



EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

July 5, 2022, 4:00 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

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

ELECTED OFFICIALS PRESENT: Mayor Tom Westmoreland, Councilmembers Donna Burnham, Colby Curtis, Carolyn Love, and Brett Wright. Councilmember Jared Gray joined electronically at 4:30 p.m.

CITY STAFF PRESENT: Paul Jerome, City Administrator; Lianne Pengra, Chief Deputy Recorder; Chris Trusty, City Engineer; Kimberly Ruesch, Finance Director; Brad Hickman, Parks and Recreation Director; Jeff Weber, Fleet and Facilities/Operations Director; Todd Black, Wildlife Biologist/Environmental Planner; Eric McDowell, Chief Deputy Sheriff, Embret Fossum, UFA Battalion Chief; Jim Barney, Neighborhood Improvement Officer; Dean Vilet, Neighborhood Improvement Officer; and David Draper, Neighborhood Improvement Officer.

CITY STAFF PRESENT ELECTRONICALLY: Tyler Maffitt, Communications Manager; Angela Valenzuela, Human Resource Manager; Aaron Sanborn, Economic Development Director; Jeremy Cook, City Attorney; Steve Mumford, Assistant City Administrator/Community Development Director; Mack Straw, Public Utilities Manager; and Chas Glenn, Administrative Assistant.

Mayor Westmoreland called the meeting to order at 4:04 p.m.

1. CITY ADMINISTRATOR INFORMATION ITEMS

1.A. UPDATE – City Administrator Items

Public Utilities

- Well #5 is operational and all other wells were turned off because tanks, excluding 1 and 7, were at max capacity.
- Rhino is scheduled to evaluate for repairs on July 6th, for Well #1 and Well #7 .
- The City is compiling data on the impact of resident conservation.

Engineering

- Options for Well #7 are being evaluated. The City is considering reducing the 20-inch diameter shaft to a 16-inch which should provide adequate flow and high yields.

Communications

- The department is assessing potential changes to City events, social media practices, and information standards.
- The City Marketing Plan strategy is in process and will be reviewed with Council prior to going out to vendors.

Community Development

- The vested unit counts project is nearing completion and is anticipated to be presented at the July 19th City Council meeting.
- Tracking software is being moved to a cloud-based system.
- Upcoming development applications – Eagle Heights Village Master Development Agreement and preliminary plat amendment, Harmony A-14 site plan, Parkway Fields Phase C, Overland Village Phase 2A amended plat, Lone Tree F3 preliminary plat, Pole Canyon Master Development Agreement.

Parks and Recreation

- Construction documents for the Walden Park Observatory are scheduled for completion by September 1st. The project should be completed in spring 2023.
- Staff discussions with residents resulted in changes to the skate park design for Smith Ranch Park. A meeting is scheduled for July 13th to review the layout for the playground equipment and other entities for the park.
- The Hidden Hollow Trailhead parking lot improvements are complete.

1.B. DISCUSSION – Neighborhood Improvement

Neighborhood Improvement Officer Jim Barney presented difficulties their department has in enforcing parking regulations within the City and recommended the following changes to Municipal Code:

- Allow a resident to park on a parking strip that has an impervious or rock surface;
- Ticket residents with a fine as prescribed in the consolidated fee schedule; and
- Add parking standards for:
 - No parking within 15 feet of a mailbox,
 - No inoperable vehicles on City streets,
 - All vehicles must show a valid license registration plate while parked on City streets, and
 - No vehicles with defective equipment may be parked on City streets;
- Change the 72-hour limit to 48 hours – a new time limit may begin only upon removal of the motor home, recreational vehicle, trailer, or vehicle from the block of five hundred feet from the location in which it was previously parked;
- No overnight parking;
- Add odd or even parking in relation to calendar days;
- Trailers or recreational vehicles are not to be parked on City streets or alleys for longer than twelve hours for the purpose of loading and unloading;
- Prohibit agricultural vehicles, recreational vehicles, occupied or empty trailers, or any vehicle within the front yard area of any residential zone;
- No parking on a public street, park road, or parking lot of any oversized vehicle, non-motorized vehicle, or recreational vehicle between the hours of 2:00 a.m. and 6:00 a.m.; and
- Prohibiting placing dirt or other materials on the road.

