EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

May 7, 2024, 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: Mayor Tom Westmoreland, Councilmembers Donna Burnham, Melissa Clark, Jared Gray, and Brett Wright. Councilmember Rich Wood was excused.

CITY STAFF PRESENT: Steve Mumford, Interim City Manager; Fionnuala Kofoed, Assistant City Manager/City Recorder; Cliff Strachan, Director of Legislative Affairs; Evan Berrett, Economic Development Director; Tyler Maffitt, Communications Manager; Angela Valenzuela, Human Resource Manager; Natalie Winterton, Grants Coordinator/Management Analyst; Terrence Dela Pena, Finance/Management Analyst; Brandon Larsen, Planning Director; Robert Hobbs, Senior Planner; David Stroud, Senior Planner; Steven Lehmitz, Planner; Jody Bates, Chief Deputy Recorder; Chris Trusty, City Engineer; Mack Straw, Public Utilities Manager; Zac Hilton, Streets and Storm Drain Manager/Parks and Recreation Manager; Embret Fossum, Unified Fire Authority Battalion Chief; Eric McDowell, Chief Deputy Sheriff; B.J. Eccles; Sergeant; Bailey Ensign, Digital Communications Specialist; Dawn Hancock, Special Events Manager; and Jason Hall, Recreation Manager.

CITY STAFF PRESENT ELECTRONICALLY: Marcus Draper, City Attorney; Kimberly Ruesch, Finance Director; Brad Hickman, Public Works Director; Todd Black, Wildlife Biologist/Environmental Planner; Elizabeth Fewkes, Recording Secretary; Michele Graves, Library Director; and Maria Loza, Accountant.

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

1. CITY ADMINISTRATOR INFORMATION ITEMS

Interim City Manager Steve Mumford acknowledged the work that had been done, and the improvements of the new sound system. He continued to recognize engineers Chris Trusty and Bryce McCray for their certification from The Utah Division of Drinking Water and the Rural Water Association. He thanked them for their contributions and for improving their skills for which the City is a mutual beneficiary.

Mayor Westmoreland recognized Colin Baenziger of Colin Baenziger Executive Recruitment Firm, the firm hired to assist the City with hiring a City Manager, to introduce himself to the City Council.

1.A. DISCUSSION – CDBG Consolidated Plan Feedback

Debby Lauret with Mountainland Association of Governments (MAG) explained that the consolidated plan includes a culmination of surveys of citizens, businesses, health departments, and nonprofits. She hopes to be able to provide the plan to The U.S. Department of Housing and Urban Development (HUD) by May 18, 2024. The City Council had expressed interest in using the anticipated $250,000 Community Development Block Grant (CDBG) funds to purchase a bus for the Senior Center, an addition to the Senior Center building, and a utility assistance program for residents.

Discussion ensued regarding the following:

- Anticipation that the $120,000 allocated for a new bus was adequate;
- The realistic number of people the proposed $44,000 in utility assistance could help, with suggestions to adjust funding based on actual need;
- The costs and specifics of the planned expansion of the Senior Center;
- Community input into the planning process; and
- The ability to adjust financial allocations as more accurate cost estimates and community needs are clarified.

1.B. DISCUSSION – Downtown/Civic Facilities

Mr. Mumford introduced the item and the purpose of working with the City Council to accomplish the vision for public facilities combined in a downtown area.

Economic Development Director Evan Berrett's presentation about downtown and civic facilities emphasized a vision for developing a downtown area that suits the unique needs and lifestyle of Eagle Mountain residents. He detailed the planning for future civic facilities, like a new City Hall, recreation facility, public safety building, and library, tailored to enhance local small business opportunities and improve quality of life. The proposed downtown area aims to be a lively, family-centric space, supporting community activities and local commerce, avoiding the density and urban style of larger cities. The goal is to create a downtown that resonates with the character of Eagle Mountain, focusing on a main street retail destination concept that integrates civic uses and public facilities to generate active, multi-use areas. New civic facilities are needed because City Hall is at capacity, the public library is undersized, and to prepare for a future police department. Additionally, a future recreation facility and future public arts facility could be considered. Staff desires to submit a request for proposals (RFP) for a Downtown Master Plan anticipated to cost around $50,000.

Councilmember Clark suggested that when selecting a firm through the RFP process, it would be beneficial to ask for specific best practices and advice tailored to support the types of small businesses that would be ideal for the community. This approach aims to create an environment where small businesses can start and thrive. She emphasized the importance of integrating expert guidance into the planning process to ensure businesses have what they need to succeed.

