



EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

OCTOBER 1, 2024, 4:00 PM

EAGLE MOUNTAIN CITY COUNCIL CHAMBERS

1650 E STAGECOACH RUN, EAGLE MOUNTAIN, UT 84005

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

CITY STAFF PRESENT: Steve Mumford, Interim City Manager; Fionnuala Kofoed, Assistant City Manager/City Recorder; Clifford Strachan, Director of Legislative Affairs; Marcus Draper, City Attorney; Kimberly Ruesch, Director of Legislative Affairs; Tyler Maffitt, Communications Manager; Angela Valenzuela, Human Resources Manager; Natalie Winterton, Grants Coordinator/Management Analyst; Terrence Dela Pena, Finance/Management Analyst; Brandon Larson, Planning Director; Todd Black, Wildlife Biologist/Environmental Planner; Robert Hobbs, Senior Planner; David Stroud, Senior Planner; Steven Lehmitz, Planner; Beth Fewkes, Planner; Mack Straw, Public Utilities Manager; Jeff Weber, Fleet and Facilities/Operations Director; Zac Hilton, Streets and Storm Drain/Parks and Recreation Manager; Bailey Ensign, Digital Communications Specialist; Michele Graves, Library Director; and Eric McDowell, Chief Deputy Sheriff.

CITY STAFF PRESENT ELECTRONICALLY: Lianne Pengra, Chief Deputy Recorder; Brad Hickman, Public Works Director; Chas Glenn, Executive Assistant; and Embret Fossum, Unified Fire Authority Battalion Chief.

4:00 PM WORK SESSION – CITY COUNCIL CHAMBERS

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

1. DISCUSSION AND INFORMATION ITEMS

1.A. PRESENTATION – General Plan Survey – OnPointe Insights

[The recording of the discussion can be found online here at 00:00:33.](#)

Planning Director Brandon Larsen introduced the item. Ron Gailey with OnPointe Insights presented the data and findings for the survey they did relative to the General Plan Update. The survey data was collected in July and August of this year. More than 1,300 people participated in this random-sample, statistically significant survey.

1.B. DISCUSSION – Gardner Farms Master Development Plan

[The recording of the discussion can be found online here at 00:48:52.](#)

Senior Planner David Stroud presented the item, and Chase Bryan with Gardner Farms addressed the Council. The applicant submitted a plan to develop commercial and residential uses on 160 acres. Intermountain Health owns 40 acres within the project, but is not developing the property at this time. The remaining 120 acres are proposed to be developed with commercial and residential uses. Residential will consist of single-family, townhomes, and stacked multi-family. The proposed zones are RC, MF2, and

CR. The property is adjacent to Eagle Mountain Boulevard to the east, and the property to the north, west, and south is under the jurisdictional control of Utah County.

1.C. DISCUSSION – Get Healthy Utah Designation

[The recording of the discussion can be found online here at 01:16:42.](#)

Grants Coordinator/Management Analyst Natalie Winterton presented the item.

The Healthy Utah Community is a designation from the Utah League of Cities and Towns in partnership with Get Healthy Utah, a non-profit organization that promotes healthy living. The mission of Get Healthy Utah is to foster a culture of health through engaging multi-sector stakeholders, building partnerships, providing resources, and connecting efforts that support healthy eating, active living, and mental wellbeing.

2. AGENDA REVIEW

12.A. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving a Professional Services Agreement with GSBS Architects for Consulting Work Related to the General Plan Update.

[The recording of the discussion can be found online here at 01:30:32.](#)

Planning Director Brandon Larson introduced the item; Christine Richman and Erika Chmielewski with GSBS Architects addressed the Council regarding the General Plan update process.

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

[The recording of the discussion can be found online here at 01:48:38.](#)

City Attorney Marcus Draper explained the reasoning behind updating the Policies and Procedures Manual based on changes made by the State Legislature.

12.G. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Adopting the Eagle Mountain City Public Art Plan.

[The recording of the discussion can be found online here at 01:49:25.](#)

Councilmember Clark requested the item be removed from the agenda and brought back as a discussion item to a future meeting. Grants Coordinator/Management Analyst Natalie Winterton addressed the Council regarding the details of the plan.

12.H. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Adopting the Eagle Mountain City Affordable Housing Plan.

[The recording of the discussion can be found online here at 01:53:37.](#)

Councilmember Wood requested the item be removed from the agenda and brought back as a discussion item to a future meeting.

12.I. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Declaring Surplus Property – Fleet Vehicles.

[The recording of the discussion can be found online here at 01:54:50.](#)

Fleet and Facilities/Operations Director Jeff Weber explained the process of selling surplus vehicles.