Mr. Barney clarified that vehicles are permitted to be parked in residents' driveways behind the front of the house on an impervious surface but not dirt or other surfaces that result in mud or debris being transferred onto City streets and the 48-hour limitation would allow for vehicles to be parked over the weekend.

Discussion ensued clarifying the prohibition of construction debris or dirt being stored on the road because it could be washed into the storm drain system.

The City Council provided feedback regarding:

- Concerns with allowing parking on park strips damaging irrigation or landscaping
- Supporting resident education through information notices before issuing citations
- Obstacles impeding the delivery of a neighbor's mail
- Objection to standards that prohibit residents from owning trucks and other large vehicles
- Mailbox consolidation to provide more street parking
- Allowing for overflow parking or other options for extenuating circumstances in certain neighborhoods
- Increasing parking standards to reduce parking issues in new developments

2. AGENDA REVIEW

9. AGREEMENTS

9.A. Landscape & Maintenance Services – TruCo Services, Inc.

Councilmember Curtis asked about pricing. Parks and Recreation Director Brad Hickman explained the terms of the agreement are the same other than the addition of a square footage unit cost to account for new properties being added for services and mowing unimproved areas twice a year. This agreement is for services through the end of the year; however, the City intends to continue contracting with TruCo Services, Inc. as long as their services meet expectations and are satisfactory.

10. BID AWARDS

10.A. Eagle Mountain Boulevard Materials Testing – Project Engineering Consultants

10.B. Leased Office Space Workstation Furniture – Workspace Elements (State Contract)

The City received a bid from Henriksen Butler which replaced the original bid that was on the agenda because it was \$5,489.76 less than the previous bid.

10.C. Wastewater Treatment Plant Headworks Facility – VanCon, Inc.

City Administrator Paul Jerome noted that Councilmember Gray had expressed concern with impact fees facility plan (IFFP) calculations in an inflationary economy. Staff is working on

updating the IFFPs and impact fee analysis (IFA) every two years to adapt to updated pricing and City growth. The City has utilized excess General Fund money for impact fee-eligible projects.

Discussion ensued regarding the need for the project and clarifying that the additional cost will be accommodated in a budget amendment.

12. CHANGE ORDERS

12.A. Pony Express Widening Project Phase 5 Change Order #1 – Kenny Seng Construction

Mr. Trusty stated City inspectors have a walk-through scheduled for the project on Thursday.

14. ORDINANCE/PUBLIC HEARING

14.A. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Adopting an Updated Impact Fee Enactment for a Culinary Water Impact Fee; Providing for the Calculation and Collection of Such Fees; Providing for Appeal, Accounting, and Severability of the Same and Other Related Matters.

Councilmember Love requested additional information regarding equivalent residential connection (ERU) projections and the full City buildout scenario.

City Engineer Chris Trusty stated that the ERU information could be provided to the Council. He explained that ERUs are used to determine comparable tabulations for commercial and industrial uses.

Discussion ensued regarding the following:

- The existing water impact fee and how the fee is calculated,
- The service area locations and fees being combined into a universal fee,
- Changes to Central Utah Water Conservatory District (CUWCD) and Central Water Project (CWP) capital recovery and annual rate fees to ensure water source costs are covered,
- Concerns about whether users with water rights are paying sufficient fees to cover infrastructure and storage impacts for non-CUWCD water sources because the system will be sharing water between the sources and all users are benefiting from CWP water, and
- Operation and maintenance costs for CWP-sourced water compared to City well-sourced water.

3. ADJOURN TO A CLOSED EXECUTIVE SESSION

No closed session was held. Mayor Westmoreland adjourned the work session at 5:59 p.m.

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

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

CITY STAFF PRESENT: Paul Jerome, City Administrator; Lianne Pengra, Chief Deputy Recorder; Chris Trusty, City Engineer; Kimberly Ruesch, Finance Director; Brad Hickman, Parks and Recreation Director; Eric McDowell, Chief Deputy Sheriff, and Embret Fossum, UFA Battalion Chief.

