



EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

May 3, 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: Councilmembers Donna Burnham, Colby Curtis, Jared Gray, Carolyn Love, and Brett Wright.

ELECTED OFFICIALS PRESENT ELECTRONICALLY: Mayor Tom Westmoreland.

CITY STAFF PRESENT: Paul Jerome, City Administrator; Steve Mumford, Assistant City Administrator/Community Development Director; Robert Hobbs, Planning Manager; Tayler Jensen, Senior Planner; Fionnuala Kofoed, Director of Administrative Services/City Recorder; Aaron Sanborn, Economic Development Director; Jeremy Cook, City Attorney; Kimberly Ruesch, Finance Director; Brad Hickman, Parks and Recreation Director; Zac Hilton, Streets and Storm Drain Manager; Jeff Weber, Fleet and Facilities/Operations Director; Tyler Maffitt, Communications Manager; Embret Fossum, UFA Battalion Chief; and B.J. Eccles, Sergeant.

CITY STAFF PRESENT ELECTRONICALLY: Mack Straw, Public Utilities Manager; Valenzuela, Human Resource Manager; and Chas Glenn, Administrative Assistant.

Mayor Westmoreland called the meeting to order at 4:12 p.m.

1. CITY ADMINISTRATOR INFORMATION ITEMS

1.A. UPDATE – City Administrator Items

General

- The City extends deep sympathies to the families involved in the recent tragedy and our hope that the community can rally around all of them. Please slow down, pay attention to our signage, and stay alert so that we can save lives.
- Passport acceptance has been approved and will be further discussed with the tentative budget.

Communications

- Due to the changing nature of lawn watering in Eagle Mountain and throughout the state, residents are likely to run into some confusion regarding lawn watering. The City's education campaign is being relatively well received and staff will continue our Wait to Water and Water Wise campaigns through the summer.
- Work is nearly complete on the revised City events page. Changes may be viewed here: <https://eaglemountaincity.com/cityevents/>.
- Staff and legal are working on code amendments to the City's events ordinance in EMMC 12.30.010 and EMMC 12.30.070 to provide clearer language on free speech and to outline City policy for appropriate products and vendors.

- Eagle Mountain City will be meeting with Tooele Army Depot May 10th to discuss noise from open detonations and more information will be forthcoming.

Planning Department

- Requests for proposals are being drafted for architectural design review services to assist with the update to commercial and multifamily design standards; the Bike and Pedestrian Master Plan; and small area plans for the Overland MidValley Business Village, Northeast/Gateway Business Park area, and Regional Commercial and Employment Center.

Wildlife/Environmental Planning

- Todd Black, the City's Wildlife Biologist and Environmental Planner, is working hard on preservation of natural washes and working closely with Camp Williams and the State for preservation of property in the wildlife migration corridor, among other projects.
- Expect a presentation/update from Camp Williams and Todd Black at a future City Council meeting concerning the preservation efforts around Camp Williams.

Building Department

- Certificates of occupancy have been issued for an additional building at Strides Equine Therapy and Serenity Spa.
- Commercial building permits have been issued for Atlas Tower, UFA Station 251, The Place at Parkway, and Montessori Preschool.
- Residential Growth: In April, 130 new residential permits issued – 43% in the north and 57% in the south service areas. The monthly average is 125 permits per month this fiscal year. This will be the City's second highest fiscal year ever, slightly lower than last year, but still significantly higher than other years

Neighborhood Improvement

- Officers have been helping with neighborhood cleanups and coordinating dumpsters for neighborhoods, especially for tumbleweed cleanup.

Water

- Well 1 is repaired and flushing has taken place. The well was sampled today for bacteria and the well will be back in our system soon.
- Tank 5 was approved to be put back in service.
- All tanks are full right now; however, the City will continue to push for residents to wait to water, both when it rains, as well as to be aware of conditions when watering is not needed.
- The contractor is currently working on the Golf Course Well rehabilitation and is preparing a plan.

Wastewater

- The City has been told that the fan press is further delayed an additional 30 days due to supply chain issues and is now expected in June.

Parks

- Observatory at Walden Park: The City received the funding from Utah Valley University. Staff is searching for an architect to design and engineer the structure to house the

telescopes. The anticipated plan is to construct a building similar to one at the Stansbury Observatory as soon as possible.

