



EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

May 4, 2021, 4:00 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

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

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

OTHER ELECTED OFFICIALS PRESENT ELECTRONICALLY: Congressman Burgess Owens, Senator Jacob Anderegg; and Representative Jefferson Moss.

CITY STAFF PRESENT ELECTRONICALLY: Steve Mumford, Assistant City Administrator/Community Development Director; Tayler Jensen, Senior Planner; Kimberly Ruesch, Finance Director; Jessa Porter, Planner; Fionnuala Kofoed, City Recorder; Elizabeth Fewkes, Recording Secretary; Chris Trusty, City Engineer; Aaron Sanborn, Economic Development Director; Jeremy Cook, City Attorney; Brad Hickman, Parks and Recreation Director; Mack Straw, Public Utilities Manager; Zac Hilton, Streets and Storm Drain Manager; Jeff Weber, Fleet and Facilities Operations Director; Embret Fossum, Fire Chief; and Tyler Maffitt, Communications Manager.

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

1. CITY ADMINISTRATOR INFORMATION ITEMS

1.A INTRODUCTION – Congressman Burgess Owens

Congressman Burgess Owens introduced himself and highlighted his political priorities and goals emphasizing education, small businesses, human trafficking and border concerns, sheep herding and agricultural support, protecting American freedoms, and civil service.

Discussion ensued regarding statehood for Puerto Rico, federal involvement in local education, and increasing educational choices. Congressman Owens offered to meet with Councilmember Burnham to further discuss Puerto Rico statehood.

1.B. LEGISLATIVE UPDATE – Senator Jacob Anderegg and Representative Jefferson Moss

Representative Jefferson Moss updated the City Council on legislative items including House Bill 294, the state of and lower than expected State financial impact of the pandemic, tax cuts, child tax credits, military and social security tax cuts, technological innovation, population growth, and the teacher shortage and education.

Senator Jacob Anderegg and the City Council discussed law enforcement concerns, bills, and improvements efforts; House Bill 294 and Senate Bill 195; the masks in school requirement

continuing through July 1, 2021; business rights regarding requiring masking; State of Emergency declarations, concerns regarding executive overreach, checks and balances, and resulting legislative changes; difficulties in promoting Utah County transportation priorities and interests and obstacles in securing funding; transit and commute times; Senate Bill 34 and affordable housing success metrics.

Councilmember Burnham clarified that her frustrations with transportation funding expressed during a previous meeting were not directed at Senator Anderegg and Representative Moss and apologized for the comments.

Councilmember Curtis requested an additional work session meeting to further discuss mutual concerns with the State Officials.

1.C. UPDATE – City Administrator Items

This item was discussed after item 2.

Engineering

- Pony Express Parkway – widening began May 3, 2021.
- Lone Tree Signal –delayed for Rocky Mountain Power to locate the power; this occurred yesterday, and mobilization is expected by next week with expected completion in July 2021.
- West Access Road – paving should occur this week.
- 4000 North Tyson – remaining improvements and paving begin this week.
- Airport Road – has a bid opening on May 10, and the bid award will occur at the May 18, 2021 City Council meeting.
- White Hills Sewer – the lift station was installed and scheduled for startup on May 10, 2021.

Wastewater

- The City responded to the State with corrections to their designated action items for our effluent disposal and is waiting for State approval.
- Staff is working through the plant issues from last week. It will take some time to remove all broken discs.
- Staff will begin removing dirt and debris referred to as “Wastewater Mountain” in a few days and the project should be finished in approximately three weeks.

Water

- A new water conservation webpage link is available on the City website or can be accessed at <https://eaglemountaincity.com/waterconservation/>.
- Governor Cox ordered water conservation methods at all State facilities. More information is available at <https://governor.utah.gov/2021/05/03/gov-cox-orders-water-conservation-measures-at-all-state-facilities/>.
- The Advanced Metering Infrastructure (AMI) water meter system is now powered up and should go live in July.
- Staff is prepping all wells for summer use.

Streets

- Last Wednesday, April 28, 2021, the trail from Majors Street to the Brandon Park subdivision was paved to connect the subdivision with the rest of Eagle Mountain. It took 463 tons of asphalt and added 2,458 linear feet to the trail which is 182 feet shy of paving half a mile in one day. The Streets Department, with support from the Storm Drain and Parks Departments, installed the trail within the parameters of the Tourism, Recreation, Culture, and Convention grant so that the City could submit for reimbursements. The Safe Routes to School grant will fund a portion of the trail cost and flashing pedestrian crossing signs.