3. ADJOURN TO A CLOSED SESSION

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

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

The motion passed with a unanimous vote.

[The recording of the motion can be found online here at 01:57:43.](#)

The meeting was adjourned at 6:02 PM.

7:00 PM POLICY SESSION – CITY COUNCIL CHAMBERS

4. CALL TO ORDER

Mayor Westmoreland called the meeting to order at 7:13 PM.

5. PLEDGE OF ALLEGIANCE

Councilmember Wood led the Pledge of Allegiance.

6. INFORMATION ITEMS/UPCOMING EVENTS

7. PUBLIC COMMENTS

Mayor Westmoreland opened the public comment period at 7:15 PM.

The following individuals spoke during the public comment period: Natalee Hoover, Camden Lancaster, Evan Hawkes, and Tracy Lang; Terry Stewart submitted a written comment.

Mayor Westmoreland closed the public comment period at 7:21 PM.

[The recording of the public comments can be found online here at 02:00:50.](#)

8. CITY COUNCIL/MAYOR ITEMS

The Mayor and Councilmembers offered comments to the public.

[The recording of the Mayor and Councilmember comments can be found online here at 02:07:16.](#)

9. APPOINTMENTS

9.A. Senior Citizens Advisory Council

1. Mary Hammond – Completing a 4-year term through 2025

MOTION: *Councilmember Clark moved to appoint Mary Hammond to the Senior Citizens Advisory Council, completing a 4-year term through 2025. Councilmember Wood seconded the motion.*

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

The motion passed with a unanimous vote.

[The recording of the motion can be found online here at 02:15:44.](#)

City Recorder Fionnuala Kofoed administered the Oath of Office to Mary Hammond.

CONSENT AGENDA

10. MINUTES

- 10.A. September 17, 2024 Minutes – Regular City Council Meeting

11. PRELIMINARY PLATS & SITE PLANS

- 11.A. SITE PLAN – Freddy’s Frozen Custard and Steakburgers

12. RESOLUTIONS

- 12.A. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving a Professional Services Agreement with GSBS Architects for Consulting Work Related to the General Plan Update.
- 12.B. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving an Interlocal Cooperation Agreement with Mountainland Association of Governments for Funding for the Mid Valley Road Feasibility Study from Pony Express Parkway to Mountain View Corridor.
- 12.C. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving a Settlement Agreement and Mutual Release of Claims with W.W. Clyde & Co.
- 12.D. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Amending the Eagle Mountain City Policies and Procedures Manual Regarding Firearms.

- 12.E. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Appointing Kenneth A. Brown, Jr. to Serve as a Hearing Examiner and Directing Staff to Refer Business License Issues to the Hearing Examiner.
- 12.F. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving a Legal Services Agreement with Kenneth A. Brown, Jr.
- 12.G. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Adopting the Eagle Mountain City Public Art Plan.
- 12.H. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Adopting the Eagle Mountain City Affordable Housing Plan.
- 12.I. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Declaring Surplus Property – Fleet Vehicles.

MOTION: *Councilmember Burnham moved to approve the Consent Agenda, removing items 12.G. and 12.H. from the agenda. Councilmember Wright seconded the motion.*

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

The motion passed with a unanimous vote.

[The recording of the motion can be found online here at 02:18:01.](#)

City Recorder Fionnuala Kofoed administered the Oath of Office to Kenneth A. Brown, Jr.

SCHEDULED ITEMS

13. ORDINANCES/PUBLIC HEARINGS

- 13.A. ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Adjusting the Boundary Line of Certain Real Property from the Geographical Boundaries of the Town of Cedar Fort to the Geographical Boundaries of Eagle Mountain City.

[The recording of the discussion can be found online here at 02:20:49.](#)

City Attorney Marcus Draper presented the item, and applicant representative Chase Andrizzi with Oquirrh Wood Ranch addressed the Council regarding the item. The proposed ordinance adjusts the municipal boundaries between Eagle Mountain and Cedar Fort in accordance with Utah Code Section 10-2-419 for 120 acres on two parcels of land directly west of the Tyson plant, Utah County Parcel Numbers 59:049:0008 and 59:049:0050.

Mayor Westmoreland opened the public hearing at 7:41 PM; as there were no comments, he closed the hearing.

MOTION: *Councilmember Burnham moved to approve an Ordinance of Eagle Mountain City, Utah, Adjusting the Boundary Line of Certain Real Property from the Geographical Boundaries of the Town of Cedar Fort to the Geographical Boundaries of Eagle Mountain City. Councilmember Clark seconded the motion.*

Donna Burnham	Yes
Melissa Clark	Yes
Jared Gray	Excused
Rich Wood	No
Brett Wright	No
Mayor Westmorland	Yes

The motion passed with a vote of 3:2.