- Trails Master Plan Update: Staff is working on drafting an RFP to solicit interested and qualified firms to update the master trail networks in the community. This would specifically include hiking, biking, equestrian, OHV trails, and more.
- Smith Ranch Community Park: Staff has completed most of the landscape and construction documents for Smith Ranch Community Park. Staff had a kickoff meeting with Spohn Ranch who will be designing the skatepark in this area. It is anticipated that it will be around an 8-week period for design and construction documents to be completed. During this process, staff will solicit feedback from interested stakeholders as to what types of design they would like to see in the park. After this process is completed, the City will put the project to bid and bring the approval forward to the City Council.
- Cory Wride Park: Staff made improvements to the baseball fields by adding a rubber mat along the backstops in the baseball field. The main purpose of this project is the help keep the infield dirt on the field. Over the years and with the high winds, several tons of dirt have moved off the fields. This is an attempt to keep the material on the fields and help keep the interior of the baseball fields looking clean.
- Arbor Day Planting: Staff worked with residents in the Sage Valley neighborhood to complete a tree planting project April 27, 2022, in recognition of Arbor Day. Park staff and several residents were able to plant trees in this area. This was a great way to celebrate the day and helps the City fulfill one of the requirements of the Tree City USA program.
- Community Cleanup Event: Thank you to all the staff and residents that attended the community cleanup event on April 25, 2022. Volunteers assisted in cleaning portions of the City and several dumpsters of waste disposed of during the event.

Engineering

- Kenny Seng is expecting to complete the widening at Trailhead Road this week, weather permitting. Then they will look to complete the turn pockets at Bobby Wren and Solo Street. After those projects are complete, construction will begin on Mid Valley Road and on lengthening the left turn lane at Ranches Parkway and Pony Express Parkway.
- WW Clyde will be doing some exploratory work on Eagle Mountain Boulevard on Thursday and Friday in preparation for the widening project. There will be lane restrictions during this time.
- The construction contract for the Eagle Mountain Boulevard widening will be on the next City Council agenda.
- The updated Master Transportation Plan is nearly complete and will be presented to the City Council at an upcoming City Council meeting.

Streets

- The 2022 crack seal project has been delayed due to inclement weather and will now be completed in May.

2. AGENDA REVIEW

11. AGREEMENTS

11.A. AGREEMENT – 7-Eleven Sign Agreement

Councilmember Curtis confirmed with staff that the Planning Commission had not and was not required to review the agreement. He raised concern and wanted to verify the sign is in compliance, as it has not been reviewed by the City's land use authority and inquired regarding the electronic component of the sign. He recommended adding the approved sign location to the agreement.

Senior Planner Tayler Jensen explained that the sign complies with City standards and illumination requirements. The reason for the agreement is to allow the sign to be placed in the City's right-of-way. An exhibit in the agreement illustrates the approved location for the sign.

Councilmember Burnham requested clarification regarding the 180-day period to relocate the sign, if the City requires the applicant to do so.

City Attorney Jeremy Cook stated the timeframe allows ample time for the relocation of the sign which would likely only occur due to roadwork or other circumstances. The timeframe should consider the cost and size of the sign.

Councilmember Gray suggested amending the relocation timeframe from 180 days to 90 or 120 days.

Applicant representative Michelle Hoffman believed the impacted parties would be amenable to a reasonable relocation timeframe, less than the proposed 180 days.

Mr. Cook recommended a relocation timeframe of 60 to 90 days with the expectation that the City would provide as much time as possible if a project is contemplated.

Discussion ensued regarding the appropriate relocation time frame and relocation provisions for other signs permitted in the right-of-way. The Council determined to amend the relocation timeframe from 180 days to 90 days.

12. BID AWARDS

12.A. City Hall Shingle Roof Replacement – Mountain Valley Construction

Councilmember Burnham asked why the roof was in need of replacement. Fleet and Facilities/Operations Director Jeff Weber explained that many roof tiles have gone bad.

Councilmember Wright recommended that the City Council include design standards as a part of a Facilities Master Plan and that repairs and upgrades to existing structures are incorporated.

14. CHANGE ORDERS

14.A. Eagle Mountain Boulevard Change Order #1 – WW Clyde

Councilmember Gray noted he examined the item and is satisfied with the necessity of the project and the change order.

15. RESOLUTIONS

15.A. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Adopting the 2022 Mountainland Association of Governments Pre-Disaster Mitigation Plan.

Councilmember Curtis expressed concern with the climate change components in the plan and the City being beholden to the County with implementation of some of the elements in the plan.

Mountainland Association of Government representative Shauna Mecham explained the adoption of the plan makes the City eligible to receive Federal Emergency Management Agency (FEMA) funds in the case of an emergency, and also allows the City to apply for mitigation grants. FEMA required climate change considerations to be included in the plan; however, the City is not required to implement the associated strategies. Utah County is already addressing many of the areas contemplated in the climate change strategies related to drought and fire. The plan is updated every five years with new data and strategies.