Parks

- Cory B. Wride Memorial Park Phase 2 – Many concrete walkways have been installed. Most of the irrigation work has been completed. Some of the main water sources need to be completed. All the sport court light poles have been installed and are waiting for Rocky Mountain Power to connect electricity. The restroom facility is vertical and awaits additional materials to complete the roof. Asphalt installation should begin by next week. The final grades for these areas should be completed soon.
- SilverLake Woodhaven Park – All irrigation has been installed. The City has an agreement with the Welby Jacob Canal company that will require City Council approval at the next meeting. Some of the regular color concrete has been installed and all the playground equipment has been installed on the project. Staff is looking to finish some of the water sourcing for this site and are hoping to have sod installed within the next couple of weeks.
- Smith Ranch Community Park – A kickoff design meeting for the park was held two weeks ago and talked through items the City would like to see incorporated in the park. Staff will be meeting this week to discuss community outreach for feedback on what residents would like to see installed in the park. It is still early in the design process.

Event Updates

- Community Cleanup Dumpsters – On Saturday, May 1, 2021, several dumpsters were filled, and the City received some compliments for offering this service to the residents. City Administrator Paul Jerome thanked Mortensen Construction and Eagle Mountain City staff, specifically Dawn Hancock and Suzie McCorristin, for filling in the gaps for the hours needed to fulfill the event.
- Wildlife Corridor Event Planting Update – The City would like to recognize the Eagle Mountain Nature and Wildlife Alliance, Eagle Mountain Kestrel Project, and the Division of Wildlife Resources for their efforts in a habitat restoration project in Eagle Mountain City on April 10, 2021. The event hosted over 70 volunteers that planted native brush within the wildlife corridor.
- Trail Therapy Day – The event was hosted by the Lake Mountain Bicycle Club and Trail Sisters.org on Saturday, April 24, 2021. Parks staff helped secure dump passes through the City for disposal of the debris and garbage that was collected during the event. The event hosted around 120 volunteers helping with the cleanup project and hauling the waste to the dump.

Community Development

- New Residential Building Permits – 172 issued in April, 160 single-family homes and 12 multifamily units, with an average of 133 permits per month this year.

- Commercial Building – Two permits were issued in April for University Federal Credit Union and the Brylee Farms Clubhouse.
- An agreement is under review with Bird, a scooter company, for electric scooters.

2. AGENDA REVIEW

9. CHANGE ORDERS

9.A. Aviator Traffic Signal Change Order #1 – Landmark Excavating

Councilmember Gray expressed concern with the statement in the staff report indicating “during the course of the project, the contractor needed to pothole to field-verify the exact location of underground electrical lines.” In his opinion and experience as an excavator, the practice is a part of the usual process and should not require additional payment.

City Engineer Chris Trusty explained the increase in expense was due to relocating the pedestrian pole, and the pothole to field-verify was a change to rather than an additional expense to the project.

10. MINUTES

10.A. April 20, 2021 Minutes – Regular City Council Meeting

Councilmember Love requested to clarify the four lots that require landscaping screening for the O’Reilly Auto Parts and to amend “This amendment recommends adding a minimum lot size of three-quarter acres for the RD2 zone,” on page seven to “this amendment recommends adding a minimum *average* lot size of three-quarter acres for the RD2 zone.”

11. PRELIMINARY PLATS & SITE PLANS

11.A. Overland Village Two Phase A – Preliminary Plat & Master Site Plan

Assistant City Administrator/Community Development Director Steve Mumford presented the item. This is a preliminary plat and master site plan request for Phase A of Overland Village Two and is subject to the Overland Master Development Agreement (MDA). The plan has 375 total lots/units with 222 single-family lots and 153 townhomes. The concept plan for Village Two was approved by the City Council on November 17, 2020.

The City Council held a work session review on the applications on April 20, 2021, and provided the following feedback/concerns: grass/sod areas are needed near the townhomes to provide more play areas and usable gathering areas; the native landscaping areas should include original plantings and be enhanced/manicured, not just “natural;” 50% turf is required in multi-family landscape areas; example images should be provided for the “cluster” homes that front open spaces and have rear access; the cluster homes have insufficient usable open space near them; traffic flow for the elementary school may be difficult and cause issues; and the proximity of the clubhouse to the townhomes.

Staff has reviewed the Overland MDA and the vested City laws from 2017 in relation to the Council's concerns. The development is exempt from the open space and trail standards from the 2017 Municipal Code and has separate standards included in the MDA. They are complying with those standards and are planning to develop a park in a later phase of Village 2. The clubhouse and pool requirements of 2017 apply to this project, which means that a clubhouse of at least 1,200 square feet is required for the townhomes in this project. It is staff's opinion that the Club Ivory Barn/Clubhouse, which is much larger than 1,200 square feet, meets that requirement. The developer is preparing a set of updated landscape plans to add areas of grass near the townhomes. Not all the open space in this development can be strictly considered multifamily open space, so the 50% requirement should only apply to the areas in the immediate vicinity of the townhomes and not apply to the entire landscape corridors or storm drain ponds.

