



EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

April 16, 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, Rich Wood, and Brett Wright.

CITY STAFF PRESENT: Marcus Draper, City Attorney; Kimberly Ruesch, Finance Director; Tyler Maffitt, Communications Manager; Natalie Winterton, Grants Coordinator/Management Analyst; Brandon Larsen, Planning Director; Todd Black, Wildlife Biologist/Environmental Planner; Jody Bates, Chief Deputy Recorder; Chris Trusty, City Engineer; Zac Hilton, Streets and Storm Drain Manager/Parks and Recreation Manager; Jeff Weber, Fleet and Facilities/Operations Director; Brad Hickman, Public Works Director; Eric McDowell, Chief Deputy Sheriff; B.J. Eccles, Sergeant; Jason Hall, Recreation Manager; and Dawn Hancock, Special Events Manager.

CITY STAFF PRESENT ELECTRONICALLY: Steve Mumford, Interim City Manager/Community Development Director; Fionnuala Kofoed, Assistant City Administrator/City Recorder; Cliff Strachan, Director of Legislative Affairs; Angela Valenzuela, Human Resource Manager; Elizabeth Fewkes, Recording Secretary; Michele Graves, Library Director; and Embret Fossum, Unified Fire Authority Battalion Chief.

Mayor Westmoreland called the meeting to order at 4:06 p.m.

1. CITY ADMINISTRATOR INFORMATION ITEMS

1.A. DISCUSSION – ACEC (AREAS OF CRITICAL ENVIRONMENTAL CONCERN)

Wildlife Biologist/Environmental Planner Todd Black presented the item and explained that given recent attempts with the Bureau of Land Management (BLM) and School and Institutional Trust Lands Administration (SITLA) to trade parcels in Eagle Mountain, staff is considering options to add additional layers of protection on certain parcels within the City. An Areas of Critical Environmental Concern (ACEC) designation on the remaining BLM parcels within the City would help to accomplish this goal. ACEC designation is only applicable to BLM land and protects important resources, unique scenic landscapes, people and property from hazards on public lands, and would protect from trades to SITLA. The designation sets the uses influenced by the City. Anyone can nominate an ACEC. The two-year process amends the current Land Use Plan (LUP). The process involves public input and compliance with the National Environmental Policy Act (NEPA).

The conversation highlighted the inclusion of some or all BLM parcels within City limits. The need for protecting these areas under the ACEC designation was discussed to enable the City, rather than outside entities, more direct control over the management of natural assets. Councilmembers expressed concerns regarding the limitation and impediments to future City planning alterations and infrastructure expansion on land with an ACEC designation and sought to understand the implications of such changes.

City Attorney Marcus Draper responded to concerns about the two-year process for applying for an ACEC designation overlapping with municipal elections. He clarified that once the City submits the application, the decision to approve or allow withdrawal lies with the BLM, despite potential differences of opinion regarding the ACEC program between current and future Councilmembers.

Mr. Black stated that he would provide additional information to the City Council and would research their concerns and report back on his findings.

1.B. DISCUSSION – Pony Express Park and Ride Lot

City Engineer Chris Trusty explained that the Utah Transit Authority (UTA) requested a delay of the discussion until the May 7th City Council meeting to allow for additional preparation.

1.C. DISCUSSION – Future of Eagle Mountain Recreation

Natalie Winterton, Grants Coordinator/Management Analyst, presented concept renderings and options for purchasing and installing modular buildings to serve as a community center in an area of Cory B. Wride Memorial Park, which is currently planned to be developed into a future parking lot. A phased approach to recreation center development was discussed, including utilizing temporary structures to provide classroom or gym space to gauge community interest and program success. This would help employ plans for a permanent recreation center. Discussions arose about how the initiative might affect existing private sector operations within the community and possibly partnering with a nonprofit organization to run the community center or housing additional City office space in the modular buildings.

Public Works Director Brad Hickman said he will make inquiries to determine the conditions necessary for the project to qualify for impact fee funding. Sewer line connections are feasible in that area of the park for temporary or permanent bathroom structures to accompany the community center and offices.

2. AGENDA REVIEW

11. CHANGE ORDER

11.A. Change Order #1 – Codale Electric - Rodeo Arena Lights

Mr. Hickman confirmed that the City will keep and repurpose the existing poles.

13. RESOLUTION

13.A. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Adopting Fireworks Restrictions within Eagle Mountain City

Councilmember Gray proposed that the City host a firework show for the Fourth of July as an alternative activity due to the firework restrictions.

Special Events Manager Dawn Hancock explained that a Fourth of July firework show could either be a 10-to-15-minute show with frequent firework launches or a longer show with fewer fireworks, each option costing approximately \$20,000.