15.B. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Waiving Fees and Other Requirements for July 4 and July 24 Celebrations.

Councilmember Curtis suggested the City encourage residents to engage in alternative celebrations rather than traditional firework ignition.

Mayor Westmoreland supported Councilmember Curtis' recommendation and wanted to explore other options and promotion methods.

17. 7-ELEVEN

17.A. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Rezoning a Portion of Utah County Parcels 38:685:0001 and 38:685:0002 from Open Space to Community Commercial for a 7-Eleven.

Mr. Jensen presented the item. The request is for a rezone of portions of parcels 38:685:0001 and 38:685:0002 to the CC Zone and a site plan for a 7-Eleven at the intersection of Campus Drive and Ranches Parkway. The requested zone is appropriate within the Community Commercial designation, complies with the General Plan, is compatible with surrounding uses, is not anticipated to overburden the City's service capacity, and is not expected to have a significant impact on surrounding property values.

As the project is not adjacent to any residential or agricultural zones, no screening is required. 7-Eleven has access onto both Ranches Parkway and Campus Drive, and the site plan provides two stub connections from the parking lot to the parcel to the east. The access onto Ranches Parkway is a right-in, right-out with no acceleration or deceleration lane currently shown. Staff has been

working with 7-Eleven and the property owner to the east to coordinate cross-access between the parking lots; currently two matching accesses are shown. The proposed site plan has adequate parking and paved locations to accommodate off-street truck loading. The building location, entrance, and parking are consistent with other gas stations within Eagle Mountain. The Planning Commission recommended approval of the proposed elevations. The project complies with parking and dark sky lighting standards.

Gas stations are required to meet the special use standards including that they will not cause traffic hazards or undue traffic congestion. By utilizing a right-in, right-out configuration off of Ranches Parkway and having a full access on Campus Drive, the site is not anticipated to cause any undue traffic congestion. There is significant traffic concern in this area, but this traffic condition is currently existing and is not tied to this development. Gas stations are not big traffic generators, and a case can be made that the 7-Eleven will be reducing the amount of traffic that has to turn across Ranches Parkway to enter the existing gas station in that location. The project meets the other special use standard requirements for gas stations per EMMC 17.75.062.

This project has been on hold for over nine months while a traffic study was performed. The results of the study show the intersection of Campus Drive and Ranches Parkway operating at a level of service (LOS) E/F prior to any additional projects along Campus Drive. The City has worked with Hales Engineering on a Traffic Study to find solutions to traffic in the area. The traffic study recommends the construction of a High-T intersection and a light at Stonebridge Lane and Ranches Parkway as a long-term mitigation solution. These improvements will likely be City projects paid for through impact fees or other funding sources. Hales Engineering recommends a potential interim solution of removing medians along Ranches Parkway and pushing left-turn movements inside, which would allow for better visibility and turn movements. The High-T intersection will be needed by 2024 and is included in the draft impact fee facilities plan.

Discussion ensued supporting the removal of the median as a temporary traffic mitigation and possibly expediting the High-T intersection construction.

Councilmember Wright raised concern with the maneuverability and access of the site for fuel delivery trucks and the impacts of an additional access onto Ranches Parkway. Councilmember Curtis concurred and is expressed concern regarding traffic backing up in the area.

Councilmember Love stated her preference for multiple options to enter and exit the site.

Discussion ensued regarding potential routes, truck access and options, and the frequency of fuel deliveries.

Assistant City Administrator/Community Development Director Steve Mumford clarified that although the City does not have spacing standards for business driveway entrances from traffic signals, the recommended distance from residential driveways is a minimum of 50 feet from the intersection.

Discussion ensued regarding potential traffic obstacles and the feasibility of additional mitigation measures.

Councilmember Curtis expressed concern that the approval of the project would cause safety hazards. Councilmember Love stated she feels that the safety hazards already exist due to existing and approved projects in the area. She advocated for the City to move forward with the proposed traffic mitigation methods as soon as possible to address the needs of the area as a whole and possibly funding the project through impact fees.

Councilmember Wright noted that gas stations require special use approval and feels that a gas station will exacerbate traffic issues more than other use types. He encouraged the Council to balance supporting economic growth with considerations of resulting negative impacts on residents.

Councilmember Burnham suggested removing the median on Campus Drive to allow for separate lefthand and righthand turn lanes and removing a portion of the landscaped area on the north side of Campus Drive to allow for additional stacking length.

Councilmember Love noted that residents are likely to visit the gas station most convenient to their route and the second gas station may result in improved traffic flow by reducing the number of left turns out of the Maverik parking lot.