Councilmember Wright expressed enthusiasm for the project. He requested that the project move forward in an expedited manner with a connection to trail networks, park spaces, or a plaza area.

Councilmember Gray supported advancing the project at an accelerated pace.

Councilmember Burnham stated that she appreciates the focus on creating a community space rather than just a commercial area. She shared examples from another City that successfully integrated artisan shops and community events into their downtown, stressing the importance of drawing people in for reasons beyond shopping.

1.C. DISCUSSION – Local Building Authority

Grants Coordinator/Management Analyst Natalie Winterton and Finance/Management Analyst Terrence Dela Pena presented the concept of a Local Building Authority (LBA) as a funding mechanism for civic facilities. They explained that an LBA is a nonprofit organization established by the City, where the City Council acts as trustees. The creation of an LBA involves passing a Council resolution, filing necessary paperwork with the State, and ultimately approving a resolution to officially establish the LBA. Once established, the LBA can issue lease revenue bonds to finance City infrastructure projects. The City would then lease these facilities from the LBA, using the lease payments to pay off the bond, eventually taking ownership of the buildings. The City pays the lease using money from a predetermined source or multiple sources.

Discussion ensued regarding the following:

- The process of establishing an LBA, noting its simplicity and speed;
- The ability for the LBA, as a 501c, to accept donations;
- The governance structure of the LBA, including the roles and responsibilities of trustees and statutory officers within the LBA framework; and
- The flexibility of funding sources for lease payments, including the use of sales tax revenues or general fund reserves, as long as they are not restricted.

City Attorney Marcus Draper clarified that multiple municipalities are unable to jointly create an LBA unless they form a Special Service District.

1.D. DISCUSSION – Water Rate Study – 2024

In the presentation given by Finance/Management Analyst Terrence Dela Pena on the 2024 Water Rate Study, he reviewed the impact of last year's rate adjustments, analyzed the current fiscal year's water budget, and proposed adjustments for FY 2025. He detailed the 14% increase in consumption rates implemented in October 2023 to prevent a potential negative fund balance by FY 2027. He also noted that most users pay a base rate of $25.50, which will remain unchanged. The presentation covered consumption trends, with a 6% decrease in water use this year compared to last year, and highlighted that while residential consumption has decreased, commercial and industrial use has increased.

Revenue requirements and percentage increases for FY 2025, representing a total increase of 7%, include:

- Personnel - $1,388,616 (8%)
- Materials and Supplies - $7,266,428 (1%)
- Contracted Water - $3,035,000 (23%)

For FY 2025, a further 12% adjustment in the water consumption rate is proposed without altering the base rate of $25.50. Residents will experience an estimated $1.05 (7KGal usage) to $15.35 (100KGal usage) increase on their monthly bill. The water rate adjustment for FY 2025 will be presented for approval at the June 4, 2024 City Council meeting. If approved, the adjustment in the water rates will be effective on July 1, 2024. The changes will be reflected in the billing for August 2024.

Discussion ensued regarding the following:

- Concerns about whether the rate adjustments are sufficient to cover all costs, given the minor changes from previous adjustments;
- Ensuring that all users pay their fair share, emphasizing the need for equitable water rates across different user categories;
- The impact of the rate increases on residents, with examples given of how the adjustments would affect monthly bills across various levels of water usage;
- Comparisons with water rates from other cities to assess the competitiveness and fairness of the proposed rates;
- A focus on preventing large, infrequent rate increases by opting for smaller, annual adjustments to manage financial health and meet infrastructure needs effectively; and

- The importance of communicating changes clearly to residents, including potential improvements in utility billing statements to enhance transparency and help residents manage their water usage better.

2. AGENDA REVIEW

10. MINUTES

Councilmember Wright expressed gratitude to the Recorder's Office staff and Recording Secretary Beth Fewkes and her efforts to prepare the minutes for the meetings.

Fionnuala Kofoed, Assistant City Manager/City Recorder recognized the Recorder's Office staff for their amazing work in celebration of Municipal Clerks Week.

