



# EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

June 4, 2024, 4:00 p.m.

Eagle Mountain City Council Chambers

1650 East Stagecoach Run, Eagle Mountain, Utah 84005

## 4:00 P.M. WORK SESSION

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

CITY STAFF PRESENT: Steve Mumford, Interim City Manager; Fionnuala Kofoed, Assistant City Manager/City Recorder; Cliff Strachan, Director of Legislative Affairs; Evan Berrett, Economic Development Director; Kimberly Ruesch, Finance Director; Tyler Maffitt, Communications Manager; Natalie Winterton, Grants Coordinator/Management Analyst; Terrence Dela Pena, Finance/Management Analyst; Brandon Larsen, Planning Director; David Stroud, Senior Planner; Chris Trusty, City Engineer; Mack Straw, Public Utilities Manager; Zac Hilton, Streets and Storm Drain Manager/Parks and Recreation Manager; Jeff Weber, Fleet and Facilities/Operations Director; Brad Hickman, Public Works Director; and B.J. Eccles; Sergeant.

CITY STAFF PRESENT ELECTRONICALLY: Marcus Draper, City Attorney; Angela Valenzuela, Human Resource Manager; Chas Glenn, Administrative Assistant; Elizabeth Fewkes, Recording Secretary; Michele Graves, Library Director; and Embret Fossum, Unified Fire Authority Battalion Chief.

Mayor Westmoreland called the meeting to order at 4:05 p.m.

### 1. CITY MANAGER INFORMATION ITEMS

#### 1.A. CONCEPT PLAN – Rose Ranch (Discussion Item Only)

Planner David Stroud presented the concept plan for Rose Ranch. The development, situated south of Brandon Park with Fairfield Road traversing the southeast quadrant, has a future land use designation of Neighborhood Residential One and is currently zoned Agriculture. The concept plan, revisited from a previous version in December 2023, proposes adjustments including an additional road on the west side and alignment of lot sizes across from Brandon Park to mirror existing configurations. The plan proposes 147 R3 lots and 78 R2 lots for a total of 225 lots and 3.76 acres of the 4.98 required open space with 3.40 acres dedicated to the City for future use when Fairfield Road is converted into a trail.

#### Discussion:

- The historical significance of the Pony Express Trail and preserving its integrity against future developments;
- Improved open space and areas designated for future open space use, including potential long-term plans for Fairfield Road's conversion into a trail corridor;
- Allowing Fairfield Road to remain and improving a trail along the side of the road rather than converting the full 280-foot road width into a trail;
- Concerns about the maintenance, utility, and vermin nuisance issues with open spaces with natural and native landscaping, with suggestions to enhance their appeal and functionality

through creative landscaping and community features such as historical markers, benches, or a pollinator garden; and

- Safety issues with road crossing should both sides of Fairfield Road be improved open space.

Applicant representative Brandon Watson with Edge Homes stated that they are amenable to developing or preserving Fairfield Road for a future trail and amending the plan in accordance with the desires of the Council. Fencing and other measures would be put in place should the open space on the northeast and southwest sides of Fairfield Road be improved to promote safety to protect from children running across the road to the other area.

Councilmember Wood requested that the applicant provide a different park amenity than a tot lot for greater variety and longevity.

Councilmember Gray asked for the future plan to identify the lots that meet the R1 Zone lot size minimums to be able to better assess that the plan meets the intention for lot size varieties within the Neighborhood Residential One land use designation.

#### 1.B. Modular Home Presentation by Ivory Innovations

Director of Construction and Design Amro Al-Nimri with Ivory Innovations explained that while productivity in industries like manufacturing has significantly increased since 1947, the construction industry has stagnated. He detailed that modular construction involves building components offsite in controlled conditions, adhering to the same standards as traditional methods but with advantages such as increased speed, reduced costs, better quality, improved safety, and reduced waste due to precision manufacturing. He presented various aspects of modular construction, methods, and manufacturing; how they differ from site-built projects; and a case study of a multifamily project using modular construction, illustrating the practical application of the technology in building affordable housing.

Councilmember Wood inquired about the design flexibility of modular homes, specifically if they could incorporate curvilinear shapes and the direct benefit of cost savings to consumers rather than a greater profit margin for the builder.

Mr. Al-Nimri explained that current modular designs are typically rectilinear, and more complex shapes might be better achieved with technologies like 3D printing, although this could be more costly. Increased competition and production efficiency should theoretically lower home prices utilizing 3D printing.

Councilmember Clark expressed concerns about the impact of modular construction on local construction jobs, highlighting a preference for local manufacturing facilities to mitigate job displacement and reduce costs.

