.
- Service drives longer than 150 feet shall have a turnaround acceptable to the fire department.
- Multifamily buildings, whether front or rear loaded, shall access off a minimum 26-foot-wide over-sized alley or service drive.
- ADA Parking stall dimensions shall be 18 feet deep (corresponding to our 90-degree angle standard stall) but kept at 10 feet wide. Van-accessible spaces standard introduced requiring 11 feet parking spaces with 5 feet loading/unloading access aisles for each as with other ADA spaces, the loading/unloading access aisles may be [co]shared.
- Reformats Table 17.55.120(b) adding a new column (B) to inform regarding the required number of van spaces required amongst ADA stalls.

Discussion ensued regarding current parking stall depths for regular and ADA parking stalls and potentially increasing the depth standard for all parking stalls to 20 feet.

The Council requested that staff research the benefits and potential consequences of requiring 20-foot-deep parking stalls versus 18 feet deep.

2.E. DISCUSSION – Automobile Sales, Kennels, Racetracks, and Communication Facility Generators

Planner Steven Lehmitz presented the following potential amendments to Eagle Mountain Municipal Code:

- Add kennels as conditional uses in the industrial and agricultural zones.
- 17.40.040(U) – add racetracks as a conditional use in the Industrial Zone.
- 17.35.030 – delete all superscript 5s from the table, as those uses had special standards already approved.
- 17.75.073 – add special use standards for automobile sales and/or minor service standards referenced elsewhere.
- 17.75.074 – add special use standards for racetracks for go-karts, ATVs, and other motorized sports recreational facilities.
- 17.75.091 – allow generators in conjunction with communication facilities and towers.

Mr. Mumford explained that the City previously updated residential, commercial, and business park uses and removed conditional uses. However, the industrial and agricultural uses have not yet been amended.

Mayor Pro Tempore Wright requested to review the conditional use lists and associated existing standards for special uses and to add columns for the industrial and agricultural zones to Table

17.35.030 and add current conditional uses as permitted or special uses with references or hyperlinks to the location of the standards for that use when applicable.

Councilmember Curtis advocated for removing all conditional uses and changing current conditional uses to special uses.

Councilmember Love recommended specifying the type of solid fencing, such as masonry, required for racetracks and associated facilities.

Discussion ensued regarding the conditional uses and mitigation allowances to resolve concerns generally resulting in use approval and the noise ordinance addressing racetrack noise generation concerns.

2.F. DISCUSSION – Internal ADU Connection Clarification

Mr. Lehmitz presented the item. It is currently the City's practice to not require an internal connection from the primary unit to an attached or basement accessory dwelling unit (ADU), though it is not referenced in Municipal Code. The passing of SB 174, during the most recent Utah State Legislative Session, amended USC 10-9a-530 to make it so municipalities could not restrict internal connectivity for attached ADUs. The purpose of this amendment is to better align the Municipal Code with Utah State Code to clearly reflect that the City will not require internal connections of attached ADUs.

2.G. DISCUSSION – Caretaker Dwellings

Mr. Stroud presented the item. The City Council directed staff to look at the potential of permitting a caretaker dwelling in certain zones. Proposed text changes would do the following:

- Permit caretaker dwellings in the Industrial and Commercial Storage zones;
- Require the dwelling to be incidental and accessory to the primary use of the property;
- Set a 1,200 square foot maximum;
- Require the structure to be located within or attached to the principal structure utilizing complementary and code-compliant architectural materials;
- Require a minimum of two parking stalls in a garage or carport;
- Limit occupancy to single employee or subcontractor and their family; and
- Allow City verification of the occupant's connection to the business.

Councilmember Burnham explained that she had requested to codify caretaker facilities as a unit has already been approved for a storage facility within the City.

Mr. Stroud explained that the size of the unit was to coincide with the square footage limit of ADUs.