11. PRELIMINARY PLATS & SITE PLANS

11.A. PRELIMINARY PLAT/SITE PLAN- Oquirrh Mountain Ranch LDS Church, located off 7000 N Pony Express Parkway and the continuation of E Oquirrh Mountain Parkway (Parcels #58:048:0077 and #58:048:0078)

Councilmember Gray raised safety concerns about allowing left turns into and out of the site, suggesting it should be limited to a right-in, right-out access due to the dangerous location and requested additional traffic safety features, such as a traffic island and an acceleration/deceleration lane, to further manage traffic safely at the site. He advocated for anticipating potential future changes to the road layout and implementing safety measures proactively.

The City Engineer clarified that the current construction plans include a median, dictating a right-in, right-out traffic flow, indicating no current provision for left turns. He noted challenges in implementing significant changes at this stage due to the timing of the review process. Nevertheless, the City can request an alteration to the plan.

Discussion ensued regarding traffic flow and patterns in the area due to the presence of a median and whether specifying the requirement for a right-in, right-out access was necessary.

12. RESOLUTIONS

12.B. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving an Agreement with Dragon Dynamite Displays for a 4th of July Fireworks Display

Special Events Manager Dawn Hancock verified that the cost reflected music to accompany the fireworks show. She explained that the DJ will handle all sound equipment and that Dragon Dynamite Displays will synchronize the fireworks to the music selected by the City.

Councilmember Gray advocated for making the payment by June 1st to receive the bonus fireworks offered in the contract should funds be paid before that date.

12.C. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Amending the Eagle Mountain City Brand and Marketing Playbook

Councilmember Gray requested to remove the item from the consent agenda for further discussion or to table the item.

Communications Manager Tyler Maffitt said he was amenable to tabling the item for additional work.

12.E. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Proclaiming Eagle Mountain City, a Monarch USA City and Supporting the Improvements to the Available Monarch Butterfly Habitat in Eagle Mountain City

Councilmembers raised concerns about the implications of this designation, specifically the long-term financial obligations and responsibilities involved, expressed the desire to ensure that the City remains proactive about the designation's requirements without overly burdening future councils, and discussed the potential for receiving grants and hosting events like a Monarch Butterfly Festival.

Todd Black, Wildlife Biologist/Environmental Planner confirmed that the costs associated with becoming a Monarch City are minimal, primarily involving a one-time fee and costs for a sign, with additional landscaping that the City would undertake regardless. He explained that the involvement in Monarch City-related activities is mostly low-cost, around $500 to $600, and can be integrated into the City's existing environmental initiatives. Future expenses should be under $2,000. He suggested that activities related to the designation could provide significant educational opportunities and enhance the City's ecological efforts.

Councilmember Gray suggested the item should be revisited periodically to assess continued support and financial implications. He proposed reviewing the resolution every few years.

12.F. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Amending the Eagle Mountain City Policies and Procedures Manual

Councilmember Wright requested further explanation regarding the purpose of the changes to Section 17.10 of the Policies and Procedures Manual. He expressed concern regarding the necessity and enforceability of the proposed amendment that aims to explicitly include dishonesty as a cause for disciplinary action. He requested clarification regarding who determines an employee's non-compliance and what constitutes sufficient evidence for disciplinary action. He raised issues about the potential misapplication of the amendment, questioning the definition of "dishonesty," and the unintended consequences that may arise from such a policy, suggesting that it could lead to unfair disciplinary practices.

Councilmember Gray supported the policy for work-related issues but expressed concerns about misuse that would infringe on employee privacy for personal matters.

Human Resources Manager Angela Valenzuela explained that the amendment was proposed by the City Attorney to clarify that dishonesty can lead to disciplinary actions, which was previously ambiguous. She explained the checks and balances in the disciplinary process to ensure fairness.

City Attorney Marcus Draper clarified that the disciplinary process entails a multi-level review system that includes an employee appeal board to confirm decisions are work-related or impact job performance and are not based on the subjective judgment of any single individual.

The discussion explored the financial implications and operational challenges of implementing this policy, highlighting the City's commitment to maintaining integrity while ensuring fairness and transparency in the enforcement process.

Councilmember Gray suggested that the party determining if disciplinary action is warranted, exclude the person who brought the complaint forward.

3. ADJOURN TO A CLOSED EXECUTIVE SESSION

MOTION: ***Councilmember Burnham moved to adjourn to a closed session for the purpose of discussing reasonably imminent litigation; the character, professional competence, or physical or mental health of an individual; and/or the purchase, lease, or exchange of real property, pursuant to Section 52-4-205(1) of the Utah Code, Annotated. Councilmember Wright seconded the motion.***

Donna Burnham	**Yes**
Melissa Clark	**Yes**
Jared Gray	**Yes**
Rich Wood	**Absent**
Brett Wright	**Yes**

The motion passed with a unanimous vote.