Councilmember Gray said, in his opinion, the plan needs additional amenities for the multifamily housing, especially due to the Club Ivory clubhouse serving other villages and the single-family homes. Councilmember Curtis recalled that the terms of the MDA allow for the existing clubhouse to fulfill the amenity requirements and although he would prefer additional amenities for the townhomes, the requirements have been met. Mr. Mumford said that the applicant plans an additional amenity for the multifamily area; however, the specifics of the amenity have not yet been determined. The applicant will provide a pool and clubhouse specific to the multifamily homes in this village, if desired by the Council.

Discussion ensued regarding the size and unit amenity requirements in the MDA in relation to current standards.

Councilmember Clark expressed concern due to current complaints regarding natural landscape areas in the City and the potential for complaints from future residents due to the lack of turf in the development. She requested the townhome residents have access to sod areas near their housing units. Councilmember Love concurred.

Discussion ensued regarding options to address the native open space concerns and potential areas for additional sod. Mr. Mumford noted that Parcel A and the area in the southeast corner of the village are stormwater detention areas with a sloped grade.

Councilmember Clark expressed apprehension about the location of the future elementary school location due to safety, parking, and traffic flow concerns.

3. ADJOURN TO A CLOSED EXECUTIVE SESSION

No closed session was held. Mayor Westmoreland adjourned the meeting at 6:33 p.m.

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

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

CITY STAFF PRESENT ELECTRONICALLY: Steve Mumford, Assistant City Administrator/Community Development Director; Tayler Jensen, Senior Planner; Kimberly Ruesch, Finance Director; Jessa Porter, Planner; Fionnuala Kofoed, City Recorder; Elizabeth Fewkes, Recording Secretary; Chris Trusty, City Engineer; Aaron Sanborn, Economic Development Director; Jeremy Cook, City Attorney; Brad Hickman, Parks and Recreation Director; Mack Straw, Public Utilities Manager; Zac Hilton, Streets and Storm Drain Manager; Jeff Weber, Fleet and Facilities Operations Director; Embret Fossum, Fire Chief; and Tyler Maffitt, Communications Manager.

4. CALL TO ORDER

Mayor Westmoreland called the meeting to order at 7:03 p.m.

5. PLEDGE OF ALLEGIANCE

City Recorder Fionnuala Kofoed led the Pledge of Allegiance.

6. INFORMATION ITEMS/UPCOMING EVENTS

- A big thank you to community members that participated in the Eagle Mountain Spring Cleanup. It was a major success and reports are that everyone participating was respectful. We look forward to continuing that service.
- Pony Express Days will be held June 2 to 5. Events will include a carnival, parade, fireworks, and movie in the park. Applications for parade spots and Grand Marshal can be found on Eagle Mountain City social media.
- Road construction season is upon us. Work started on Pony Express Parkway on Monday. For traffic updates and progress reports on the work, please stay tuned to Eagle Mountain news items on the website as well as social media.

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 7:05 p.m.

Mark Lindsey, Cedar Pass Ranch Homeowner's Association City liaison, noted they sent a letter to the Streets Department expressing concern with motorist speed due to accidents and severe pedestrian injuries in their neighborhood. He has observed people running stop signs and drag racing, home businesses exceeding the maximum daily patronage limits, and property damage caused by vehicular collisions in inclement weather. They requested to meet with the Streets Department and the City Council to recommend ideas to protect pedestrians, bikers, and equestrians such as additional signage, flashing signs, speed humps, radar speed limit signs, and

additional Sheriff's Office presence. He and other Cedar Pass Ranch residents offered to make financial contributions to help fund the solutions.

Cedar Pass Ranch resident Heather Beck said she has almost been hit by cars while walking her camels and is concerned for children crossing the street near the blind corner by the park. Cedar Pass Ranch does not have sidewalks which requires residents to walk in the street, increasing the likelihood of significant injury. She has noticed home businesses with 30 to 35 cars visiting the home in a single day. She offered financial contributions for additional signage.

Cedar Pass Resident Deborah Painter shared that in January 2016 her children were being pulled on a sled by a four-wheeler and while crossing the street were hit by a car. The car was going at least 35 mph. Her children were life-flighted to the Primary Children's Hospital and still have lingering physical difficulties because of the accident. She has noticed residents traveling on Cedar Pass Road to and from religious activities violating traffic laws and not slowing for pedestrians.