Discussion evaluated the purpose of caretaker facilities, the businesses that might desire caretaker facilities and the associated zones in which to allow them as a permitted use, the square footage limit for the units, and changing caretaker facilities from a conditional to a special use.

2.H. DISCUSSION – Repeal of RTI Zone's Sunset Date

2.I. Discussion – Golf Course Netting

2.J. DISCUSSION – Solar Panel Protection

2.K. DISCUSSION – Public Art

Due to time considerations, items 2.H., 2.I., 2.J., and 2.K. were postponed to a future meeting.

3. AGENDA REVIEW

This item occurred prior to item 2.

13.A. ALTERNATIVE FENCING PLAN – Parkway Fields

Councilmember Curtis requested the item be removed from the consent agenda and placed as a scheduled item.

14.A. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving an Amendment to the Eagle Mountain City Policies and Procedures Manual Regarding Artificial Intelligence.

Councilmember Gray stated that he has concerns with the item but defers to others with better insight regarding the issues. He clarified that he thinks the policy is sound but does not understand the genesis of the item.

Councilmember Curtis explained that the standards appear to ensure that proprietary and sensitive information that is given to Artificial Intelligence learning models is controlled and protected. He has no objections to the proposal.

15.A. SITE PLAN – A to Z Building Blocks

Councilmember Love requested the item be removed from the consent agenda and placed as a scheduled item.

4. ADJOURN TO A CLOSED EXECUTIVE SESSION

No closed session was held. Mayor Pro Tempore Wright adjourned the work session at 6:18 p.m.

7:00 P.M. POLICY SESSION

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

ELECTED OFFICIALS PRESENT ELECTRONICALLY: Councilmember Donna Burnham.

CITY STAFF PRESENT: Paul Jerome, City Administrator; Steve Mumford, Deputy City Administrator/Community Development Director; Evan Berrett, Economic Development Director; Marcus Draper, City Attorney; Cliff Strachan, Director of Legislative Affairs; Tyler Maffitt, Communications Manager; Todd Black, Wildlife Biologist/Environmental Planner; Robert Hobbs, Planning Manager; David Stroud, Senior Planner; Steven Lehmitz, Planner; Lianne Pengra, Chief Deputy Recorder; Chris Trusty, City Engineer; Brad Hickman, Parks and Recreation Director; and Embret Fossum, Unified Fire Authority Battalion Chief; and Eric McDowell, Chief Deputy Sheriff.

CITY STAFF PRESENT ELECTRONICALLY: Kimberly Ruesch, Finance Director; Mack Straw, Public Utilities Manager; Zac Hilton, Streets and Storm Drain Manager; and Elizabeth Fewkes, Recording Secretary.

5. CALL TO ORDER

Mayor Pro Tempore Wright called the policy session to order at 7:13 p.m.

6. PLEDGE OF ALLEGIANCE

Councilmember Curtis led the Pledge of Allegiance.

7. INFORMATION ITEMS/UPCOMING EVENTS

- Eagle Mountain City invites residents to our next Movie in the Park, “Freaky Friday” on Friday, August 4th at 9:00 p.m. at Silverlake Amphitheater. Free popcorn will be available while supplies last.
- The City is looking to hire crossing guards for the 2023-24 school year. Residents interested in becoming crossing guards are encouraged to visit City’s social media to apply now.
- Eagle Mountain City will host a Meet the Candidates night on August 9th from 6:00 p.m. to 8:30 p.m. at Frontier Middle School. Candidates running for City Council will have tables set up to interact with residents.
- Residents who do not use social media to stay in touch with the City are encouraged to sign up for the City’s text notification system. Weekly, the City sends updates on news, important information, and sign-ups for recreational sports. Learn more at eaglemountaincity.com.

8. PUBLIC COMMENTS

Mayor Pro Tempore Wright opened public comment at 7:16 p.m.

David Kast voiced complaints regarding not receiving a response from a Building Department employee.

Mayor Pro Tempore Wright closed public comment at 7:21 p.m.