Mr. Mumford explained the traffic study concluded that the intersection is already operating at a failing level of service and additional traffic will worsen the issues.

Discussion ensued regarding the recommendation that the applicant widen the intersection to provide dedicated right and left turn lanes and widening Campus Drive to accommodate additional stacking.

Councilmembers Love and Curtis advocated requiring architectural features on all four sides of the building due to the visibility of the back of the building.

18. BROWNS MEADOW

18.A. MOTION – Browns Meadow Preliminary Plat

Planning Manager Robert Hobbs presented the item. The request is for a preliminary plat for 37 residential lots on 43.133 acres. A rezone to RD1 was approved on March 8, 2022, and the preliminary plat was tabled. The Planning Commission and the City Council expressed a desire for the northern area of the project adjacent to existing properties to have a minimum lot size of two acres. The current proposal does not address the need for a collector road and provides four 1.5-acre lots on the north edge of the project, rather than buffering all neighboring properties with two-acre lots. The applicant believes that the neighbors are amenable to their new plat design, especially with their proposed six-foot concrete fencing.

City connectivity standards only allows for cul-de-sacs when there are special conditions on the property. Fire standards allow no more than 30 units off of a single access point. The preliminary plat will be divided into two phases and the final eight lots would be completed once the second

access is provided. The Future Land Use and Transportation Master Plan Map indicates an east-to-west collector road through the project which is excluded from the preliminary plat.

Discussion ensued regarding the following items:

- Relocating the east-to-west road to the south border of the project and expanding the road to a collector width;
- Comparisons between the Future Land Use and Transportation Map and the Pole Canyon Master Development Plan;
- The number of residents expected for the area and anticipated traffic patterns; and
- Providing flexibility in lot size transitioning requirements to incorporate the road.

20. ORDINANCES

20.A. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Chapter 17.48 Regional Technology and Industry Overlay Zone. **DISCUSSION ITEM ONLY**

Mr. Mumford presented the item. The zone has an automatic sunset date of May 31, 2022 with the intent to evaluate its effectiveness. The RTI Overlay Zone has been a valuable economic development tool for the City to attract large technology and industrial businesses. The approval process in the RTI Overlay has been indicated by major companies including Meta, Tyson, and Google as a key reason for selecting a site in Eagle Mountain. The overlay zone has given Eagle Mountain an economic development edge over competing cities.

Councilmembers Burnham, Wright, and Mayor Westmoreland worked with staff to address the following concerns the Council expressed in previous discussions:

- The zone's expiration date;
- Undesirable and incompatible uses;
- City Council Liaison to the Development Review Committee;
- Preference to attract higher paying jobs;
- Lack of public process;
- Temporary uses;
- Setbacks and building height;
- Truck traffic;
- Road standards; and
- Exterior building materials.

Discussion ensued regarding road width standards within the RTI Overlay Zone.

20.B. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code, Chapter 8.20 Fireworks.

Councilmember Love suggested adding standards found in Utah Code 15A-5-202.5(b) to Municipal Code. The State code addresses permitting municipalities to prohibit fireworks in “mountainous, brush-covered, forest-covered, or dry grass-covered areas; within 200 feet of

waterways, trails, canyons, washes, ravines, or similar areas; and the wildland urban interface area.”

3. ADJOURN TO A CLOSED EXECUTIVE SESSION

No closed session was held. Mayor Westmoreland adjourned the work session at 6:24 p.m.

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

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

ELECTED OFFICIALS PRESENT ELECTRONICALLY: Mayor Tom Westmoreland.

CITY STAFF PRESENT: Paul Jerome, City Administrator; Steve Mumford, Assistant City Administrator/Community Development Director; Robert Hobbs, Planning Manager; Tayler Jensen, Senior Planner; Fionnuala Kofoed, Director of Administrative Services/City Recorder; Lianne Pengra, Chief Deputy Recorder; Aaron Sanborn, Economic Development Director; Jeremy Cook, City Attorney; Kimberly Ruesch, Finance Director; Embret Fossum, UFA Battalion Chief; and B.J. Eccles, Sergeant.

CITY STAFF PRESENT ELECTRONICALLY: Mack Straw, Public Utilities Manager; Jeff Weber, Fleet and Facilities/Operations Director; Tyler Maffitt, Communications Manager; and Angela Valenzuela, Human Resource Manager.

4. CALL TO ORDER

Mayor Pro Tempore Love called the policy session to order at 7:10 p.m.

5. PLEDGE OF ALLEGIANCE

Councilmember Burnham led the Pledge of Allegiance.