Mr. Al-Nimri recognized Councilmember Clark's concerns and agreed on the advantages of local partnerships, mentioning ongoing dialogues with Utah manufacturers. Nevertheless, using established out-of-state facilities can offer efficiency and potential cost savings for certain large projects.

#### 1.C. Hotel Market Feasibility Study Results

Economic Development Director Evan Berrett presented the findings of the Hotel Market Feasibility Study, highlighting the potential for hotel development in Eagle Mountain. Conducted by the nationally recognized firm, HVS, the study confirms that the City can support one or more hotels, catering to both business and leisure visitors. Hotels will benefit local companies, tourism, and sporting events, and provide quality of life improvements for residents by offering accommodation options for visitors and bringing in additional tax revenue. The study recommends an upper-midscale to upscale hotel with an extended stay option, featuring 120 to 140 guestrooms, and amenities like a swimming pool and 1,000 to 2,000 square feet of meeting space to accommodate up to 100 people. The proposed hotel would be a four-story building with occupancy expected to reach 83% by its third year of operation.

Potential hotel locations include east of the Walmart on Cory B. Wride Memorial Highway, Ranches Crossing, and the future Downtown Commercial area. At the International Council of Shopping Centers (ICSC) conference, discussions with major hotel brands such as Marriott, IHG, and Hyatt showed a strong interest in the market, influenced by the positive results of the study.

Mr. Berrett recommended amending the parking code to one space per room with extra spaces for staff and meeting spaces, modifying height restrictions to allow four-story hotels in the Commercial Regional Zone, and retaining the two-to-three-story height limitation for any other location.

After discussion of the proposal including some Councilmembers expressing concerns with the proposed height changes, Mr. Berrett verified with the City Council that he should return with an amendment to the parking standards and that height restrictions could be addressed through individual agreements with the City.

#### 1.D. DISCUSSION – Firefly PID Proposed Amendment to Governing Documents

Chase Andrizzi presented on behalf of the Firefly Public Infrastructure District (PID), discussing proposed amendments to the PID's governing documents. The amendments are prompted by suggestions from financial consultants and are aimed at optimizing the financial and operational aspects of the PID, particularly concerning the repayment of assessment bonds. The first proposed amendment involves changing the repayment timing of the bonds from the point of building permit to the point of property conveyance to the end user. In response to property appraisals and market analysis, the second amendment proposes replacing the current variable mill levy rate, which averages six mills and includes the condition that the weighted average cost should not exceed \$780 per unit per year, with a new fixed rate of three mills.

Councilmember Gray inquired about the advantages of fixing the rate at three mills, questioning how this would benefit the project financially, especially in terms of bond pricing and repayment. He expressed a desire for more detailed information in future discussions to better understand the financial implications.

Mr. Andrizzi clarified that fixing the rate simplifies financial management, as variable rates complicate bond repayment. They noted that based on the development's approved units, the rate usually averages around 2.9 mills.

Councilmember Burnham echoed the need for additional information, especially regarding the impact on residents.

#### 1.E. DISCUSSION – Downtown Master Plan RFP

Mr. Berrett presented the item outlining the comprehensive plans for the future downtown area in Eagle Mountain. The objective is to establish a vibrant and culturally rich space that reflects the lifestyle preferences of the community, celebrates its unique identity, and offers extensive social, shopping, and recreational opportunities.

Key aspects of the downtown development strategy:

- **Concept of Downtown:** The envisioned downtown area will be more than just a commercial center; it will be a community and cultural hub. The plans include the integration of essential civic facilities such as a new City Hall, public library, public safety building, and spaces for recreation and the arts, all within a main street retail destination.
- **Planning and Development Process:** A request for proposals (RFP) has been launched for the master planning of the downtown area. This initiative is City-led but consultant-supported, emphasizing the importance of including both public and stakeholder input to ensure that the development aligns with community needs and City objectives.
- **Optimal Timing:** The project is seizing a unique timing opportunity, ahead of upcoming developments that could limit future possibilities. It supports the demand for small business opportunities and aims to enhance the overall quality of life for the residents.
- **Involvement and Engagement:** The development of downtown is a collaborative endeavor. The RFP process involves the City Council and deeply engages residents and stakeholders. There is a commitment to creating a downtown that is economically sustainable and welcoming to all.

Councilmember Burnham expressed appreciation to staff for incorporating Council directives into the RFP.

Councilmember Wood emphasized the importance of providing information to Councilmembers who were not present for previous presentations and incorporating Council input early in the process and throughout the project.

Discussion ensued regarding the inclusion of City Council input, process and timing concerns, information sharing, the procedure for RFP review, the role of committees, and future communications and meetings.