9. CITY COUNCIL/MAYOR'S ITEMS

Councilmember Love

Councilmember Love welcomed and expressed appreciation to the residents in attendance. She said to let the Council know if the residents had any questions.

Councilmember Curtis

Councilmember Curtis thanked the residents for participating in the meeting.

MOTION: *Councilmember Curtis moved to set an adjournment time at or before 9:45 p.m. Councilmember Love 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.

Councilmember Gray

Councilmember Gray echoed the welcome and appreciation for resident involvement. He said he was glad to be able to be at the meeting despite his busy schedule.

Councilmember Burnham

Councilmember Burnham stated that she is grateful to be able to participate remotely as she is unable to attend in person due to a death in the family.

Mayor Pro Tempore Wright

Mayor Pro Tempore Wright expressed condolences to Councilmember Burnham. He welcomed the public and expressed gratitude for their input and said they will do their best to address resident concerns and complaints. He thanked the first responders and recognized them for their willingness to make personal sacrifices to meet the needs of the public.

10. INTRODUCTION

Miss Eagle Mountain and Miss Eagle Mountain Teen announced their Community Service Initiatives:

- Queen Allie Smith – to spread positivity online and during in-person events.
- Teen Queen Alexandra Gates – Fight with Gates – fundraising to provide items for comfort carts for families at Primary Children's Hospital.
- Teen First Attendant Aly Turner – posting You're Enough statements on social media.

CONSENT AGENDA

11. BOND RELEASES

11.A. Eagle Heights Village Plat 2 – Out of Warranty

12. MINUTES

12.A. July 18, 2023 Minutes – Regular City Council Meeting

13. MOTION

13.A. ALTERNATIVE FENCING PLAN – Parkway Fields

14. RESOLUTION

14.A. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving an Amendment to the Eagle Mountain City Policies and Procedures Manual Regarding Artificial Intelligence.

15. SITE PLAN

15.A. SITE PLAN – A to Z Building Blocks

MOTION: *Councilmember Curtis moved to approve the consent agenda removing items 13.A. and 15.A. and placing them as scheduled items. Councilmember Love 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.

SCHEDULED ITEMS

13. MOTION

13.A. ALTERNATIVE FENCING PLAN – Parkway Fields

Planning Manager Robert Hobbs presented the item. Applicant representative Bronson Tatton presented their request for six-foot privacy fencing and three-foot split rail fencing for the collector roads in the Parkway Fields development. The benefits of the Weathered Gray Estate Style Vinyl Fence include:

- Being locally produced in Ogden, Utah with national support;
- An integral color rather than a color coating;
- Steel reinforced rails;
- Easy to replace if vandalized;
- Low cost of maintenance; and
- Lifetime product warranty for bowing, distortion, and discoloration.

Applicant representative Bronson Tatton explained that the proposed customized vinyl fencing is the same as the collector fencing, they used in the SilverLake Development. He explained that the steel reinforcement and mid-rail make the fencing more durable than a standard vinyl fence and it requires less maintenance than wood fencing.

Councilmember Love noted that a six-foot masonry fence is required between residential and commercial uses. She would like to require, at a minimum, a masonry fence along Pony Express Parkway.

Councilmember Curtis stated that he regrets previous fencing exceptions and prefers to set a standard with a higher look and quality.

Councilmember Gray said he has in the past and continues to advocate for masonry fencing along major roadways.

Councilmember Burnham stated that while developments have begun using fencing that better withstands weather conditions, none of the fences match other developments resulting in a variety of fencing types and styles along arterial roads. She is concerned with the aesthetical impact of approving fencing exemptions.

Mayor Pro Tempore Wright said he is in favor of requiring masonry fencing along major roadways for the entire City rather than approving fencing for each plat.

Discussion examined the definition of durable quality fencing, setting a more specific fencing standard, and which roadways to require masonry fencing along.