6. INFORMATION ITEMS/UPCOMING EVENTS

- Applications for the Pony Express Days Parade Grand Marshal are now being accepted. Residents can locate the nomination form on City social media. Our Events Department is also accepting applications for the Entertainment Stage at Pony Express Days. Residents wishing to showcase their talent are encouraged to sign-up for a one-hour time slot. More information can be learned by emailing events@emcity.org.
- The Eagle Mountain Skate Park, located at 4593 Eagle Mountain Blvd, is closed until Monday, May 16th. The presence of graffiti has led to the closure. The City is hoping to reopen the skate park soon.
- Eagle Mountain residents are asked to voluntarily reduce their lawn watering during the spring and summer months. Due to Utah’s historic drought conditions, saving on water can not only help conserve the state’s water resources, but also assist resident’s bottom line. More

information on proper watering techniques can be found at eaglemountaincity.com/waterconservation.

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

Councilmember Love read the following statement from the City:

Last night, two young and innocent lives were lost. Families were devastated. It is difficult to express the collective sadness in the aftermath of this horrific loss and others that are still very recent. There is more that will be discussed at a later date, but for now, we will observe a moment of silence out of respect for these families and their grief, and encourage everyone to do what we can to increase our efforts to keep precious lives safe.

The City Council and those in attendance observed a moment of silence.

7. PUBLIC COMMENTS

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

Jason Harris with Fieldstone Homes stated they are about to move forward with the existing approved plan for the Eagle Heights Village subdivision. He requested the Council allow them to be able to divide the duplexes with a lot line to allow them to be sold rather than rented. He beseeched the Council to entertain discussions on ways to make the product more attractive. Regardless, they will build a product to meet the demands of the housing shortage.

Mayor Pro Tempore Love closed public comment at 7:20 p.m.

8. CITY COUNCIL/MAYOR'S ITEMS

Councilmember Curtis

Councilmember Curtis thanked the meeting participants.

Councilmember Burnham

Councilmember Burnham expressed appreciation for the people in attendance.

Mayor Pro Tempore Love

Mayor Pro Tempore Love thanked the first responders for their service and staff members that assisted with tumbleweed clean-up efforts. She expressed appreciation to residents that step forward to help and serve when the City faces challenges and tragedies.

Councilmember Wright

Councilmember Wright welcomed the meeting participants both from within and outside the community and thanked them for their input. He recognized the first responders, the City Administrator, City Recorder, and senior staff for their service.

Councilmember Gray

Councilmember Gray noted the opportunity he had to attend the Utah League of Cities and Towns conference and expressed appreciation for the efforts by the League and City staff to work through issues. He invited residents to attend the Pony Express Events Rodeo Queen contest is this Saturday, May 7. He echoed appreciation expressed to staff.

9. RECOGNITION

9.A. Matt Everett – Community Service

Councilmember Curtis recognized Matthew Everett for his service to the community including serving on the Planning Commission for over nine years and as a Board Member with the Eagle Mountain Chamber of Commerce.

9.B. EDCUtah Development Ready Community Presentation for Eagle Mountain City

Alan Rindlisbacher with Economic Development Corporation of Utah presented Economic Development Director and Eagle Mountain City a certification as a Development Ready Community.

9.C. Lianne Pengra – Certified Municipal Clerk

Utah Municipal Clerks Association representatives Tangee Sloan, Alicia Fairbourne, and Wendy Downs presented Chief Deputy Recorder Lianne Pengra with her Certified Municipal Clerk certificate.

10. APPOINTMENTS

10.A. Parks and Recreation Advisory Board

MOTION: *Councilmember Wright moved to appoint Melissa MacPherson to the Parks and Recreation Advisory Board filling a three-year term through December 2025. Councilmember Gray seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Absent</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>Jared Gray</i>	☐ <i>Jared Gray</i>	☐ <i>Jared Gray</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>

The motion passed with a unanimous vote.

City Recorder Fionnuala Kofoed administered the Oath of Office to Ms. MacPherson.

CONSENT AGENDA

11. AGREEMENTS

11.A. AGREEMENT – 7-Eleven Sign Agreement

12. BID AWARDS

12.A. City Hall Shingle Roof Replacement – Mountain Valley Construction

13. BOND RELEASES

13.A. Eagle Point Phase J, Plat 3 – Into Warranty

13.B. Harmony Phase A, Plat 5 – Into Warranty

13.C. McCoy Place – Out of Warranty

14. CHANGE ORDERS

14.A. Eagle Mountain Boulevard Change Order #1 – WW Clyde

15. RESOLUTIONS

15.A. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Adopting the 2022 Mountainland Association of Governments Pre-Disaster Mitigation Plan.

15.B. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Waiving Fees and Other Requirements for July 4 and July 24 Celebrations.