The meeting was adjourned at 5:58 p.m.

7:00 P.M. POLICY SESSION

ELECTED OFFICIALS PRESENT: Mayor Tom Westmoreland, Councilmembers Donna Burnham, Melissa Clark, Jared Gray, and Brett Wright. Councilmember Rich Wood was excused.

CITY STAFF PRESENT: Steve Mumford, Interim City Manager; Fionnuala Kofoed, Assistant City Manager/City Recorder; Cliff Strachan, Director of Legislative Affairs; Evan Berrett, Economic Development Director; Kimberly Ruesch, Finance Director; Tyler Maffitt, Communications Manager; Angela Valenzuela, Human Resource Manager; Natalie Winterton, Grants Coordinator/Management Analyst; Terrence Dela Pena, Finance/Management Analyst; Brandon Larsen, Planning Director; Robert Hobbs, Senior Planner; David Stroud, Senior Planner; Steven Lehmitz, Planner; Jody Bates, Chief Deputy Recorder; Chris Trusty, City Engineer; Zac Hilton, Streets and Storm Drain Manager/Parks and Recreation Manager; Embret Fossum, Unified Fire Authority Battalion Chief; Eric McDowell, Chief Deputy Sheriff; B.J. Eccles; Sergeant; Dawn Hancock, Special Events Manager; and Jason Hall, Recreation Manager.

CITY STAFF PRESENT ELECTRONICALLY: Marcus Draper, City Attorney; Brad Hickman, Public Works Director; Mack Straw, Public Utilities Manager; Elizabeth Fewkes, Recording Secretary; and Maria Loza, Accountant.

4. CALL TO ORDER

Mayor Westmoreland called the policy session to order at 7:25 p.m.

5. PLEDGE OF ALLEGIANCE

Councilmember Burnham led the Pledge of Allegiance.

6. INFORMATION ITEMS/UPCOMING EVENTS

7. PUBLIC COMMENTS

Mayor Westmoreland opened public comment at 7:27 p.m.

Elizabeth Westmoreland proposed adding swings to Nolen Park to enhance its appeal, especially for children. She noted that sturdy swings she saw at another school could be a good model for the park.

Kaeley White raised concerns about recurring issues with their neighborhood lift station which had led to sewage backups. She highlighted the absence of backflow preventers and inquired about the City's and the builder's accountability, pointing out potential design flaws and inadequate community infrastructure management.

Marian Burningham, speaking on behalf of the Eagle Mountain Nature and Wildlife Alliance, voiced support for declaring Eagle Mountain a Monarch City USA member, emphasizing the minimal cost and educational benefits of the program. She noted the initiative's broader ecological impacts beyond just monarch butterflies, advocating for City support in plantings and maintenance to support all pollinators and provide information to residents on how to support the program.

Josh Wagstaff raised concerns over issues with the local rodeo grounds, particularly the lack of maintenance that prevents children from using the facility for 4-H activities. He emphasized the need for a tractor to properly maintain the arena so it could be fully utilized.

Jaxon Reeder, a young entrepreneur, proposed creating a children's marketplace event to support other young local entrepreneurs. He outlined his plan to manage logistics and ensure diverse product offerings at the event.

Jeff Ruth expressed frustration over the inadequate maintenance of trails and roads in his neighborhood, noting a decline in upkeep and contrasting it with better-maintained areas. He called for consistent action from the City to manage vegetation and ensure safety, highlighting the risks of uncontrolled weed growth and the potential fire hazards it poses. He requested that the City post signage to notify residents when parks have been treated with chemicals that pose a hazard to pets.

Mayor Westmoreland closed public comment at 7:57 p.m.

8. CITY COUNCIL/MAYOR'S ITEMS

Councilmember Clark

Councilmember Clark expressed gratitude to the young community members for their civic engagement and the first responders for their efforts during a recent emergency. She highlighted the successful Digital Literacy Center open house attended by various community members and staff.

Councilmember Burnham

Councilmember Burnham thanked the first responders for managing a significant fire incident in the City effectively. She commended the resident's quick response to help affected families through social media, praising the local community's spirit and generosity.