The Council agreed to send their feedback to staff prior to the posting of the RFP.

2. AGENDA REVIEW

3. ADJOURN TO A CLOSED EXECUTIVE SESSION

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

<b>Donna Burnham</b>	<b>Yes</b>
<b>Melissa Clark</b>	<b>Yes</b>
<b>Jared Gray</b>	<b>Yes</b>
<b>Rich Wood</b>	<b>Yes</b>
<b>Brett Wright</b>	<b>Absent</b>

***The motion passed with a unanimous vote.***

The meeting was adjourned at 6:19 p.m.

**7:00 P.M. POLICY SESSION**

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

CITY STAFF PRESENT: Steve Mumford, Interim City Manager; Fionnuala Kofoed, Assistant City Manager/City Recorder; Cliff Strachan, Director of Legislative Affairs; Evan Berrett, Economic Development Director; Kimberly Ruesch, Finance Director; Tyler Maffitt, Communications Manager; Natalie Winterton, Grants Coordinator/Management Analyst; Terrence Dela Pena, Finance/Management Analyst; Brandon Larsen, Planning Director; Chris Trusty, City Engineer; Zac Hilton, Streets and Storm Drain Manager/Parks and Recreation Manager; Brad Hickman, Public Works Director; and B.J. Eccles; Sergeant.

CITY STAFF PRESENT ELECTRONICALLY: Marcus Draper, City Attorney; Chas Glenn, Administrative Assistant; Elizabeth Fewkes, Recording Secretary; and Embret Fossum, Unified Fire Authority Battalion Chief.

4. CALL TO ORDER

Mayor Westmoreland called the policy session to order at 7:13 p.m.

5. PLEDGE OF ALLEGIANCE

Councilmember Clark led the Pledge of Allegiance.

6. RECOGNITION

- 6.A. Cedar Valley High School – Teen CERT Interns
  - Echo Burbano
  - Clara Cook
  - Tama Jones
  - Ami Moran
  - Cooper Ulibarri

Emergency Coordinator David Ulibarri recognized the CERT Teen Interns for the 2023-2024 school year and presented them with a certificate.

Cedar Valley High School Assistant Principal Kenyon Christiansen, Alpine School District Work-Based Learning Director Tom Wood, and Eagle Mountain City elected officials and staff congratulated the interns on their achievements.

7. INFORMATION ITEMS/UPCOMING EVENTS

8. PUBLIC COMMENTS

*Mayor Westmoreland opened public comment at 7:21 p.m.*

Paula Vigil advocated for harsher punishments for the abuse of disabled adults after an abuser received a lesser punishment due to her daughter's age rather than cognitive and physical abilities than if he had harmed a child or an elderly individual. She beseeched City representatives and residents to reach out to State lawmakers to change the law to protect everyone who is defenseless against abuse.

Zac Huish thanked the City Council and staff for completing a trail connection in Sage Valley Park and highlighted its usage and positive community impact.

Stephanie Sears requested improvement to the Eagle Mountain dog park. Residents have volunteered to donate trees and to assist with the project.

*Mayor Westmoreland closed public comment at 7:33 p.m.*

## 9. CITY COUNCIL/MAYOR'S ITEMS

### Councilmember Clark

Councilmember Clark expressed gratitude for the community's engagement and highlighted the City's support for youth CERT training, which is challenging and beneficial. She praised City staff, particularly Fleet and Facilities/Operations Director Jeff Weber and David Ulibarri, for their roles in enhancing these programs and thanked the Pony Express Events team for an exceptional demolition derby.

### Councilmember Burnham

Councilmember Burnham echoed Councilmember Clark's sentiments, thanking Special Events Manager Dawn Hancock and her team for the success of the Pony Express Days, noting the exceptional parade turnout, and expressing anticipation for the upcoming rodeo.

### Councilmember Wood

Councilmember Wood thanked the staff for their efforts during the Pony Express Days, noting the extensive planning involved and the community's positive reception. He discussed the impressive attendance at the parade and other events, highlighting the derby's success and proposing considerations for future improvements to accommodate more attendees.

### Councilmember Gray

Councilmember Gray stated his appreciation for community and staff efforts, particularly highlighting the impact of programs for high school students. He expressed concerns about traffic safety near the rodeo area, suggesting increased patrol to manage the high activity, and emphasized the importance of continuous improvement in event organization and safety.

## **CONSENT AGENDA**

### 10. BOND RELEASES

10.A. Antelope Meadows Phase B, Plat 3 - Into Warranty

10.B. Lone Tree at Circle Five Ranch - Phase F, Plat 2 - Out of Warranty

10.C. Scenic Mountain Phase C, Plat 1 - Out of Warranty

10.D. Scenic Mountain Phase C, Plat 2 – Out of Warranty

After discussion, the Council determined to remove items 10.C. and 10.D. to allow the City Engineer to verify the sewer lift station issues have been resolved before the plats go out of warranty.