Bettina Cameron said she is speaking on behalf of a neighbor who could not attend regarding traffic concerns in Cedar Pass Ranch. The Millers have called the Utah County Sheriff's at least 30 times due to traffic violation concerns. She recognized the Sheriffs are busy but requested an increased Sheriff presence in the neighborhood. She had to install a cable to block one side of her u-shaped driveway to prevent motorists from using her driveway to avoid a stop sign. She supports the requests for additional measures to increase safety. Regarding the Overland Village landscape plan, she said she used to live in Saratoga Springs near a retention pond with native landscape similar to this proposal. The area ended up looking like weeds and was filled with rodents. The problem grew to the extent that the City had to put in irrigation and sod. The little pockets of open space provided in the plan are not significant for children's play areas. She noted the improvement requirements in the Overland Village Two Master Development Agreement (MDA). She suggested drought-resistant grass. She loves native habitat but feels this is not the proper area for it.

John Fluckiger submitted the following comment: "Hello, I moved to the White Hills Subdivision because of the open spaces and the wonderful views, access to the countryside, and the relatively quiet neighborhood. Part of your Agenda is to discuss maintaining a country atmosphere that is completely impractical and unrealistic with the number of houses that are looking to be approved and built. With an average of 600 dwellings (single occupancy, and high density) per section, there is no way "country atmosphere" will or can survive. Additionally, there is no way the current two-lane road (State Road 73) can support the massively increased load of traffic. The impact study being used is from 2008 and is completely out of touch with reality. The number of trucks coming to and from the rock quarries by themselves has increased by more than double and frequently leaves gravel all over the highway due to the uncovered loads. Add in regular traffic coming in and out of Tooele County and any weekend traffic heading out to 5 mile or to the Dunes in Millard County and you have a recipe for disaster as a result of impatient drivers. Travel to and from I15 used to take me approximately 20 minutes given dry conditions, it now takes me almost 40 minutes given the same driving conditions as a result of increased traffic, traffic accidents, additional traffic flow lights, poor planning of entrances to SR73 and lack of proper patrolling and enforcement by law enforcement to prevent stupid and reckless drivers who often disregard traffic signs and lights to save 2 seconds of drive time. Add in the fact THERE IS NO WATER... making my water bill

skyrocket as a result of the increased use and demand on an already struggling system is not only foolish, reckless, but unfair for those who already live out in the Cedar Valley Area. The proposed building/construction also increases the number of dwellings and decreases the current value of the existing homes and properties as a result of just being older homes. I do not want to see this lovely area turned into a Herriman or Day Break because it sure as hell does not improve or even maintain a 'Country Atmosphere.'"

Jon Celaya submitted the following comment: "My wife and I wish to voice our support for the allowance of two horses/mules per half-acre as proposed for EMMC 6.10.090 Residential Zone Livestock Requirements. Any concerns raised regarding the adoption of this provision can be referred to the successful implementation of this tiered approach in cities such as Highland, Lehi, Saratoga Springs, and other similar communities. Additionally, the adoption of this proposal does not exclude persons from adherence to Titles 6.05.090 'Conditions of Animal Ownership', 6.05.130 'Public Nuisance', 8.15 'Noise', and 10.10 'Parking'. These provisions should mitigate any concerns such as dust, traffic, odors, etc. If a concern is raised after the adoption of the proposal, it can be resolved by referring to the existing code. For reference, Saratoga Springs Chapter 19.05.05 'Farm Animals', allows for two large animals per half acre with a minimum 3/4 acre lot size, which is more lenient than the proposal. Highland Zoning Article 4.1 R-1-40 allows for 21 large animals on a five-acre lot, which is also more lenient than the proposal. And Lehi's Chapter 12 of the Development Standards, Table 12.240 allows for two large animals per half-acre, and no limit of large animals for 5+ acres, which is also more lenient than the proposal. Embracing equine-related activities serves to enhance the beauty and variety of our community. It provides employment opportunities to our residents and provides our youth and youth-groups with wholesome and character-building experiences. Allowing this culture to thrive in our community is a unique benefit. I hope it's clear that this approach has been successfully implemented in neighboring communities, that there are advantages to having equine-related activities in our community, and that Eagle Mountain can safely, and without harm, adopt the provision."

Lisa and Arlon Miller submitted the following comment: "I would like to address my traffic concerns in CPR. The traffic has continued to increase over the years and everyday people run the stop signs and travel throughout the neighborhood at high speeds (30-60mph). This has become very dangerous to our residents and; our animals. I have personally been in danger while riding my horses in CPR due to speeding motorists. We have called the sheriffs department well over 30 times to try and help the situation. There are commercial businesses in CPR that bring in high volumes of traffic that have definitely added to the traffic issues. I hope something can be done in CPR to improve these traffic issues."

Mayor Westmoreland closed public comment at 7:30 p.m.