Councilmember Gray

Councilmember Gray expressed appreciation for the event at the Senior Center. He also acknowledged the recruitment firm present at the meeting for their diligent efforts to understand the community to aid in their recruitment tasks. Additionally, he recognized the sacrifice of first responders in a recent incident in Southern Utah County, emphasizing the importance of community support for these professionals. He noted upcoming Youth Council elections and the need to engage youth in civic processes.

Councilmember Wright

Councilmember Wright recognized Unified Fire Authority for their bravery and service, especially highlighting their recent actions during a fire incident. He presented UFA members with a token of appreciation, noting that no public funds were used for this gesture as the item had been donated.

CONSENT AGENDA

9. BOND RELEASES

   9.A. Pacific Springs Phase A-4 – Into Warranty

   9.B. Silverlake Plat 30, Sewer Main Fix – Out of Warranty

   9.C. Oquirrh Mountain Ranch Phase B, Plat 1 – Out of Warranty

10. MINUTES

   10.A. January 25, 2024 Minutes – City Council Visioning Conference

   10.B. February 27, 2024 Minutes – City Council Budget Work Session

   10.C. March 26, 2024 Minutes – City Council Special Session

   10.D. April 16, 2024 Minutes – City Council Regular Meeting

   10.E. April 23, 2024 Minutes – City Council Budget Work Session and Special Session

11. PRELIMINARY PLATS & SITE PLANS

   11.A. PRELIMINARY PLAT/SITE PLAN- Oquirrh Mountain Ranch LDS Church, located off 7000 N Pony Express Parkway and the continuation of E Oquirrh Mountain Parkway (Parcel #58:048:0077 and #58:048:0078)

12. RESOLUTIONS

   12.A. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Amending the Purchase

Agreement with D&B Cedar LLC. for the Acquisition of a Right-of-Way along Old Airport Road

12.B. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving an Agreement with Dragon Dynamite Displays for a 4th of July Fireworks Display

12.C. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Amending the Eagle Mountain City Brand and Marketing Playbook

12.D. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Authorizing the Finance Director and Treasurer to Make Changes to the Eagle Mountain City Public Treasurers' Investment Fund (PTIF) Accounts

12.E. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Proclaiming Eagle Mountain City, a Monarch USA City and Supporting the Improvements to the Available Monarch Butterfly Habitat in Eagle Mountain City

12.F. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Amending the Eagle Mountain City Policies and Procedures Manual

12.G. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Consenting to the Reorganization of the Timpanogos Special Service District

MOTION: ***Councilmember Gray moved to approve the consent agenda removing item 12.C. for future consideration and adding an annual review to item 12.E. Councilmember Burnham seconded the motion.***

Donna Burnham	**Yes**
Melissa Clark	**Yes**
Jared Gray	**Yes**
Rich Wood	**Absent**
Brett Wright	**Yes**

The motion passed with a unanimous vote.

SCHEDULED ITEMS

13. ORDINANCES AND RESOLUTIONS/PUBLIC HEARINGS

13.A. RESOLUTION/PUBLIC HEARING – A Resolution of Eagle Mountain City, Utah, Adopting the Eagle Mountain City Tentative Budget for Fiscal Year 2024-2025 and Setting a Public Hearing for the Final Budget on June 4, 2024

Finance Director Kimberly Ruesch presented the tentative budget for Eagle Mountain City for the fiscal year 2024-2025. The tentative budget amounts to $112,517,744, reflecting a 1.5% reduction from the previous year-end's estimate, primarily due to decreased capital project funding. The budget includes provisions for new funding of capital projects, previously funded projects are expected to roll over and continue into the upcoming fiscal year. The budget anticipates revenue assumptions of an 8% sales tax growth, no increase in property tax, 805 single-family residential permits, and 9% growth in utility users. Additionally, the budget proposes hiring new full-time and seasonal employees, market pay adjustments of 3%, and maintaining healthcare premiums with a slight reduction of 2.77%

despite expectations of an 8% increase. She highlighted that the budget aims to address strategic goals and is balanced with expenditures matching expected revenue without a property tax increase.

Councilmember Gray expressed apprehension about the fairness of applying a flat percentage increase across all salary bands, particularly for higher earners who might receive a disproportionately higher increase compared to lower earners. He recommended adjusting the percentage increases based on where employees fall within their pay bands, suggesting a lower percentage increase for those already at the top of the midpoint of the pay band.