11. MINUTES

11.A. May 14, 2024 Minutes – Special Budget Session City Council Meeting

Councilmember Gray requested a correction to the formatting of the attendance list.

11.B. May 21, 2024 Minutes – Special Joint Meeting with the City of Saratoga Springs and Town of Fairfield

11.C. May 21, 2024 Minutes – Regular City Council Meeting

Councilmember Gray requested a change on page 14 to reword a sentence in the first paragraph to read, “He pointed out the potential misunderstandings regarding the duplication of expenditures, explaining that it might result in cost savings as it involves redistributing existing services rather than duplicating them,” removing the word *not* to better reflect the intention of his comment.

12. MOTION

12.A. MOTION – Consideration and Approval of Extended Construction Hours as per EMMC 8.15.080(G) for the Construction of Firefly 4 MG Tank

FX Construction is the contractor for this project. City Engineer Chris Trusty noted that the contractor offered to bear the cost of a hotel room for the resident living on the access road to the tank to avoid any noise issues during the all-night concrete pour. The resident did not elect to take the offer. All other homes are more than a mile away from the site and should not be affected by the noise. The Communications Department has initiated a PR campaign to inform residents in the area about improvements in water pressure due to the new tank.

13. RESOLUTIONS

13.A. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving a Professional Service Agreement with OnPointe Insights, Inc., for Public Engagement Surveys for the General Plan Update and Other Long-Range Planning Activities.

Councilmember Clark noted that the City has been asked by Alpine School District to conduct a resident survey about the potential district split. She inquired about the cost of adding additional surveys to this contract.

Planning Director Bradon Larsen explained that the cost is \$19,000 for a single survey, but if the City enters a three-year agreement, each survey would be \$4,000 less, offering significant savings. A commitment to one survey per year is required under this agreement. The scope of the survey will dictate the price and the exact cost for additional surveys has not been stipulated in the agreement. He has worked with OnPointe in the past and was impressed by their work. They offer services not available through other groups. Their interactive dashboard and efficient survey design allow

customization to drop irrelevant questions, thus streamlining the process. This approach aims to maintain the survey's neutrality and integrity, especially to avoid biases that might be introduced by special interest groups. The surveys will be distributed randomly via email and text using utility billing data to ensure a representative sample and to maintain the integrity of the data collected.

Councilmember Wood emphasized the need for Councilmembers to preview survey questions to ensure they align with the Council's strategic goals and accurately reflect the intended message to the public. He advocated for transparency in the survey process to ensure that the feedback collected genuinely represents the community's views without leading respondents towards predetermined answers.

Councilmember Gray requested to remove the item from the consent agenda and place it as a scheduled item for further discussion and to clarify concerns and questions regarding the need for and terms of the agreement as he feels similar surveys have not been necessary or utilized in the past.

- 13.B. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Authorizing the Creation of the Local Building Authority of Eagle Mountain City, Utah, and Designating the City Council to be the Board of Trustees of the Local Building Authority for the Purpose of Incorporating as a Nonprofit Corporation, and Approving Articles of Incorporation and Bylaws, Consistent with the Constitution and Laws of the State of Utah.

Councilmember Wood asked to remove the item from the consent agenda and to postpone the vote as Councilmember Wright was not in attendance. He clarified that Councilmember Wright had not requested that the item be delayed, but he feels it would be beneficial to have all elected officials present for the vote on the item as a new authority is being created.

Staff confirmed that postponing the approval of the item would not cause significant delays and conversely, approving the item would not have any unalterable ramifications. Paperwork still needs to be filed and the Board of Trustees would be the Council with the Mayor serving as Chair.

**MOTION:** *Councilmember Gray moved to approve the consent agenda removing items 10.C., and 10.D.; also removing items 13.A. and 13.B. and placing them as scheduled items; and editing the minutes as discussed. Councilmember Wood seconded the motion.*

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

*The motion passed with a unanimous vote.*

### **SCHEDULED ITEMS**

#### 13. RESOLUTIONS

- 13.A. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving a Professional Service Agreement with OnPointe Insights, Inc., for Public Engagement Surveys for the General Plan Update and Other Long-Range Planning Activities.

Councilmember Gray expressed hesitancy in approving the agreement due to concerns about the merits of surveys for the General Plan. He questioned the financial prudence of spending funds on surveys when community opinions might already be known from smaller engagements and public hearings. He inquired whether the survey would save money or staff effort.