16. MINUTES

16.A. April 19, 2022 – Regular City Council Meeting

MOTION: *Councilmember Curtis moved to approve the consent agenda, amending item 11.A. Sign Lease Agreement section 4 Notice of Termination from 180 days to 90 days written notice, and that the location of the sign be included as an exhibit. Councilmember Gray seconded the motion.*

Those Voting Yes

☒ ***Donna Burnham***
☒ ***Colby Curtis***
☒ ***Jared Gray***
☒ ***Carolyn Love***
☒ ***Brett Wright***

Those Voting No

☐ ***Donna Burnham***
☐ ***Colby Curtis***
☐ ***Jared Gray***
☐ ***Carolyn Love***
☐ ***Brett Wright***

Those Absent

☐ ***Donna Burnham***
☐ ***Colby Curtis***
☐ ***Jared Gray***
☐ ***Carolyn Love***
☐ ***Brett Wright***

The motion passed with a unanimous vote.

SCHEDULED ITEMS

17. 7-ELEVEN

17.A. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Rezoning a Portion of Utah County Parcels 38:685:0001 and 38:685:0002 from Open Space to Community Commercial for a 7-Eleven.

Items 17.A. and 17.B. were presented and discussed concurrently.

Senior Planner Tayler Jensen reviewed the item as presented during work session.

Applicant Ryan Forsyth said they recognize and are sensitive to the importance of traffic and pedestrian safety in relation to the project. He supports the proposed solutions and feels it is an appropriate use for the location. Separate gas stations servicing northbound and southbound traffic will reduce traffic pressure and lefthand turns.

Mayor Pro Tempore Love opened the public hearing at 7:57 p.m.

Bart Gardiner stated as a business owner near the location, he is concerned with the decreased aesthetics of the area, the loss of the green space, traffic, and infrastructure costs to citizens. He feels the gas station will negatively impact the value and increase his liability.

Brain Koka advocated maintaining the small-town feel of the City while allowing growth. He expressed concern with increased traffic to Stonebridge Lane from this and other new businesses and the resulting safety hazards. He requested a traffic light be installed at the intersection of Stonebridge Lane and Ranches Parkway prior to approval of additional commercial uses.

Alexis Hicks submitted an email opposed to the rezone due to concerns with traffic generation, access requirements, and stated she believes the project does not meet the necessary requirements.

Joe Terburg with Maverick expressed concern that a High-T intersection will limit access and traffic flow in the intersection, will decrease their return on investment, and will negatively impact their patrons and employees.

Mayor Pro Tempore Love closed the public hearing at 8:06 p.m.

Discussion ensued regarding traffic flow patterns planned for the High-T intersection, clarifying that the installation of a High-T intersection and light at Stonebridge Lane are independent from this project, and scheduling discussions with impacted property owners.

Councilmember Burnham stated that in addition to the traffic mitigation measures recommended in the staff report, the median on Campus Drive should be removed and the lane widened at the expense of the applicant to accommodate dedicated right and left turn lanes.

Councilmember Gray said he is concerned with the feasibility of the project due to the number of concessions and difficulties encountered.

Councilmember Wright concurred with the sentiments shared by Councilmember Gray. The project fails to meet the Municipal Code requirements that gas stations are only permitted where they will not cause traffic hazards or undue traffic congestions, and the access requirements including acceleration and deceleration lanes. He advocated for removing the access on Campus Drive and tabling the project until traffic mitigation measures are in place.

Discussion ensued regarding the following:

- Benefits and concerns with the proposed right-in, right-out access on Ranches Parkway;
- The impact of the approval of the rezone on potential traffic mitigation options for the area prior to determining the preferred solutions;
- Traffic mitigation options other than the High-T intersection;
- Discussions with impacted business owners regarding the best traffic mitigation measures;
- Applicants suffering the consequences of previous City decisions and existing conditions that unreasonably delay projects; and
- Any use type at the location requiring additional traffic mitigation.

Mr. Forsyth reiterated that he feels the use type will reduce traffic pressure and improve traffic flow by allowing an option on each side of Ranches Parkway.

MOTION: *Councilmember Curtis moved to table a rezone for a portion of Utah County Parcels 38:685:0001 and 38:685:0002. Councilmember Wright seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Absent</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>Jared Gray</i>	☐ <i>Jared Gray</i>	☐ <i>Jared Gray</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>

The motion passed with a unanimous vote.

17.B. MOTION – 7-Eleven Site Plan

MOTION: *Councilmember Curtis moved to table the 7-Eleven site plan. Councilmember Gray seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Absent</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>Jared Gray</i>	☐ <i>Jared Gray</i>	☐ <i>Jared Gray</i>
☒ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>

☒ **Brett Wright**

☐ **Brett Wright**

☐ **Brett Wright**

The motion passed with a unanimous vote.