The City Council endorsed holding a Fourth of July event with a firework show, musical accompaniment, and other features such as food trucks, vendor booths, and/or military participation to be held at Cory B. Wride Memorial Park. The Council directed Ms. Hancock to obtain pricing for a variety of firework show types and lengths, explore options for additional attractions, and seek business sponsorship of the event.

- 13.B. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Amending the Purchase Agreement with Perry Land Investments LLC. for the acquisition of a Right-of-Way along Old Airport Road
- 13.C. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving the Purchase Agreement with Steven George Smith for the acquisition of a Right-of-Way along Old Airport Road

Items 13.B. and 13.C. were discussed concurrently.

City Engineer Chris Trusty clarified that this is the final piece of property needed for the current phase of Old Airport Road, south of Cory B. Wride Memorial Highway. The City anticipates purchasing four more properties for the portion of the extension on the north side of Cory B. Wride Memorial Highway. He explained the timeline for various phases of the project and that obstacles to right-of-way purchases necessitated rerouting the road.

Discussion ensued regarding the planned road layout and clarification that the six-month time frame applies to warranties, not project completion.

15. ORDINANCE/PUBLIC HEARING

- 15.A. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Amending Eagle Mountain Municipal Code Title 17 by Enacting Chapter 17.61 Land Use Compatibility with Military Use

Planning Director Brandon Larsen presented the item. Utah Code was recently amended to require notification to the State when development is planned within 5,000 feet of a designated military use. Camp Williams is identified as one of the specific military use locations. Upon receipt of a land use application, the City will notify the State of the request for properties without vested rights. The Department of Veterans and Military Affairs has 90 days to provide a written response to the City regarding compatibility. The provision applies to all land use applications. The City will inform applicants, distribute information over social media, and employ other methods to increase resident awareness of the requirement.

Councilmember Wright requested that the City create maps to provide residents and developers that indicate land that falls within the 5,000-foot area from Camp Williams that is subject to compatibility evaluation.

16. ORDINANCES

- 16.A. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Changing All Language Throughout the Code From City Administrator to City Manager

City Attorney Marcus Draper explained that this amendment would replace every instance of City Administrator in the Eagle Mountain Municipal Code with City Manager.

16.B. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Chapter 2.15.110 Electronic Meetings

Mr. Draper presented the item. In the most recent legislative session, the Utah Legislature enacted HB 36. Some of the changes affect how political subdivisions must conduct electronic meetings. These changes are being proposed to bring the Eagle Mountain Municipal Code into accordance with State law.

3. ADJOURN TO A CLOSED EXECUTIVE SESSION

No closed session was held. Mayor Westmoreland adjourned the work session at 6:01 p.m.

7:00 P.M. POLICY SESSION

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

CITY STAFF PRESENT: Marcus Draper, City Attorney; Kimberly Ruesch, Finance Director; Brandon Larsen, Planning Director; Todd Black, Wildlife Biologist/Environmental Planner; Jody Bates, Chief Deputy Recorder; Chris Trusty, City Engineer; Zac Hilton, Streets and Storm Drain Manager/Parks and Recreation Manager; Brad Hickman, Public Works Director; and Eric McDowell, Chief Deputy Sheriff.

CITY STAFF PRESENT ELECTRONICALLY: Steve Mumford, Interim City Manager/Community Development Director; Fionnuala Kofoed, Assistant City Administrator/City Recorder; Cliff Strachan, Director of Legislative Affairs; and Elizabeth Fewkes, Recording Secretary.

4. CALL TO ORDER

Mayor Westmoreland called the policy session to order at 7:04 p.m.

5. PLEDGE OF ALLEGIANCE

Councilmember Gray led the Pledge of Allegiance.

6. INFORMATION ITEMS/UPCOMING EVENTS

7. PUBLIC COMMENTS

Mayor Westmoreland opened public comment at 7:05 p.m.

Members of the Eagle Mountain Nature and Wildlife Alliance citizen group, Bettina Cameron, Marian Burningham, Kevin Burningham, and Shon Reed recognized and thanked City current and former officials and staff members for their support, stewardship, efforts, and responsiveness in working with citizens to protect and preserve wildlife and their habitats. They said they are honored and grateful to be residents of Eagle Mountain. Other cities and states are considering implementing similar standards. Ms. Cameron invited the City Council and residents to participate in an Earth Day

community cleanup sponsored by Available Storage scheduled on April 22, 2024, at 6:00 p.m. at Pony Express Memorial Park at 4447 Major Street.