[The recording of the motion can be found online here at 02:50:05.](#)

13.B. ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Section 17.10.030 Definitions.

[The recording of the discussion can be found online here at 02:54:38.](#)

Planner Steven Lehmitz presented the item. The proposed code amendment establishes the definition of a building envelope. Building envelopes are typically depicted with a diagram showing setbacks and easements. The setbacks are typically thought to only apply to primary structures; however, without language stating setbacks only apply to primary structures, they apply to all structures. The purpose of this code amendment is to clearly establish that the building envelopes shown on final plats only apply to primary structures and detached accessory dwelling units.

Mayor Westmoreland opened the public hearing at 8:23 PM; as there were no comments, he closed the hearing.

MOTION: *Councilmember Wood moved to approve an Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Section 17.10.030 Definitions. Councilmember Clark seconded the motion.*

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

The motion passed with a unanimous vote.

[The recording of the motion can be found online here at 03:09:03.](#)

14. ORDINANCES

14.A. ORDINANCE - An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Chapters 8.07 Nuisance Abatement and 8.15 Noise.

[The recording of the discussion can be found online here at 03:09:37.](#)

City Attorney Marcus Draper presented the item. The proposed code amendments to EMMC 8.15 Noise make it permissible to exceed 65 dB during certain times of the day to allow for certain ordinary activities. The proposed amendments to EMMC 8.07 Nuisance Abatement requires property owners to remove graffiti within 7 days after discovery. An extension of up to 14 additional days may be granted for good cause shown. This item was tabled at the September 17, 2024 City Council meeting.

MOTION: *Councilmember Wood moved to approve an Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Chapters 8.07 Nuisance Abatement and 8.15 Noise. Councilmember Burnham seconded the motion.*

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

The motion passed with a unanimous vote.

[The recording of the motion can be found online here at 03:10:18.](#)

15. RESOLUTIONS

15.A. RESOLUTION - A Resolution of Eagle Mountain City, Utah, Establishing a Mortgage Assistance Program.

[The recording of the discussion can be found online here at 03:10:51.](#)

Director of Legislative Affairs Clifford Strachan presented the item. The proposed Mortgage Assistance Program, one of five moderate income housing strategies included in the City's General Plan, is targeted at public employees whose household income is below 120% AMI, and who would purchase and occupy a home located in Eagle Mountain. As drafted, the program would provide qualified applicants with a \$15,000 down payment loan at 0%, in second position, which is fully forgivable by 15 years. The program would be administered by Eagle Mountain City and funded by an appropriation of the Redevelopment Agency of Eagle Mountain City's Community Reinvestment Project Area housing funds.

MOTION: *Councilmember Wright moved to approve a Resolution of Eagle Mountain City, Utah, Adopting a Mortgage Assistance Program with the following changes:*

- 1. Amend the maximum loan amount to \$25,000;*
- 2. Amend to indicate there is no maximum to the applicant(s)' cash contribution to the purchase of a property;*
- 3. Amend to indicate there is no minimum or maximum to the applicant(s)' liquid assets at closing;*
- 4. Amend the maximum Area Median Income to \$151,800 for households of 6 or more;*
- 5. Amend the application prioritization and schedule as presented: Namely to reflect prioritization by applicant employment type then prioritization by income relative to area median income with lower income households receiving higher priority;*
- 6. Extend the requirement to respond to applicants regarding minimum qualifications to 15 business days after the application collection period;*
- 7. Remove real estate brokerage fees from the list of eligible closing costs;*
- 8. Direct administration to outsource the eligibility review process; and*

9. *Direct staff to edit the draft policy documents to reflect these amendments. Councilmember Clark seconded the motion.*

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

The motion passed with a unanimous vote.

[The recording of the motion can be found online here at 04:34:03.](#)

16. LEGISLATIVE ITEMS

16.A. UPDATE – Legislative Priority List

17. CITY COUNCIL/MAYOR’S BUSINESS AND LIAISON REPORTS

[The recording of the comments and reports can be found online here at 04:37:19.](#)

The Mayor and Councilmembers offered comments to the public and provided reports on the boards they are assigned to as liaisons to the City Council.

18. COMMUNICATION ITEMS

18.A. Financial Report

18.B. Upcoming Agenda Items

19. ADOURNMENT

MOTION: *Councilmember Wright moved to adjourn the meeting at 9:55 PM. Councilmember Wood seconded the motion.*

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

The motion passed with a unanimous vote.

[The recording of the motion can be found online here at 04:40:49.](#)

The meeting was adjourned at 9:55 PM.

Approved by the City Council on October 15, 2024.



Lianne Pengra, CMC
Chief Deputy Recorder