18. BROWNS MEADOW

18.A. MOTION – Browns Meadow Preliminary Plat

Planning Manager Robert Hobbs reviewed the item as presented during work session.

Applicant representative Howard Schmidt stated they have met with all the neighboring property owners to the north. They have included communications from those property owners demonstrating they are agreeable to the amended proposal. The norther portion of the property is too narrow for two-acre lots. The addition of a collector road complicates the configuration, especially due to the inability to front homes on a collector road. He disagrees with interpreting the transition standards to apply to parcels due to the ability for parcels to be subdivided in the future. He stated that the Pole Canyon developers intend to develop one-acre lots to the west of their development.

Applicant representative Brett Lovell read a letter from Hale Engineering stating a 50-foot rural right-of-way is appropriate for the area.

Councilmember Curtis verified with the applicant that the Hales Engineering recommendation was based upon assumption of the approval of the new Pole Canyon plan and not in accordance with the currently approved plan.

Mayor Pro Tempore Love recognized Elizabeth Lebrecht and allowed her to make public comment.

Ms. Lebrecht said she would most benefit from an increased setback; however, the setbacks on one-acre and two-acre properties are the same. She suggested the six-foot masonry wall as a potential solution to the developers to increase their privacy and stated her preference for one-acre lots over a road or smaller lots.

Mayor Pro Tempore Love stated that she is working based upon the currently approved Pole Canyon plan with 1,400 units to the west. As such, she feels the collector road is essential. To enable the development of the property, the collector road could be located to the south of the property. She expressed appreciation to the applicants for working with the neighbors and their willingness to install a masonry wall.

Councilmember Burnham asked the applicant if they would be amenable to incorporating the collector road if they were allowed smaller lots.

Mr. Schmidt said they would prefer to wait until the new Pole Canyon master plan has been reviewed and include their plan as a part of that proposal. Should the property to the west of this

location not be developed as horse properties, it would not be logical for them to build lots with animal rights.

Discussion ensued regarding the following items:

- Impact of the uses of the adjacent properties;
- City and developer negotiations;
- Possible changes to the Future Land Use and Transportation Map to include a narrower road as a traffic calming measure;
- Plans to discuss amendments to the Master Transportation Plan in June that may alter the plan for a major collector road in this location;
- Concerns regarding decisions based upon a master development plan for Pole Canyon that has not been approved;
- The need for the results of the traffic study and the updates to the Master Transportation Plan prior to being able to approve or deny this application; and
- Whether it is appropriate to require a collector road adjacent to properties with animal rights.

Councilmember Curtis recognized the inability to accommodate a collector road and adhere to Municipal Code transition standards for this project. As he feels it would be detrimental to the City not remove the collector road, it would be acceptable to him to allow the applicant to develop one-acre lots along the north end of the project and install the six-foot masonry wall in lieu of two-acre lots.

Councilmembers Wright, Burnham, and Mayor Pro Tempore Love all concurred with being lenient with the lot size transition requirements.

Discussion ensued regarding the potential utilization of a collector road in this location.

MOTION: *Councilmember Wright moved to table a preliminary plat for Browns Meadow. Councilmember Curtis seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Absent</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>Jared Gray</i>	☐ <i>Jared Gray</i>	☐ <i>Jared Gray</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>

The motion passed with a unanimous vote.

19. RESOLUTION

19.A. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Adopting the Eagle Mountain City Tentative Budget for Fiscal Year 2022-2023 and Setting a Public Hearing for the Final Budget on May 17, 2022.

Finance Director Kimberley Ruesch presented the item.

Discussion ensued regarding the following:

- The availability of funding to cover the cost of all the personnel requests by City departments;
- Plans for the Library to issue passports which will increase revenue funds and employee demands;
- The content marketing writer position assisting with addressing the growing needs for resident engagement, City responsiveness, and improving community perception by supporting City Council communication;
- Salary estimation calculation methodology;
- A potential one-time 3% inflationary salary adjustment to be effective July 1 for staff, City Council, and Mayor; and
- The difference between meeting the needs of officer-initiated versus resident-initiated calls to promote community safety.

MOTION: *Councilmember Burnham moved to approve a resolution of Eagle Mountain City, Utah, adopting the Eagle Mountain City tentative budget for the fiscal year 2022-2023 and setting a public hearing for the final budget on May 17, 2022. Councilmember Wright seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Absent</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>Jared Gray</i>	☐ <i>Jared Gray</i>	☐ <i>Jared Gray</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>

The motion passed with a unanimous vote.