Nate Hughs, Bert Bradford, Wes Christensen, and Matt Cook from Wolverine Ventures, and Matt McAllister and Tim White from Mountainland Supply, presented material samples and examples of buildings that use the products. They explained the exterior material ratios for the elevations of the Mountainland Supply building site plan, listed as item 14.A. on the consent agenda, to demonstrate compliance with Municipal Code standards for metal usage as an accent.

Councilmember Clark suggested that the City volunteer to teach a class about City and community partnerships at a Utah League of Cities and Towns conference.

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

8. CITY COUNCIL/MAYOR'S ITEMS

Councilmember Gray

Councilmember Gray thanked the meeting participants and encouraged residents to attend the Earth Day cleanup at Pony Express Memorial Park on April 22nd.

Councilmember Wright

Councilmember Wright expressed gratitude to the Eagle Mountain Nature and Wildlife Alliance for representing the spirit of Eagle Mountain. He's grateful for the positive contributions of citizens.

Councilmember Wood

Councilmember Wood echoed gratitude to the meeting participants and staff for bringing to fruition the decisions made by the City Council. He acknowledged the Parks Department for the speed at which they secured the rodeo equipment and made other preparations for Pony Express Days and the Alliance for their endeavors to protect wildlife. He cares about the aesthetics of the City and is thankful for the willingness of applicants to work with the City to prevent blights.

Councilmember Burnham

Councilmember Burnham acknowledged the efforts of the Wildlife Alliance and committed to ongoing collaboration and support for their initiatives. She praised Mountainland Supply as a model for the type of partnerships the City seeks to establish with businesses.

Councilmember Clark

Councilmember Clark concurred with the sentiments expressed about the City's experiences with working with Mountainland Supply and Wolverine Ventures. She encouraged them to work with the City on other projects. She reminisced about her experiences working with the Wildlife Alliance and the impact of their passion on the City.

Mayor Westmoreland

Mayor Westmoreland voiced his support and appreciation for Mountainland Supply and the Wildlife Alliance and hopes that other entities will follow their examples in bettering the community and setting a high standard.

9. PROCLAMATION

9.A. PROCLAMATION – A Proclamation Declaring April as Wildlife Stewardship Month

MOTION: *Councilmember Gray moved to adopt a proclamation declaring April 2024 as Wildlife Stewardship Month. Councilmember Wright seconded the motion.*

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

The motion passed with a unanimous vote.

CONSENT AGENDA

10. BOND RELEASES

10.A. Pacific Springs Phase A, Plat 3 – Into Warranty

10.B. Parkway Fields Phase C, Plat 1 – Into Warranty

10.C. Parkway Fields Phase C, Plat 2 – Into Warranty

11. CHANGE ORDER

11.A. Change Order #1 – Codale Electric - Rodeo Arena Lights

12. MINUTES

12.A. April 2, 2024 Minutes – Regular City Council Meeting

13. RESOLUTION

13.A. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Adopting Fireworks Restrictions within Eagle Mountain City

13.B. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Amending the Purchase Agreement with Perry Land Investments LLC. for the acquisition of a Right-of-Way along Old Airport Road

13.C. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving the Purchase Agreement with Steven George Smith for the acquisition of a Right-of-Way along Old Airport Road

13.D. RESOLUTION – A Resolution of Eagle Mountain City, Utah Appointing Erin Hart as the Eagle Mountain City Treasurer

14. SITE PLAN

14.A. SITE PLAN – Mountainland Supply located at 800 East Split Rock Drive (County Parcel 51:756:0108 and Parcel 51:756:0109)

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

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

The motion passed with a unanimous vote.

Chief Deputy Recorder Jody Bates administered the Oath of Office to City Treasurer Erin Hart.

SCHEDULED ITEMS

15. ORDINANCE/PUBLIC HEARING

- 15.A. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Amending Eagle Mountain Municipal Code Title 17 by Enacting Chapter 17.61 Land Use Compatibility with Military Use

Planning Director Brandon Larsen reviewed the item as presented during work session. Staff will ensure that a method is in place to notify applicants of the requirement during the approval process and to indicate on City maps areas that fall within the requirement.

The City generally receives responses within 24 hours of submission even though The Department of Veterans and Military Affairs has 90 days to respond. The process is likely to continue undergoing changes as it is implemented and utilized.

Mayor Westmoreland opened the public hearing at 7:46 p.m. As there were no comments, he closed the hearing.

MOTION: *Councilmember Burnham moved to approve an ordinance of Eagle Mountain City, Utah, amending Eagle Mountain Municipal Code Title 17 by Enacting Chapter 17.61 Land Use Compatibility with Military Use. Councilmember Clark seconded the motion.*

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

The motion passed with a unanimous vote.