8. CITY COUNCIL/MAYOR'S ITEMS

Councilmember Love

Councilmember Love encouraged residents to follow the water conservation recommendations.

Councilmember Gray

Councilmember Gray he said he is pleased to see the State lift the pandemic requirements while respecting individual business rights. He thanked Cedar Valley High School and Ms. Ducos for inviting the City Council to visit and discuss local government. He congratulated the Streets Department for their efforts in paving in association with the Safe Routes to School grant. The Pony Express Days rodeo will be broadcast on the RFD-TV Cowboy Channel and app.

Councilmember Curtis

Councilmember Curtis said “May the 4th Be with You” to the residents in commemoration of Star Wars Day. He appreciates the resident communications.

Councilmember Burnham

Councilmember Burnham thanked the residents that participated in the City cleanup and the planting of native plants along the wildlife corridor and the bike trails. She appreciates the volunteer spirit in the community and when residents propose solutions in conjunction with expressing their concerns.

Councilmember Clark

Councilmember Clark asked for residents to be mindful of pedestrian and child safety.

Recognition

Councilmember Clark recognized and awarded a challenge coin to the organizers of the Trail Therapy Day cleanup project for the Hidden Hollow trail system, Adam Clark, Sarah Bush, and Laura Hall, for their service to the City.

Mayor Westmoreland

Mayor Westmoreland announced that the City will return to in-person meetings at City Hall beginning with the May 18, 2021 City Council meeting.

CONSENT AGENDA

9. CHANGE ORDERS

9.A. Aviator Traffic Signal Change Order #1 – Landmark Excavating

9.B. Wastewater Treatment Plant Expansion Change Order #3 – FX Construction

10. MINUTES

10.A. April 20, 2021 Minutes – Regular City Council Meeting

11. PRELIMINARY PLATS & SITE PLANS

11.A. Overland Village Two Phase A – Preliminary Plat & Master Site Plan

12. RESOLUTIONS

12.A. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving an Interlocal Agreement with the City of Saratoga Springs for the Pony Express Parkway Micro Surface Treatment.

MOTION: *Councilmember Burnham moved to approve the consent agenda amending the minutes as discussed and removing item 11.A. and placing it as a scheduled item. Councilmember Curtis seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.*

11. PRELIMINARY PLATS & SITE PLANS

11.A. Overland Village Two Phase A – Preliminary Plat & Master Site Plan

Mr. Mumford reviewed the information presented during work session. The roads, including mid-block pedestrian trails, comply with EMMC 16.30.090. The project includes left-turn lanes and right-turn deceleration lanes at each entrance on Pony Express Parkway. A road connection has been added between lots 298 and 299 to connect to Oquirrh Mountain Ranch to the north. This phase connects to Airport Road across the street from the Village One intersection. The plan complies with parking requirements listed in EMMC 17.55.120(C).

The Overland MDA vests the development with rights in effect at the time the MDA was executed. The updates the City has made recently, such as to lot widths and setbacks, are not applicable. Most of the lots comply with the City's current lot width standards; some of the smaller lots have lot frontages of 55 feet. The previous minimum was 55 feet; the current minimum is 58 feet. The typical building setbacks are also in compliance with the standards at the time of the MDA signing including 22-foot front; 20-foot rear; and 5-foot side, 10-foot garage side, and 15-foot street side for a corner lot.

The townhomes comply with the architectural and design standards of EMMC 17.72. The townhomes are all designed with rear-access garages. Most of the townhomes contain three or four units to a building, with some five-plex buildings. The designs comply by providing a minimum of two materials on all faces per EMMC 17.72.040(F)(1). Each building includes a mix of colors and there are several color schemes proposed. The applicant should develop plans/details for cluster mailboxes to reflect the design of buildings as required per Mailbox Structure (EMMC 17.72.040(J)). The plans should be updated to indicate mailbox locations and include pullouts or temporary parking areas.

Consistent privacy fencing is required along Pony Express Parkway and Airport Road. Staff expects and recommends that fencing be consistent with the masonry wall and fencing installed in Overland Village One. Due to the level of detail provided in the master site plan for the townhomes, staff believes that individual site plans are unnecessary in this case and have included a recommended condition of approval to that effect.

Twelve-foot-wide asphalt trails have been incorporated into the plans linking open space areas, the trail along Pony Express Parkway, Oquirrh Mountain Ranch to the north, and along some of

the main roads. Small entry monuments, anticipated to be similar to the small monument at Overland Village One, are proposed at each entrance along Pony Express Parkway. All open space areas will be owned and maintained by the homeowner's association. To reduce water use and ongoing maintenance, the plans call for enhanced native landscaping such as grasses, wildflowers, trees, and shrubs. Areas directly around the townhomes will be improved with additional plantings and small areas of sod. The MDA requires a medium park in Village Two; this park will be in a later phase of this village. A pool and large clubhouse are being built/completed in Village One, just south of this phase, and will be available for the use by these future residents.