20. ORDINANCES

20.A. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Chapter 17.48 Regional Technology and Industry Overlay Zone. ****DISCUSSION ITEM ONLY****

Assistant City Administrator/Community Development Director Steve Mumford reviewed the item as presented during work session.

Discussion ensued regarding the following:

- Whether the goal of the overlay is to create jobs or to attract large or specific companies;
- Basing the hourly wage requirements upon a median rather than average wage;
- Comparison between the proposed setbacks requirements in EMMC 17.48.060 and the Agricultural Zone, which could be the underlying zoning for a project;

- Permitting buildings up to five stories versus requiring approval for buildings over three stories;
- Clarifying the intent of EMMC 17.48.080 regarding separating truck traffic from regular traffic;
- Requiring construction lighting to be dark sky compliant; and
- Requiring roads to meet the applicable road standards unless the Development Review Committee approves an alternate standard.

20.B. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code, Chapter 8.20 Fireworks.

City Attorney Jeremy Cook presented the item.

Mayor Pro Tempore Love recommended changes to clarify that the days and hours of the day restrictions are required in State code, to determine financial liability, and to prohibit fireworks within 75 feet of undeveloped land or buildings under construction.

Councilmember Gray suggested requiring a distance greater than 75-feet.

Mr. Cook suggested including that adult residents are liable for fires caused by the actions of minor dependents. The State requires the City to have a map of restricted areas which could include the prohibited distances from certain areas.

United Fire Authority Battalion Chief Embret Fossum stated that a distance requirement from undeveloped properties would create an enforcement burden; removing neighborhoods from restricted areas once they are fully built out is preferable. He is concerned that codifying restrictions not indicated on the map could cause confusion. Their evaluation of the fireworks restrictions resulted in their recommendation to allow firework ignition in Brandon Park, Harmony, and Evans Ranch park-parking lots, and in designated common areas for neighborhoods with restrictions. A public information campaign is planned to clarify which park areas are appropriate for firework launching sites.

MOTION: *Mayor Pro Tempore Love moved to table an ordinance of Eagle Mountain City, Utah, amending the Eagle Mountain Municipal Code, Chapter 8.20 Fireworks to allow staff to redraft the standards based on the Council's feedback. Councilmember Burnham seconded the motion.*

Those Voting Yes

- ☒ ***Donna Burnham***
- ☒ ***Colby Curtis***
- ☒ ***Jared Gray***
- ☒ ***Carolyn Love***
- ☒ ***Brett Wright***

Those Voting No

- ☐ ***Donna Burnham***
- ☐ ***Colby Curtis***
- ☐ ***Jared Gray***
- ☐ ***Carolyn Love***
- ☐ ***Brett Wright***

Those Absent

- ☐ ***Donna Burnham***
- ☐ ***Colby Curtis***
- ☐ ***Jared Gray***
- ☐ ***Carolyn Love***
- ☐ ***Brett Wright***

The motion passed with a unanimous vote.

21. CITY COUNCIL/MAYOR'S BUSINESS

None.

22. CITY COUNCIL BOARD LIAISON REPORTS

Councilmember Curtis

Councilmember Curtis stated that the new member of the Senior Citizen Advisory Board will be appointed during the next meeting unless anyone had objections. The center is exceeding the maximum occupancy of 50 participants and residents are being turned away from participating in activities.

Discussion ensued regarding potential funding opportunities and possible options to increase event occupancy.

Councilmember Wright

Councilmember Wright said the deadline for applications for the Youth Council is May 5th and the scholarship deadline is May 12th. The City has a vacancy for Youth Council advisors.

Councilmember Burnham

None.

Councilmember Gray

None.

Mayor Pro Tempore Love

None.

23. ADJOURNMENT

MOTION: *Councilmember Gray moved to adjourn the meeting at 11:13 p.m.
Councilmember Wright seconded the motion.*

Those Voting Yes

☒ *Donna Burnham*
☒ *Colby Curtis*
☒ *Jared Gray*
☒ *Carolyn Love*
☒ *Brett Wright*

Those Voting No

☐ *Donna Burnham*
☐ *Colby Curtis*
☐ *Jared Gray*
☐ *Carolyn Love*
☐ *Brett Wright*

Those Absent

☐ *Donna Burnham*
☐ *Colby Curtis*
☐ *Jared Gray*
☐ *Carolyn Love*
☐ *Brett Wright*

The motion passed with a unanimous vote.

The meeting was adjourned at 11:13 p.m.

Approved by the City Council on May 17, 2022.


Fionnuala B. Kofoed, MMC
City Recorder