Councilmember Wright advocated bringing employees within the high end of the midpoint of their pay brackets and offering growth opportunities within the City as beneficial to the employees, the City, and the residents as it increases expertise, retains job knowledge, and prevents costs associated with attrition such as hiring and training new employees.

Councilmember Clark recognized that the City has a higher workload than other cities due to high growth and thinks the City should pay for the level of experience and training of employees. She thinks that the City should take advantage of the funding available to make the adjustments to entice employees to stay or join the workforce.

Councilmember Burnham noted that the pay increase will only apply to employees meeting their goals rather than be a cost-of-living increase for all staff.

Mayor Westmoreland acknowledged that any staff member at the higher end of the pay band was an intentional, merit-based decision.

Discussion ensued regarding property taxes; and the need to ensure that salary adjustments help bring all employees, particularly lower earners, closer to the midpoint of market rate pay bands to maintain fairness and ensure the City's pay structure is equitable and competitive.

Mayor Westmoreland opened the public hearing at 8:35. As there were no comments, he closed the hearing.

Councilmember Clark noted the importance of making the budget process transparent to the public, with the recommendation to better classify and explain budget expenditures, especially concerning public art and rebranding efforts. The other Councilmembers supported Councilmember Clark's recommendation.

MOTION: ***Councilmember Burnham moved to approve a resolution of Eagle Mountain City, Utah, tentatively adopting the Eagle Mountain City Tentative Budget for Fiscal Year 2024-2025 and setting a public hearing for adoption of the final budget on June 4, 2024. Councilmember Gray seconded the motion.***

Councilmember Wright requested that the public record reflect that although he will vote upon the budget as a whole, he will recuse himself from any discussion and vote upon the public art element approval in the future should his company desire to submit a proposal for the project.

Donna Burnham	**Yes**
Melissa Clark	**Yes**
Jared Gray	**Yes**
Rich Wood	**Absent**

Brett Wright	**Yes**

The motion passed with a unanimous vote.

13.B. ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Rezoning 0.62 acres, located at 1215 E Harmony Way, from Tier 1 Residential to R1 for the purpose of locating an LDS Seminary Building

Senior Planner David Stroud presented a proposal for rezoning a 0.62-acre lot at 1215 East Harmony Way from a Tier 1 Residential Zone to an R1 Zone to accommodate a seminary building for The Church of Jesus Christ of Latter-day Saints. The proposed change aims to address setback non-conformities under the current zoning, which does not match Municipal Code's specifications for setback requirements. The R1 Zone would allow for less restrictive setbacks, facilitating the building's construction adjacent to a new middle school in the Clearview Estates area. Staff recommended approval of the rezoning, noting that the changes were consistent with the area's development plans.

Mayor Westmoreland opened the public hearing at 8:59 p.m. As there were no comments, he closed the hearing.

Councilmember Gray questioned the appropriateness of the R1 Zone and suggested that a Public Facilities Zone might be more suitable since it would align with the use of the land for public purposes without the possibility of subdivision that R1 would permit. He emphasized the importance of aligning the zoning with the specific needs and future intentions of the property for a seminary building to prevent the land from being developed as residential and a willingness to reevaluate the application should issues arise with public facilities zoning. Councilmember Wright concurred.

Discussion considered whether to apply R1 zoning or a Public Facilities Zone to the land with consideration of consistency with the character of the neighborhood, which predominantly features larger residential lots, and factors such as setbacks, buffering, parking requirements, and the seminary's operational needs.

Applicant Mike Davey, with BHD Architects representing the Church of Jesus Christ of Latter-day Saints, stated that they would be amenable to the Public Facilities Zone as long as it permitted the necessary setbacks.

MOTION: ***Councilmember Gray moved to approve an ordinance of Eagle Mountain City, Utah, rezoning 0.62 acres, located at 1215 E Harmony Way, from Tier 1 Residential to the Public Facilities Zone. Councilmember Wright seconded the motion.***

Donna Burnham	**Yes**
Melissa Clark	**Yes**
Jared Gray	**Yes**
Rich Wood	**Absent**
Brett Wright	**Yes**

The motion passed with a unanimous vote.

AMENDED MOTION: ***Councilmember Gray moved to approve an ordinance of Eagle Mountain City, Utah, rezoning 0.62 acres, located at 1215 E Harmony Way, from Tier 1 Residential to the Public Facilities Zone for the purpose of locating a Church of Jesus Christ of Latter-day Saints seminary building. Councilmember Wright seconded the motion.***

Donna Burnham	**Yes**
Melissa Clark	**Yes**
Jared Gray	**Yes**
Rich Wood	**Absent**
Brett Wright	**Yes**

The motion passed with a unanimous vote.