The Planning Commission held a public hearing on the requests on April 13, 2021. The Commission voted unanimously, 4 to 0, with one absentee, to recommend approval of the Overland Village Two Phase A Preliminary Plat and Master Site Plan with the following conditions:

1. Individual site plans are not required for the townhomes in this plat;
2. The applicant shall submit plans for mailbox locations, including pullouts or temporary parking areas to improve traffic flow;
3. Privacy fencing, in compliance with EMMC 17.60.110, shall be installed along Pony Express Parkway and Airport Road; and
4. The plans shall comply with the Eagle Mountain Dark Sky Ordinance (EMMC 17.56).

The Commission also noted that the applicant stated they plan to continue the masonry wall from Village One with this portion of the project along the east and south.

Mr. Mumford explained that the MDA also requires the medium park to be completed and dedicated to the City prior to the recording of the plat with the 200th unit in the project; however, the 200th unit will be finished prior to the phase of the development with the medium park. The applicant will not be allowed to fully develop Phase A unless the City Council determines to amend the MDA park requirement. The future park plan will require Council approval. He recommended the inclusion of a condition of approval to address the park requirement.

City Attorney Jeremy Cook concurred with Councilmember Curtis' interpretation of the Overland MDA requiring either a medium park or a Club Ivory to be constructed and dedicated to the City within Village Two.

Councilmember Curtis cited MDA Section 11.4.1 that requires "sod areas large enough for children's play" and other specific requirements. Mr. Mumford explained Section 11.4.1 outlines the requirements for the medium park in the development due to the MDA exemption from the City's park standards. Mr. Cook clarified the requirements are specific to the medium park and are not intended to address all the open space in the development.

Councilmember Gray advocated for requiring a specific amenity for the townhomes in consideration of the applicant providing the Club Ivory amenity in Village One, which exceeded requirements.

Mr. Mumford explained, for comparison purposes, if the application fell under current multifamily standards, the 220 townhomes in the concept plan for Village Two would require a 1,000-square

foot pool and a 1,665-square foot clubhouse. Were all the approximately 1,300 units in Village One and Two, including the single-family homes which do not require a pool or clubhouse under current standards, applied to the pool and clubhouse standards the resulting requirement would be an approximately 5,000-square foot pool and an approximately 10,000-square foot clubhouse. The Village One Club Ivory pool is 3,200 square feet and the clubhouse is 6,600 square feet. Councilmember Clark noted, that although single-family homes do not require a pool and clubhouse, Municipal Code standards specify the square footage size requirement is per unit served, and the Club Ivory clubhouse and pool are meant to serve all the units.

Applicant representative Bryon Prince presented and reviewed the history of the master plan for Village Two that resulted in dispersing the townhomes throughout the village at the request of the Planning Commission. They plan to build a second pool and clubhouse in the northern portion of Village Two near the park, in addition to the Village One Club Ivory located to the south of Village Two. The arbitrary unit numbers agreed upon in the MDA for the timing of amenity completion have not aligned with the land planning. Relocating the Village Two amenity to the first phase of the project would not be in the best interest of the overall design of the development. He assured Council that the native scape area will be an improved, irrigated open space. Their discussions with Central Utah Water emphasized concerns regarding the future cost for culinary water in Eagle Mountain. Ten acres of sod may seem like a good idea today but will become expensive to maintain twenty years from now. The updated plan includes the addition of two areas of sodded areas of approximately 8,000 square feet each, sufficient for play areas next to trail areas without becoming difficult to maintain. They are willing to install 50% sod near the townhomes to meet the City's requirements, although he feels it is not a creative nor the most responsible course of action. The 3.26-acre park fulfills the open space requirements of the MDA. He expressed his willingness to have the pool and clubhouse townhome amenity in Village Two be a condition of approval or added as an MDA amendment.

Discussion ensued regarding guaranteeing the timing of the completion of the open space and amenities in relation to the completion of the townhomes. Mr. Prince suggested requiring Ivory to bond for the full cost of the park or amending the MDA prior to finishing the 200th unit to address the timing of the park completion.

Councilmember Clark expressed concern regarding the lack of sodded areas near Parcel D and clarified she is concerned with the adequacy of play areas rather than meeting the specific 50% requirement. She inquired regarding the parking and traffic flow plan for the future elementary school due to safety concerns.

Mr. Prince offered to provide an exhibit to the staff demonstrating areas to potentially install grass to meet the required 50% sod for the multifamily areas and to expand the area around Parcel D to increase the grass in that area. Alpine School District (ASD) selected an interior parcel that will have reasonable traffic flow to major roadways once the village is complete. He is unsure when the school will be constructed.