CITY STAFF PRESENT ELECTRONICALLY: Tyler Maffitt, Communications Manager; Aaron Sanborn, Economic Development Director; Jeremy Cook, City Attorney; Steve Mumford, Assistant City Administrator/Community Development Director; Jeff Weber, Fleet and Facilities/Operations Director; and Mack Straw, Public Utilities Manager.

4. CALL TO ORDER

Mayor Westmoreland called the meeting to order at 7:09 p.m.

5. PLEDGE OF ALLEGIANCE

Councilmember Wright led the Pledge of Allegiance.

6. INFORMATION ITEMS/UPCOMING EVENTS

- Eagle Mountain City would like to thank residents for keeping their Independence Day celebrations safe this weekend. We appreciate residents educating themselves on where fireworks are allowed within City limits and hope to keep things safe later this month during the Pioneer Day celebration as well.
- Residents are encouraged to attend Eagle Mountain City's Concert in the Park this Saturday, July 9th. "Sonic Duke," a band made up of local school principals will perform at 7:00 p.m. "Skylar and Jordan," an Island, Country, and Pop-Funk group will kick things off at 6:00 p.m. at Cory Wride Memorial Park.
- On July 30th, Eagle Mountain will hold its 2nd annual Summer Bash and Laser Show. This event will take place from 4:00 to 10:15 p.m. Please come out to enjoy the bounce houses, patriotic kids' parade, pie-eating contest, trash Panda Drum Group and Laser Show, and more. For more information on this, please check our City website and social media pages.
- Residents are encouraged to water their lawns three times per week. Residents at odd-numbered addresses are encouraged to water Monday, Wednesday, and Friday. Even-numbered addresses are encouraged to water Tuesday, Thursday, and Saturday. Thank you for helping Eagle Mountain achieve its conservation goals.

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

7. PUBLIC COMMENTS

Mayor Westmoreland opened public comment at 7:12 p.m.

Darren Gillespie expressed safety and property damage concerns regarding golf balls leaving the golf course and requested for the City to conduct a risk assessment.

City Administrator Paul Jerome stated that he has been in contact with the golf course owner and they plan to meet to discuss the situation. He invited a Councilmember to attend the meeting.

Mayor Westmoreland closed public comment at 7:25 p.m.

8. CITY COUNCIL/MAYOR'S ITEMS

Councilmember Gray

Councilmember Gray welcomed and thanked the meeting participants. He requested an update on the Transportation Master Plan in relation to the Browns Meadow development.

City Engineer Chris Trusty stated that he has spoken with Garrett Schmidt and informed him that a collector road is still anticipated in the location of the development. He suggested options for the project to incorporate the road.

Councilmember Wright

Councilmember Wright expressed appreciation to the meeting participants and staff and welcomed the Mayor and Council. He inquired regarding the status of the Silver Creek Way connection.

Mr. Trusty said the funding for the pipeline fell through. Staff will meet with Flagship Homes to explore a storm drain impact fee credit or reimbursement agreement in exchange for completing that portion of the project.

Councilmember Love

Councilmember Love wished everyone a Happy Fourth of July yesterday. She thanked firefighters for their service to keep everyone safe during the holiday.

Councilmember Burnham

Councilmember Burnham reminded residents to be wise when igniting fireworks and encouraged balancing rights with safety protocols. She suggested a flag drop-off program for flags in need of retirement.

Councilmember Curtis

Councilmember Curtis welcomed the meeting participants.

Mayor Westmoreland

Mayor Westmoreland expressed gratitude for residents' patriotism and consideration during their holiday celebrations to keep everyone safe.

The Council and the City Attorney discussed potentially amending the fireworks restrictions map prior to the Pioneer Days celebration to add a hazardous area identified by a resident.

CONSENT AGENDA

9. AGREEMENTS

9.A. Landscape & Maintenance Services – TruCo Services, Inc.

10. BID AWARDS

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10.B. Leased Office Space Workstation Furniture – Workspace Elements (State Contract)

10.C. Wastewater Treatment Plant Headworks Facility – VanCon, Inc.