MOTION: *Councilmember Curtis moved to deny an alternative fencing plan for Parkway Fields. 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>
☒ <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. SITE PLAN

15.A. SITE PLAN – A to Z Building Blocks

Planner Steven Lehmitz presented the item. On July 6, 2021, the Eagle Mountain City Council approved the site plan for an addition to the existing A to Z Building Blocks daycare center. This approval expired after one year, as the project failed to obtain a building permit (EMMC 17.100.090). The applicant resubmitted the project within the allotted two-year time frame, and it is substantially similar to the expired plan. The resubmitted project is to be reviewed under the current development code. The applicant is proposing a 3,268-square-foot addition to their current 4,990-square-foot building. Child Day Care Centers/Preschools require 1 parking stall per 10 children. The applicant has indicated they will have 20 staff members and will serve up to 190 children, therefore 39 parking stalls are required. The project currently provides 17 parking stalls. They are proposing to utilize an additional 22 shared parking spaces from the Parkway Crossroads development to meet their parking requirements. The applicant is proposing more than 50 percent of their required parking be shared with other required parking areas. They have provided an agreement for the shared parking, but have not provided data from a professional traffic engineer.

Applicant Jody Zabriskie stated that the extension will allow them to open two additional classes per age group for infant and toddler care which is lacking in the State and community. Bus storage was calculated in the employee parking. Parents are only parked at the location for a few minutes a day to drop off and pick up their children and as such, they do not feel their business merits a traffic study. Their peak hours are 7:00 a.m. to 8:30 a.m. and 4:30 p.m. to 6:00 p.m. Staffing will increase by ten employees and enrollment will increase to 190.

Mayor Pro Tempore Wright expressed concern with under parking, the elevations of the rear of the building, and the integration of the extension with the current building.

Mr. Lehmitz confirmed that the plan would need an additional three dedicated parking stalls to meet the requirements to have less than 50% shared parking. The ten excess parking stalls in the overall development calculation are based on the use of the buildings when they were first developed.

Councilmember Gray stated that he does not think they have sufficient parking and is against permitting shared parking.

Councilmember Love stated that she desires to review the application after the redlines have been addressed.

Councilmember Curtis cited EMMC 17.55.100, "Up to 50 percent of the required parking may be shared with other required parking areas upon approval by the planning commission. The developer must show an agreement granting shared parking or mutual access to the entire parking lot in perpetuity, as well as a professional traffic engineer's data showing that peak parking demand of all uses will not exceed parking spaces." He stated that the standards do not permit discretion for the Planning Commission to allow more than 50% of the parking to be shared or to omit a traffic study and expressed concern that the process was not followed.

City Attorney Marcus Draper explained that Municipal Code permits the City Council to assume land use authority in this instance to alter the decision made by the Planning Commission.

Discussion ensued regarding the following:

- If the impact of the use were to change in the future to one that requires more parking;
- Peak hours for other businesses in the area potentially conflict with the daycare's peak hours;
- Parking requirements and availability in the area;
- Options available to the City Council to resolve the parking issues; and
- Whether the Council desires to permit up to 50% shared parking.

Councilmember Burnham concurred that the correct process had not been followed and feels that a traffic study will assist the Council in determining the amount of dedicated parking to require.

MOTION: *Councilmember Curtis moved to table the site plan A to Z Building Blocks, make the City Council the land use authority for the Planning Commission's decision regarding 17.55.100 Shared Parking and Curb Cuts, and that the item be scheduled for review and action by the Council. Councilmember Gray seconded the motion.*

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

16. ORDINANCE

16.A. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Adopting the Amended Sweetwater Industrial Park Community Reinvestment Project Area #3 Plan as the Official Community Reinvestment Project Area Plan for the Project Area, and Directing that Notice of the Adoption be Given as Required by Statute.

The public was referred to the Redevelopment Agency meeting held earlier that evening for the presentation on the item.