13.C. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Amending Eagle Mountain Municipal Code 17.80 Regarding Electronic School Signs

Planner Steven Lehmitz presented a proposed amendment to Eagle Mountain Municipal Code 17.80, aiming to adjust regulations around school signage. The proposal included allowing electronic message centers or reader boards on wall signs at schools, adjusting the height and square footage allowances for school monument signs, and allowing signs for athletic facilities. He reviewed notable changes to the standards.

Councilmember Burnham expressed frustrations with previous experiences where schools did not comply with agreements to turn off electronic signs, impacting residential areas, including her own home. She voiced concerns about the enforceability of sign regulations and the potential for ongoing issues if electronic signs were permitted more broadly without strict controls.

Mayor Westmoreland opened the public hearing at 9:19 p.m. As there were no comments, he closed the hearing.

Councilmember Clark stated that while she does not wish to be punitive and deny the request for a school that raised funds for an electronic sign, she is concerned about the precedent that might be set by changing the code to accommodate one school, potentially leading to widespread non-compliance impacting the City's aesthetics. She also raised issues about the existing signs at other schools, questioning whether they were compliant with current codes and how the City would handle enforcement going forward.

Councilmember Gray raised concern over a provision in current standards to allow illuminated signs in residential zones if approved by the Planning Director. Mr. Mumford clarified that the section referenced was intended for other types of illuminated signs and not electronic message boards.

Discussion ensued regarding the following:

- The appropriateness of allowing electronic signs at schools, especially given existing irregularities and non-compliance with current codes;
- Concerns about the potential proliferation of electronic signs and the precedent it might set for future requests;
- Frustration with past enforcement of sign regulations, particularly signs that may have been installed without proper approvals;
- The inclination to deny the proposed code changes due to concerns about increasing the number of electronic signs and a desire to maintain stricter control over signage at schools;
- The need for clearer regulations and enforcement mechanisms to effectively address existing non-compliant signs;
- Consideration of the implications of either enforcing the removal of non-compliant signs or allowing some exceptions without broader code amendments; and
- The need for potential further review of the sign code to address inconsistencies and enforcement challenges.

MOTION: ***Councilmember Wright moved to deny an ordinance of Eagle Mountain City, Utah, amending Eagle Mountain Municipal Code 17.80 Regarding Electronic School Signs. Councilmember Gray seconded the motion.***

Donna Burnham	**Yes**
Melissa Clark	**Yes**
Jared Gray	**Yes**
Rich Wood	**Absent**
Brett Wright	**Yes**

The motion passed with a unanimous vote.

13.D. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City Utah, Enacting Eagle Mountain Municipal Code Chapter 2.20 Compensation Schedule of Statutory Officers

City Attorney Marcus Draper presented a new chapter of the Eagle Mountain Municipal Code to establish the salary ranges for statutory officers. This action was necessary to comply with changes brought about by the enactment of Senate Bill 91 during the 2024 legislative session. Previously, cities *may* set compensation schedules by ordinance, but the new law changes this to a mandatory requirement *shall*. The code amendment ensures compliance by specifying salary ranges for appointed statutory officers, adding to the existing code that already includes elected officials' salaries.

Mr. Draper clarified that the salary range for the City Recorder is a function of the current dual role of City Recorder and Assistant City Manager. In the future should the positions be separated and held by two individuals; the compensation scale could be adjusted accordingly.

Mayor Westmoreland opened the public hearing at 9:39 p.m. As there were no comments, he closed the hearing.

MOTION: ***Councilmember Wright moved to approve an ordinance of Eagle Mountain City Utah, enacting Eagle Mountain Municipal Code Chapter 2.20 Compensation Schedule of Statutory Officers. Councilmember Gray seconded the motion.***

Donna Burnham	**Yes**
Melissa Clark	**Yes**
Jared Gray	**Yes**
Rich Wood	**Absent**
Brett Wright	**Yes**

The motion passed with a unanimous vote.

13.E. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Amending Eagle Mountain Municipal Code Title 15, Building and Construction

City Engineer Chris Trusty presented amendments to Eagle Mountain Municipal Code Title 15, Building and Construction:

15.35 Water

- Refer to current Eagle Mountain Standards.
- Maximum spacing of 500 feet for fire hydrants.