Councilmember Wood advocated for ensuring survey representation across all City areas and maintaining the integrity of survey questions to avoid biased results. He acknowledged the challenge of getting a large number of responses but recognized the value of guaranteed data from a professional service.

Councilmember Clark expressed confidence in using scientific methods for surveys, noting past issues with non-scientific surveys. She supported providing adequate tools and funding for thorough data collection noting the benefits of instructive information from residents on park amenities. She thinks such data would be useful for the General Plan. Ultimately, she does not think that staff would make the request unless it would save them time.

Councilmember Burnham supported Councilmember review of the survey questions but emphasized that questions should remain even if they conflict with the personal views of Councilmembers, advocating for a comprehensive approach to gather genuine community feedback.

Mayor Westmoreland emphasized the importance of data in making informed decisions. He acknowledged that while some Councilmembers might feel they have a good understanding of the community's needs from years of engagement, staff might benefit from additional data to ensure comprehensive planning.

Mr. Larsen elaborated on challenges with non-scientific polling dominated by special interest groups, leading to skewed results. This happened with a recent Provo City survey. He described how scientific surveys helped realign that city's General Plan by providing data reflective of the entire community. He explained that the survey would capture broader and more scientifically valid input, emphasizing its cost-effectiveness compared to more extensive consulting services. He stated the survey would guarantee 800 completed surveys with a maximum of 1,500, ensuring statistically significant results.

**MOTION:** *Councilmember Wood moved to approve a resolution of Eagle Mountain City, Utah, approving a professional service agreement with OnPointe Insights, Inc., for public engagement surveys for the General Plan update and other long-range planning activities for one year. Councilmember Clark seconded the motion.*

Councilmember Wood explained that he is hesitant to agree to future surveys without knowing the cost.

Mr. Larsen clarified that the agreement includes a non-appropriation clause, allowing termination of the agreement if future funding is not approved by the Council.

**AMENDED MOTION:** *Councilmember Wood moved to approve a resolution of Eagle Mountain City, Utah, approving a professional service agreement with OnPointe Insights, Inc., for public engagement surveys for the General Plan update and other long-range planning activities. Councilmember Clark seconded the motion.*

Donna Burnham	Yes
Melissa Clark	Yes
Jared Gray	Yes

**Rich Wood**                      **Yes**  
**Brett Wright**                   **Absent**

***The motion passed with a unanimous vote.***

- 13.B. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Authorizing the Creation of the Local Building Authority of Eagle Mountain City, Utah, and Designating the City Council to be the Board of Trustees of the Local Building Authority for the Purpose of Incorporating as a Nonprofit Corporation, and Approving Articles of Incorporation and Bylaws, Consistent with the Constitution and Laws of the State of Utah.

Councilmember Wood emphasized the importance of thorough discussion and consideration when dealing with significant issues such as the creation of a nonprofit organization that will manage finances and bonds. He suggested that such items should not be included on the consent agenda due to their complexity and impact, advocating for a more comprehensive review and the inclusion of absent Councilmembers' opinions.

Councilmember Clark supported the idea of a more detailed presentation from staff, reflecting a need for better understanding and discussion of the resolution before proceeding. She proposed tabling the discussion to allow for additional information and deliberation in a subsequent meeting.

Councilmember Burnham raised a procedural question about the election of officers within the newly proposed building authority, expressing confusion over the designation of roles and the election process as stipulated in the bylaws.

Staff clarified the procedural steps and legal framework regarding the creation of the local building authority, explaining that the initial step is merely to authorize its creation, which is a prerequisite for further actions like filing articles of incorporation and electing officers at future meetings.

**MOTION:**            ***Councilmember Burnham moved to approve a resolution of Eagle Mountain City, Utah, authorizing the creation of the local building authority of Eagle Mountain City, Utah, and designating the City Council to be the Board of Trustees of the Local Building Authority for the purpose of incorporating as a nonprofit corporation, and approving articles of incorporation and bylaws, consistent with the constitution and laws of the State of Utah. Councilmember Wood seconded the motion.***

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

***The motion passed with a unanimous vote.***

Assistant City Manager/City Recorder Fionnuala Kofoed clarified that the intention was to have the item on the agenda as a scheduled item and it had inadvertently been placed on the consent agenda. Typically, such items will be placed as scheduled items to facilitate discussion.

14. PUBLIC HEARINGS

- 14.A. PUBLIC HEARING – Fiscal Year 2025 Tentative Budget. **\*\*DISCUSSION ITEM ONLY\*\***

Finance Director Kimberly Ruesch noted that there have been no new changes to the Fiscal Year 2025 tentative budget since the last public hearing. She emphasized that the purpose of the current meeting was to provide a platform for public input and for the Council to discuss any additional items or concerns related to the budget.