11. BOND RELEASES

11.A. Spring Run Phase D, Plat 4 – Into Warranty

11.B. Spring Run Phase D, Plat 3 – Out of Warranty

12. CHANGE ORDERS

12.A. Pony Express Widening Project Phase 5 Change Order #1 – Kenny Seng Construction

13. MINUTES

13.A. June 21, 2022 Minutes – Regular City Council Meeting

MOTION: *Councilmember Wright moved to approve the consent agenda. 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.

SCHEDULED ITEMS

14. ORDINANCE/PUBLIC HEARING

14.A. [ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Adopting an Updated Impact Fee Enactment for a Culinary Water Impact Fee; Providing for the Calculation and Collection of Such Fees; Providing for Appeal, Accounting, and Severability of the Same and Other Related Matters.](#)

Fred Philpot with Lewis Young Robertson and Burningham presented the water Impact Fee Analysis and Impact Fee Facilities Plan. He reviewed the impact fee calculation with consideration of the service area, demand area, level of service, existing facility inventory, excess capacity, and future capital facilities analysis and financing strategy consideration of all revenue sources. Their methodology included two scenarios: one with water rights and one without water rights.

Developments using Central Water Project (CWP) water will have a different impact fee than developments with local water sourcing. The impact fee calculations account for infrastructure and storage expenses. The impact fees for developments with local water rights include \$4,054 per equivalent residential connection (ERU) and applicable reimbursement agreement fees. The impact fees for developments without water rights will include \$2,284 per ERU, CWP fees, and applicable reimbursement agreement fees.

Discussion ensued regarding the 90-day wait period to enact increased impact fees and potentially tabling the item to amend and update the consolidated fee schedule to correspond with the new impact fees.

Mayor Westmoreland opened the public hearing at 7:58 p.m.

Eileen Miller with the Utah Valley Home Builder Association stated that most cities will charge the impact fees in use on the day the building permit is issued. She noted that Mr. Philpot's presentation had addressed most of their questions. She requested information regarding the front and backend of inside versus outside water.

Mr. Trusty said the City plans to conduct a study to compare inside and outside water usage and to assess the impacts of conservation efforts and accessory dwelling units.

Mr. Jerome explained that a secondary water study concluded that water reuse would be extremely costly. Nevertheless, the City is entertaining the possibility due to geographical water source limitations. ERU requirement assessments and water conservation will be studied to ensure the City has sufficient wet water in correlation to paper water rights.

Discussion ensued regarding building permit processes, fee payments, and issuance timeframes and when the increased and decreased impact fees will go into effect.

Mayor Westmoreland closed the public hearing at 8:14 p.m.

Councilmember Love suggested tabling the item to the next meeting in order to approve an updated consolidated fee schedule and to allow builders to pay the lower of either the current or new impact fees during the 90-day wait period.

Councilmember Curtis stated he would be amenable to allowing builders to pay the lower impact fees if the CWP fee is also charged with the new lower rate.

Mr. Jerome expressed concern about allowing developers to pay the lower of the two fees as the City has discovered that current fees are insufficient to cover capital recovery costs for infrastructure bonds and impacts across the full system.

Discussion ensued regarding whether State Code requires lower fees to be enacted immediately or after 90-days, especially in consideration of the unique circumstances created by two different water sources.

Councilmember Wright requested additional data comparing the current and new fees.

Ms. Pengra stated approximately 90% of newly recorded plats have CWP water.

MOTION: *Councilmember Wright moved to table an ordinance of Eagle Mountain City, Utah, adopting an updated impact fee enactment for a culinary water impact fee; providing for the calculation and collection of such fees; providing for appeal, accounting, and severability of the same and other related matter to a future meeting to amend the consolidated fee schedule. 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.

15. CITY COUNCIL/MAYOR'S BUSINESS

16. CITY COUNCIL BOARD LIAISON REPORTS

17. COMMUNICATION ITEMS

17.A. Upcoming Planning Items

18. ADJOURNMENT

MOTION: *Councilmember Curtis moved to adjourn the meeting at 8:30 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>
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☒ 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.

The meeting was adjourned at 8:30 p.m.

Approved by the City Council on July 19, 2022.


Lianne Pengra, CMC
Chief Deputy Recorder