Mr. Cook confirmed that the MDA exemptions from Municipal Code park requirements do not include an exclusion to the multifamily pool and clubhouse requirements.

Councilmember Curtis expressed reluctance to remove the requirement to complete the park prior to the 200th unit due to the potential for deadline delays of the Club Ivory amenity. Mr. Prince explained that the ASD land purchase and the desire for a grandiose club amenity being completed in Village One resulted in relocating the park to a later phase and impacted the development timing. Mr. Mumford explained that current standards require a \$3,750 cash escrow payment per lot at recording to ensure the development of the park. The funds are returned to the developer upon completion of the park. Mr. Prince would prefer to bond for the park or place money in escrow, through the City's preferred mechanism, rather than relocate the park in order for the amenities to be dispersed throughout the development. Parks and Recreation Director Brad Hickman recommended following the existing escrow standards for parks and holding the escrow funds for the single-family lots until the park is completed due to the variance in common space and park space requirements. Mr. Mumford agreed that it would be best to collect escrow for only the park at the recording of the plats and not the multifamily common open space areas.

Mr. Mumford clarified that the 2017 multifamily pool and clubhouse requirements had a minimum size requirement of a 1,000-square foot pool and a 1,200-square foot clubhouse for up to 250 units and unlike current standards, did not include a square footage per unit served requirement. Mr. Prince said that the 222 Village Two townhome residents will have access to the Club Ivory pool and clubhouse and as only Village Two has townhomes in the Overland development, he feels the Club Ivory pool and clubhouse in Village One fulfills the amenity requirements for the Village Two townhomes. The Village Two amenity will likely be a 3,200-square foot pool with a typically-sized clubhouse.

Councilmember Love expressed concerns that elementary school traffic will back up onto Pony Express Parkway due to the proximity of the school to the road. She recommended moving the school farther to the west. Mr. Prince explained the connection points to Pony Express Parkway were defined during the installation of Pony Express Parkway prior to the design of the development. ASD desired a location close to the roadway to prevent school traffic from impacting the neighborhood as much as possible and already purchased the site. In his experience, the success of traffic flow depends upon the design of the school. He is willing to work with staff and the school district regarding the site plan for the elementary school.

Discussion ensued regarding the limitations of the City to impose restrictions upon school districts.

Mr. Cook suggested conditioning that the City anticipates an amendment to Section 11.4.4 of the MDA due to the uncertainties of the timing of development to be able to determine the best method to address the change. Mr. Prince requested to begin discussions with staff to explore options.

MOTION: ***Councilmember Gray moved to approve the preliminary plat and master site plan for Overland Village Two with the following conditions:***

- 1. Individual site plans are not required for the townhomes in this plat;***
- 2. The applicant shall submit plans for mailbox locations, including pullouts or temporary parking areas to improve traffic flow;***
- 3. Privacy fencing, in compliance with EMMC 17.60.110, shall be installed along Pony Express Parkway and Airport Road;***

4. *The plans shall comply with the Eagle Mountain Dark Sky Ordinance (EMMC 17.56);*
5. *The applicant shall work with the school district to resolve parking and traffic flow issues/concerns;*
6. *This site plan shall be expanded to include the areas north of the twenty townhomes in Parcels D and Parcel E and a minimum of 50% sod shall be provided in that area;*
7. *The applicant shall amend Section 11.4.4 of the MDA if the required medium park is not completed at or before recording the 200th unit;*
8. *The future amenity area shall include a 3,000 square foot pool and a 1,200 square foot clubhouse as proposed by the applicant; and*
9. *The applicant shall follow local scape recommendations in the native open space areas.*

Councilmember Curtis seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.

SCHEDULED ITEMS

13. RESOLUTION

13.A. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Adopting the Eagle Mountain City Tentative Budget for Fiscal Year 2021-2022 and Setting a Public Hearing for the Final Budget.

Finance Director Kimberly Ruesch presented a summary of the budget. The budget summary for the Fiscal Year 2022 Tentative Budget includes a General Fund of \$20,820,807, Special Revenue Funds of \$50,009, Capital Project Funds yet to be determined, Debt Service Fund of \$126,750. Enterprise Funds of \$21,871,605 and Internal Service Funds of \$1,909,048 for a total of \$44,778,219. The Fiscal Year 2022 Tentative Budget is based upon the assumptions of a sales tax growth of 3%, 1,120 residential building permits, utility sales growth of 7%, and an estimated population served of 48,500 residents.