Councilmember Wood requested clarification on the "other sources of funding" listed in the budget on page 10, noting it was a significant amount that lacked detailed descriptions. He suggested that adding examples or an explanatory note could help clarify these sources for both the Council and the public. He asked how the creation of a building authority would be reflected in the budget.

Ms. Ruesch explained that the Local Building Authority would function similarly to the Redevelopment Agency (RDA) from an accounting perspective, being considered a blended component unit with its own fund. This means that while it operates as its own entity, it reports as part of Eagle Mountain City's government in financial reports, much like the RDA. The primary function of this authority is as a financing tool, allowing the issuance of lease revenue bonds, with payments based on the square footage used by various divisions and departments, transferred from the General Fund. The 2024 budget includes significant Capital Projects, primarily funded by prior-year reserves. Other sources of funding are mostly obtained from reserves from the prior year's fund balance. The Fiscal Year 2025 budget includes \$20 million in water impact fees, the bulk coming from Fiscal Year 2024 reserves. The impact fee category indicates funds collected in the current year. She indicated the benefit of specifying the use of reserves separately from other funding sources to clarify the origin of funds. The budget retains the maximum allocation for funding reserves even taking into account one-time budget requests.

*Mayor Westmoreland opened the public hearing at 8:54 p.m. As there were no comments, he closed the hearing.*

Ms. Ruesch stated that the next Council meeting would include the certified tax rate, which might slightly alter the revenue projections once finalized. Funding is planned to be accommodated in the current fiscal year for the purchase of a tractor. This purchase will be included on the agenda for the next Council meeting as part of the year-end budget opening, with price estimates provided.

14.B. RESOLUTION/PUBLIC HEARING - A Resolution of Eagle Mountain City, Utah, Amending the Eagle Mountain City Consolidated Fee Schedule for Water and Sewer Rates.

Finance/Management Analyst Terrence Dela Pena introduced the item and stated that there have been no changes since the item was presented during the previous meeting.

*Mayor Westmoreland opened the public hearing at 8:56 p.m. As there were no comments, he closed the hearing.*

Councilmember Clark mentioned the importance of Option Three in ensuring a solid financial position for the City. It spreads costs based on usage, which is beneficial for the City's long-term financial health.

Councilmember Gray voiced support for Option Three, noting he had discussed it briefly with Councilmember Wright, who also supports this option.

Discussion reviewed and clarified the terms of the following three options for rate changes:

- Option 1: Status Quo: Retains current uniform rate structure with a 2.5% annual increase.
- Option 2: Base Rate Only: Introduces a base rate varying by meter size with an 18% increase in 2025, 15% in 2026, and 4% in 2027.
- Option 3: Base and Volume: Implements a base rate by meter size and a volume rate based on winter usage with a 2.5% annual increase for residential and commercial, and higher increases for industrial.

**MOTION:** *Councilmember Wood moved to approve a resolution of Eagle Mountain City, Utah, amending the Eagle Mountain City consolidated fee schedule for water and sewer rates choosing Option 3. Councilmember Gray seconded the motion.*

<b>Donna Burnham</b>	<b>Yes</b>
<b>Melissa Clark</b>	<b>Yes</b>
<b>Jared Gray</b>	<b>Yes</b>
<b>Rich Wood</b>	<b>Yes</b>
<b>Brett Wright</b>	<b>Absent</b>

*The motion passed with a unanimous vote.*

## 15. ORDINANCES

- 15.A. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending Eagle Mountain Municipal Code Chapters 5.10 Beer Sales, 5.20 Sexually Orientated Businesses and 5.25 Residential Solicitation.

City Attorney Marcus Draper explained that the amendments to the beer sales chapter are minor and aim to align with State law. The changes to residential solicitation and sexually oriented businesses address First Amendment concerns in the current code, particularly the amendments to the sexually oriented businesses section, to ensure constitutional compliance and withstand legal challenges. He clarified that the application process is stipulated in current Municipal Code standards but was excluded from the amendment as it is not being changed.

Councilmember Gray inquired about zoning for sexually oriented businesses, confirming they are currently allowed in the Industrial Zone. He emphasized the need to identify appropriate zones to prevent such businesses in residential areas.

Mr. Mumford clarified zoning for sexually oriented businesses, stating they are special uses in the Light Manufacturing Distribution (LMD) Zone. He confirmed the need to align special use standards with the proposed amendments. Staff is working on an amendment to change conditional uses in industrial zones to special uses.