15.45 Sewer

- Changes remove the option to install a concrete sewer pipe and will only allow for polyvinyl chloride (PVC) or high-density polyethylene (HDPE) unless approved otherwise.
- Maximum spacing of sewer manholes to not exceed 400 feet to facilitate maintenance.
- Removes option for wet well sewer lift station design and restricts construction of lift stations if gravity flow can be provided.
- Clarifies that septic waste cannot be disposed of at the City wastewater treatment facility. This could change in the future if the City installs a dump line.

15.70 Street Light Spacing

- Local streets minimum spacing of 250 feet; maximum spacing of 350 feet.
- Arterial and collector roads minimum spacing of 150 feet; maximum spacing of 250 feet.

Construction Standards Details

- Eagle Mountain has adopted American Public Works Association (APWA) construction standards and details unless otherwise modified.
- Details are intended to provide a visual representation of standards already adopted in Municipal Code.

Councilmember Gray recommended clarification on the types of PVC pipes used, specifically advocating for specifying types such as standard dimensional ratio (SDR) 35 or Schedule 40 to avoid potential loopholes.

Discussion considered exploring revenue generation opportunities of allowing the disposal of septic waste at the City facility contingent upon further study to assess the financial and operational implications and infrastructure impacts.

Mayor Westmoreland opened the public hearing at 9:47 p.m. As there were no comments, he closed the hearing.

MOTION: ***Councilmember Gray moved to approve an ordinance of Eagle Mountain City, Utah, amending Eagle Mountain Municipal Code Title 15, Building and Construction. Councilmember Wright seconded the motion.***

Donna Burnham	**Yes**
Melissa Clark	**Yes**
Jared Gray	**Yes**
Rich Wood	**Absent**
Brett Wright	**Yes**

The motion passed with a unanimous vote.

14. LEGISLATIVE ITEMS

14.A. UPDATE – Legislative Priorities List

Director of Legislative Affairs Cliff Strachan reviewed the progress of items on the Legislative Priorities List as well as actions from the 2024 Legislative Session, and the impact to the City.

Discussion ensued regarding modular homes and staff performing additional research to assist the City Council in determining whether to create standards for modular homes or to attract a modular home manufacturer.

Councilmember Clark raised safety concerns about close side setbacks in light of the recent fire and methods the City could employ to mitigate hazards.

Discussion considered setback distance, firewall, and fire break standards, and considerations of limitations due to international building codes and housing affordability.

15. CITY COUNCIL/MAYOR'S BUSINESS

Councilmember Gray
Councilmember Gray verified with staff that Applebee's is no longer in negotiations with the City but a fast-food restaurant has expressed interest in the site located at the northeast corner of Ranches Parkway and Pony Express Parkway. He and Councilmember Wood have discussed exchanging liaison assignments between the Development Review Committee and the Parks and Recreation Advisory Board due to personal scheduling conflicts with their current duties. He also suggested implementing a school district liaison assignment.

The elected officials discussed options to improve communication and interaction with the school district.

Councilmember Clark
Councilmember Clark requested for staff to create a graphic with the best methods for contacting the City and Councilmembers that the Eagle Mountain Chamber of Commerce can distribute to residents.

16. CITY COUNCIL BOARD LIAISON REPORTS

Councilmember Gray
Councilmember Gray announced that Pony Express Days is coming up from May 29 to June 1. The rodeo queens will be attending the May 21, 2024 City Council meeting. He can provide interested parties with information about the Utah Transit Authority (UTA) ride-along event scheduled for the end of the month.

Councilmember Wright
Councilmember Wright invited staff and elected officials to participate in a Legislative Policy Committee (LPC) meeting which will be held on May 20, 2024, at Utah Local Governments Trust.

17. COMMUNICATION ITEMS

17.A. Financial Update

17.B. UPDATE – Upcoming Agenda Items

18. ADJOURNMENT

MOTION: ***Councilmember Wright moved to adjourn at 10:32 p.m. Councilmember Gray seconded the motion.***

Donna Burnham	**Yes**
Melissa Clark	**Yes**
Jared Gray	**Yes**
Rich Wood	**Absent**

Brett Wright **Yes**

The motion passed with a unanimous vote.

The meeting was adjourned at 10:32 p.m.

Approved by the City Council on May 21, 2024.

Fionnuala B. Kofoed, MMC
City Recorder