MOTION: *Councilmember Gray moved to approve an ordinance of Eagle Mountain City, Utah, adopting the Amended Sweetwater Industrial Park Community Reinvestment Project Area #3 Plan as the Official Community Reinvestment Project Area Plan for the Project Area, and directing that notice of the adoption be given as required by statute. Councilmember Love 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.

17. RESOLUTION

- 17.A. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving an Amended Interlocal Cooperation Agreement between the Redevelopment Agency of Eagle Mountain City, and Eagle Mountain City for the Collection and Remittance of Incremental Property Taxes Collected from Property Within the Sweetwater Industrial Park Community Reinvestment Project Area #3.

MOTION: *Councilmember Gray moved to approve a resolution of Eagle Mountain City, Utah, approving an Amended Interlocal Cooperation Agreement between the Redevelopment Agency of Eagle Mountain City, and Eagle Mountain City for the collection and remittance of incremental property taxes collected from property within the Sweetwater Industrial Park Community Reinvestment Project Area #3. 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.

18. LEGISLATIVE ITEMS

18.A. UPDATE – Legislative Priorities List

Director of Legislative Affairs Clifford Strachan updated the City Council on the progress of the legislative priorities and spoke regarding the upcoming strategic goal conference scheduled for September 28th and 29th.

The Council discussed the items they would like to have added to the legislative priorities list.

MOTION: *Mayor Pro Tempore Wright moved to add the following items to the Legislative Priorities List to be evaluated and ranked during the next City Council meeting:*

- 1. Review of fencing standards to remove ambiguity.*
- 2. Review of shared parking standards.*
- 3. Review Safe Routes to School annually before May 31st.*
- 4. Recategorize affordable housing priority into the five strategies listed in the housing element of the general plan.*
- 5. Promote the Mid Valley Expressway and amend the road designation on the Transportation Master Plan.*

Councilmember Curtis seconded the motion.

Discussion considered whether to rank the priorities during a meeting or via email.

<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.

19. CONCEPT PLAN

19.A. DISCUSSION – Sunset Flats Phase E Conversion from Housing to Storage Units

Mr. Hobbs presented a concept plan to convert residential uses within Sunset Flats Phase E from housing to a mini-storage unit complex and reviewed the history of the project.

Discussion explained that the City requested to utilize land approved for lots in Phase B and C for right-of-way for the Aviator Road and Old Airport Road expansion made necessary due to changes in the transportation plan to accommodate the construction of Cedar Valley High School.

Applicant representative Norm Avery proposed reducing ten one-acre lots to six half-acre lots to add mini-storage units as a method to recuperate costs lost by the removal of five to six lots to accommodate road expansion and relocation.

All Councilmembers indicated they are against the proposal to lose 10 one-acre lots to allow for the storage units but are willing to entertain other adjustments to the project to alter the lots to accommodate the roads.

20. CITY COUNCIL/MAYOR'S BUSINESS

21. CITY COUNCIL BOARD LIAISON REPORTS

Councilmember Burnham

None.

Mayor Pro Tempore Wright

Mayor Pro Tempore Wright said he met with the Senior Citizen Advisory Board and that he wishes everyone could be as effective as they are. He thanked staff for their work on the horseshoe pit and requested the handrail installation be expedited as much as possible. He reminded veterans that the deadline to submit paperwork to qualify for compensation from the Promise to Address Comprehensive Toxics (PACT) Act is August 9th.

Councilmember Love

None.

Councilmember Curtis

None.

Councilmember Gray

Councilmember Gray said the Eagle Mountain Chamber of Commerce memberships continue to increase as they welcome new businesses to the City and expressed his appreciation for their efforts.

22. COMMUNICATION ITEMS

22.A. Upcoming Agenda Items

23. ADJOURNMENT

MOTION: *Councilmember Gray moved to adjourn at 9:32 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 9:32 p.m.

Approved by the City Council on August 15, 2023.


Fionnuala B. Kofoed, MMC
City Recorder