Councilmember Clark suggested reviewing regulations for tattoo establishments, noting a loophole where beauty salons can offer similar, nonprohibited services. She highlighted the changing perception of tattoo services and the need to update the code accordingly.

**MOTION:** *Councilmember Wood moved to approve an ordinance of Eagle Mountain City, Utah, amending Eagle Mountain Municipal Code Chapters 5.10 Beer Sales, 5.20 Sexually Orientated Businesses, and 5.25 Residential Solicitation. Councilmember Burnham seconded the motion.*

<b>Donna Burnham</b>	<b>Yes</b>
<b>Melissa Clark</b>	<b>Yes</b>
<b>Jared Gray</b>	<b>Yes</b>

**Rich Wood**  
**Brett Wright**

**Yes**  
**Absent**

*The motion passed with a unanimous vote.*

16. RESOLUTION

- 16.A. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Amending the Eagle Mountain City Rodeo Grounds Operation, Management and Lease Agreement with Pony Express Events.

Councilmember Gray disclosed his involvement with Pony Express Events and stated as such he would abstain from voting on this item

Mr. Mumford noted that the agreement was added to the agenda because the current agreement is outdated and does not align with the Council's desire to support Pony Express Events more fully.

Councilmember Wood expressed concerns about the current agreement, particularly the maintenance requirements, which he believes are overly punitive for a nonprofit organization that relies on funding from only two events per year. He suggested that the City should show more support for third-party organizations and adopt a more cooperative approach in lease agreements. He suggested drafting a new agreement, led by the City Attorney, that better supports the organization while protecting the City's interests. He emphasized that the City should take responsibility for park maintenance and provide more funding and resources to support staff in maintaining high service levels.

Mayor Westmoreland stated that he views the rodeo grounds as a venue and that the City should take pride in providing quality venues. He recommended taking the time to listen to and consider all perspectives.

Councilmember Burnham agreed with the direction of the discussion and highlighted the need for immediate action to allow Pony Express Events to use a City tractor for ground maintenance.

Mr. Mumford clarified the language prepared by the City Attorney allows Pony Express Events to lease equipment at fair market value to assist in their operations and maintenance of the rodeo grounds.

Mr. Draper clarified that the City cannot allow Pony Express Events to use the tractor for free; they must pay fair market value as required by State law. Staff prepared language that permits the tenant to lease equipment from the City at fair market value for operations and maintenance, provided the equipment is available. The current consideration for the lease is the maintenance performed by Pony Express Events, without which the \$1.00 per year lease would not be a legal agreement. He acknowledged the need to align the agreement with the Council's directive and confirmed plans to revisit and rewrite the lease agreement after the conclusion of the Pony Express Days events.

Councilmember Wood noted the unique requirements of the rodeo grounds, including the special sand used for events, and emphasized the need to protect this investment.

Staff explained that agreements with other recreational organizations include a fee per participant to cover park maintenance.

Public Works Director Brad Hickman stated the City is actively engaged in field preparation for baseball. He desires to review all recreational partnership agreements to ensure equitable treatment of all parties. Staff supports doing what is needed to maintain the facilities. He concurred with the importance of securing and maintaining the rodeo grounds, mentioning the installation of signs to manage semi-truck parking and the need for better monitoring and improvements.

Councilmember Clark emphasized the City's role in providing facilities like baseball diamonds and rodeo grounds, as they are uniquely positioned to do so. She believes the City should take care of these facilities and support volunteers. She expressed excitement about the Council's progress and the new direction they are taking. She suggested considering internet installation and cameras at the rodeo grounds to monitor and manage semi-truck parking, advocating for directing trucks to private parking and storage solutions as it falls outside the responsibility of the City.

The Council agreed on the importance of supporting the rodeo grounds as a quality venue and emphasized the need for consistent maintenance support across all City facilities.

**MOTION:** *Councilmember Burnham moved to approve a resolution of Eagle Mountain City, Utah, amending the Eagle Mountain City Rodeo Grounds Operation, Management and Lease Agreement with Pony Express Events. Councilmember Clark seconded the motion.*

<b>Donna Burnham</b>	<b>Yes</b>
<b>Melissa Clark</b>	<b>Yes</b>
<b>Jared Gray</b>	<b>Abstain</b>
<b>Rich Wood</b>	<b>Yes</b>
<b>Brett Wright</b>	<b>Absent</b>

*The motion passed with a vote of 3:0.*

Councilmember Wood asked staff to rewrite the lease agreement following the rodeo to be presented to the Council at a future meeting.