16. ORDINANCES

- 16.A. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Changing All Language Throughout the Code From City Administrator to City Manager

MOTION: *Councilmember Clark moved to approve an ordinance of Eagle Mountain City, Utah, amending the Eagle Mountain Municipal Code changing all language throughout the*

Code from City Administrator to City Manager. Councilmember Wood seconded the motion.

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

The motion passed with a unanimous vote.

- 16.B. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Chapter 2.15.110 Electronic Meetings

MOTION: ***Councilmember Wood moved to approve an ordinance of Eagle Mountain City, Utah, amending the Eagle Mountain Municipal Code Chapter 2.15.110 Electronic Meetings. Councilmember Clark seconded the motion.***

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

The motion passed with a unanimous vote.

17. LEGISLATIVE ITEMS

- 17.A. UPDATE – Legislative Priorities List

This item was discussed during the work session following item 16.B.

Director of Legislative Affairs Cliff Strachan reviewed the progress on the legislative priorities list.

Councilmember Wright requested that Legislative Items and the update on the Legislative Priorities List be moved from the policy session to the work session portion of future City Council meetings. Councilmember Clark supported the request.

18. CITY COUNCIL/MAYOR'S BUSINESS

This item was discussed during the work session following item 17.A.

Councilmember Wood

Councilmember Wood suggested tasking the Parks and Recreation Advisory Board with identifying City parks and unimproved and improved open spaces and setting criteria to evaluate the status and maintenance needs of each area. He proposed having a staff member or a consultant from Colin Baenziger & Associates (the recruitment firm tasked with hiring a City Manager) attend City Council work sessions to report and receive direction.

Councilmember Clark

Councilmember Clark inquired about scheduling a meeting with Alpine School District Board Member Julie King to answer questions about the school district division.

Discussion ensued regarding an Interlocal Agreement.

Councilmember Gray

Councilmember Gray verified with staff that funds have been allocated but not budgeted to pave a portion of county road 8000 North near Wasatch Wing and Clay. He advocated for working with the County and the landowner to move forward with improvements, especially considering the regional significance and high use of the road.

The discussion considered the alignment of the road with the expansion of Old Airport Road, the estimate for the improvements being double the \$250,000 allocation, consideration for the City to pave a portion of Harmony Way that connects to 8000 North, the possibility of future annexation, maintenance issues should the County move forward with installing gravel on the road, and seeking funding from Mountainland Association of Governments (MAG) or other sources to assist with payment.

19. CITY COUNCIL BOARD LIAISON REPORTS

Councilmember Clark

Councilmember Clark stated that the Digital Literary Center will have a Grand Opening on April 25th at 2:00 p.m. at the Eagle Mountain Chamber of Commerce Office.

Councilmember Burnham

Councilmember Burnham said the Eagle Mountain Arts Alliance will be holding a writing workshop and offers a student discount and classes geared towards teen writers. They are working on repairing vandalized little libraries and desire to renew their agreement with the City. The Memorial Day program will take place at 10:00 a.m. that morning at Pony Express Memorial Cemetery.

Councilmember Wood

Councilmember Wood said he was unable to attend the Chamber of Commerce meeting but he received and reviewed their minutes and events calendar. He appreciates their efforts to support businesses and their longevity. Pony Express Events and staff picked up the recently purchased arena and continued preparations for the rodeo and derby. Tickets for the events are now available. The Queen contest will be held on Saturday beginning with horsemanship at the rodeo grounds at 10:00 a.m. followed by the pageant portion at City Hall.

Councilmember Wright

Councilmember Wright stated the Utah League of Cities and Towns (ULCT) conference is this weekend and several staff members and Councilmembers will be in attendance. The Planning Commission continues to perform admirably.

Councilmember Gray

Councilmember Gray suggested appointing an alternate board member to the Parks and Recreation Advisory Board to facilitate forming a quorum to be able to hold meetings. He invited the City Council to attend the Queen contest. He thanked staff for facilitating Council attendance at the ULCT conference.

20. COMMUNICATION ITEMS

20.A. UPDATE – Department Reports

This item was discussed during the work session following item 18.

Councilmember Gray asked to accompany the inspection of the Cedar Pass Ranch waterline to inform the inspector of his concerns.

City Engineer Chris Trusty said he would schedule a time with Councilmember Gray and the inspector to inspect the waterline.

20.B. UPDATE – Upcoming Agenda Items

21. ADJOURNMENT

MOTION: *Councilmember Clark moved to adjourn at 7:59 p.m. Councilmember Wright seconded the motion.*

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

The motion passed with a unanimous vote.

The meeting was adjourned at 7:59 p.m.

Approved by the City Council on May 7, 2023.


Fionnuala B. Kofoed, MMC
City Recorder