The City's personnel goals to maintain the Council's desired levels of service and vision for the community indicate to maintain the current benefit structure. This includes a 2.3% medical premium increase, no dental/vision insurance increase due to a rate guarantee through July 1, 2022, no change to the Utah Retirement System, a wage adjustment placeholder of 3%, 10.461 full-time equivalent new hires, and a bi-annual wage analysis. The Utah County Sheriff's Office budget requests a 4% increase on position costs per the contract, body camera equipment, additional overtime funding, and additional hires of one full-time daytime sergeant and two full-time patrol officers. Proposed 2022 interfund transfers for services received from the General Fund include \$571,928 from Water, \$561,798 from Sewer, \$89,996 from Solid Waste, and \$87,208 from Storm Drain. The tentative budget is the beginning process for the City Council to review and modify the budget. The proposed next steps for the budget are a City Council work session review on May 27, 2021, public hearings on June 1, 2021 and June 15, 2021, and final adoption on June 15, 2021.

Only one public hearing is required. The Council may change the review and approval schedule if desired.

Ms. Ruesch explained the Capital Projects Fund category designated as “miscellaneous project from the list” is included in the current budget. Significant funding items need to be clarified. The City has approximately \$15,000,000 in the Capital Projects Fund which needs to be reconciled with ongoing projects or assigned to specific additional projects.

Councilmember Burnham expressed concern with approving the budget without specifying the use for the Capital Project Fund revenue and suggested an additional meeting to assign the funds to projects prior to budget approval. Ms. Ruesch recommended not including the Capital Project Fund in the tentative approval and said the revised draft would need to be available to the public for review by June 5, 2021, in order to be approved on June 15, 2021. Historically, the known capital projects have been included in the fund with the expectation of future amendments as the Council determines to approve future projects.

Ms. Ruesch explained that the budget officer requests and gathers budget proposals and calculates estimates to draft the tentative budget. The process is administrative, based upon priorities expressed by the Council, prior to the adoption of the tentative budget. The adoption of the tentative budget is a formality to begin the review process and is not an approval of the specifications of the budget. Changes can be made to the budget up until the public hearing.

MOTION: *Councilmember Burnham moved to approve a resolution of Eagle Mountain City, Utah, adopting the Eagle Mountain City Tentative Budget for Fiscal Year 2021-2022 and setting public hearings for the Final Budget on June 1, 2021 and June 15, 2021. Councilmember Love seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.*

Discussion ensued regarding the desire for a more in-depth review of the budget. The City Council determined to hold an additional work session on May 27, 2021, at 3:00 p.m. to discuss the Capital Project Fund project priorities, to clarify the details of the budget, and to address budgetary concerns.

14. CITY COUNCIL/MAYOR'S BUSINESS

15. CITY COUNCIL BOARD LIAISON REPORTS

Councilmember Curtis

Councilmember Curtis inquired regarding the Military and Veteran's Advisory Board requests due to the difficulty they have had with establishing a quorum. Mayor Westmorland stated he has a meeting scheduled with the American Legion regarding involvement with the board. Ms. Kofoed stated that the board has not met actively since 2017 due to insufficient participation. Councilmember Clark expressed inclusivity concerns with a merger due to qualification requirements to be a member of the American Legion.

Councilmember Clark

Councilmember Clark reported that the Be Ready Eagle Mountain will be meeting tomorrow to recap the drill held last month. They are preparing for another Ham radio test. She sent a follow-up email to Mayor Westmoreland regarding the Parks and Recreation Advisory Board requests. The Youth Council would like to amend the age/grade requirement for Youth Mayor and she advocated for retaining the scholarship in the budget.

Councilmember Gray

Councilmember Gray said the Eagle Mountain Arts Alliance desires to be able to meet in person at City Hall, preferably on Monday evenings. He will work out the details with Ms. Kofoed.

Councilmember Love

Councilmember Love said that the lifting of the pandemic restrictions will allow larger crowds at the Memorial Day Celebration at Pony Express Memorial Cemetery on May 31, 2021, at 8:00 a.m. Governor Cox will be speaking at the Eagle Mountain Chamber of Commerce luncheon on June 8, 2021, at 11:30 a.m. at the Thanksgiving Point Ashton Gardens.

Councilmember Burnham

None.

16. COMMUNICATION ITEMS

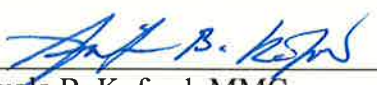
16.A. Upcoming Agenda Items

17. ADJOURNMENT

MOTION: *Councilmember Curtis moved to adjourn the meeting at 10:15 p.m. Councilmember Clark seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.*

The meeting was adjourned at 10:15 p.m.

Approved by the City Council on May 18, 2021.


Fionnuala B. Kofoed, MMC
City Recorder