## 17. LEGISLATIVE ITEMS

### 17.A. UPDATE - Legislative Priorities List

Director of Legislative Affairs Cliff Strachan provided an update on the Council's priority list. He discussed the progress on the items with the City Council and concerns regarding the implementation of affordable housing initiatives. He asked the Council to consider whether they desire to lower or waive the \$230 application fee in addition to removing impact fees for accessory dwelling units. He presented a draft of a City webpage with public information and announced the upcoming public hearings for the potential division of the Alpine School District.

The City Council provided the following feedback and directives regarding the webpage for the Alpine School District split:

- Emphasize clarity in the website's information, particularly regarding the projected costs and timeline for new school construction, to avoid causing unnecessary alarm;
- Highlight the City's support for local educational programs and partnerships to counter concerns about losing programs if the school district splits;
- Ensure the website allows residents to access comprehensive information and conduct their own research, rather than making assumptions on their behalf;

- Remove the study data and provide links to the three different studies on financial impacts to provide multiple perspectives and a balanced view;
- Exchange stock photos with pictures from Eagle Mountain City to show the local impact and importance of the decisions;
- Address potential issues with using City email for communications about Councilmember opinions about the district split, suggesting alternatives like personal contact information to avoid conflicts; and
- Review and clarify policies around the use of City resources for informational versus persuasive communication in the context of the upcoming vote on the school district split.

18. CITY COUNCIL/MAYOR'S BUSINESS

19. CITY COUNCIL BOARD LIAISON REPORTS

Councilmember Gray

Councilmember Gray announced the Youth Council dance on Saturday following the rodeo. He requested a review of the 24-hour truck parking rule due to enforcement issues and addressing sinkholes.

He provided current ticket sales updates for Pony Express Days for the derby and rodeo:

- Demolition Derby: Sold 2,911 tickets out of 2,928.
- Thursday's Rodeo: Sold almost 1,400 tickets out of 2,500.
- Friday's Rodeo: Sold 1,500 tickets out of 2,900.
- Saturday's Rodeo: Sold almost 2,000 tickets out of 2,900.

Councilmember Wood

Councilmember Wood praised the Event's Department for the efforts on the recent parade and carnival, highlighting their success and community participation. He suggested exploring more frequent use of the rodeo venue, such as hosting concerts. The Pony Express Rodeo will be on Thursday, Friday, and Saturday. He was unable to attend the last Chamber meeting but commended their support for small businesses. He proposed creating a charter for the Park and Recreation Advisory Board to provide direction and assist with service level improvements.

Councilmember Burnham

Councilmember Burnham reported that the Cemetery Board had not met recently but successfully conducted the Memorial Day presentation. The Arts Alliance participated in the parade and is planning a writers' workshop in June at the Eagle Mountain Chambers offices. She inquired about the upcoming vote on the Council pay increase, seeking clarification on its process.

After staff explained that approving the funds with the approval of the budget will not allocate the increase until the associated standards are updated, the City Council determined to further discuss the process for wage increases for elected officials during a future work session.

Councilmember Clark

Councilmember Clark announced the grand opening of the incubator program and Launchpad next Monday, with Governor Cox attending and presenting. The public open house will be from 5:00 to 7:00 p.m. She requested the relocation of the office phone at the Senior Center for convenience and to improve voicemail access. The Senior Advisory Board met with a City intern to discuss their needs for the City website. She mentioned the American Legion's interest in presenting to the City Council and forming a partnership agreement. The Arts Alliance and Chamber also need to update agreements

with the City. The Miss Eagle Mountain pageant is scheduled for June 29<sup>th</sup>. She reiterated the need to discuss the creation of a "Friends of" nonprofit to support City projects, requesting staff to research similar models.

Mayor Westmoreland

Mayor Westmoreland suggested having the American Legion meet with staff to prepare a presentation for the Council.

20. COMMUNICATION ITEMS

20.A. UPDATE – Upcoming Agenda Items

20.B. UPDATE – Department Reports

21. ADJOURNMENT

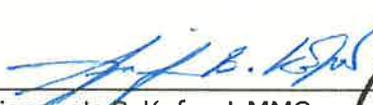
**MOTION:** *Councilmember Gray moved to adjourn at 10:22 p.m. Councilmember Wood seconded the motion.*

<b>Donna Burnham</b>	<b>Yes</b>
<b>Melissa Clark</b>	<b>Yes</b>
<b>Jared Gray</b>	<b>Yes</b>
<b>Rich Wood</b>	<b>Yes</b>
<b>Brett Wright</b>	<b>Absent</b>

*The motion passed with a unanimous vote.*

The meeting was adjourned at 10:22 p.m.

Approved by the City Council on June 18, 2024.

  
Fionnuala B. Kofoed, MMC  
City Recorder

