

MINUTES  
EAGLE MOUNTAIN SPECIAL CITY COUNCIL MEETING  
December 10, 2014  
Policy Session 5:00 p.m.  
Eagle Mountain City Council Chambers, 1650 East Stagecoach Run, Eagle Mountain, Utah 84005

**5:00 P.M. POLICY SESSION – CITY COUNCIL CHAMBERS**

ELECTED OFFICIALS PRESENT: Mayor Chris Pengra; Councilmembers : Adam Bradley, Donna Burnham, Ryan Ireland and Tom Westmoreland. Richard Steinkopf participated by telephone.

CITY STAFF PRESENT: Assistant City Administrator/Finance Director Paul Jerome; Public Information Director Linda Peterson; City Recorder Fionnuala Kofoed.

1. CALL TO ORDER

Mayor Pengra called the meeting to order at 5:00 p.m. He led the audience in the Pledge of Allegiance.

2. PUBLIC COMMENTS – Time has been set aside for the public to express their concerns, ideas, and comments.

Mayor Pengra stated that word was released last night that Saratoga Springs is not being considered as one of the potential new locations for the Utah State Prison; he congratulated Saratoga Springs and stated that he is happy that neither Saratoga Springs nor Eagle Mountain need to worry about the location that was being considered in Saratoga Springs. He announced, however, that there is a location on the south end of Eagle Mountain City that is being considered for the relocation. An agent of the property owner approached him last year and asked for his input relative to the site being presented to the State of Utah for consideration for the prison site and he expressed that he was not interested because he did not feel the land use was the right fit for Eagle Mountain because it will damage the City's ability to secure economic development opportunities that would help the community be healthy.

Councilmember Steinkopf stated that he is also not in favor of the relocation of the prison to the property referenced by Mayor Pengra; he feels it would cause the City many difficulties and he is anxious to hear others' comments regarding the proposal.

Councilmember Burnham thanked everyone in attendance this evening and she thanked the "No Prison in Saratoga Springs or Eagle Mountain" group; she noted their voice has been powerful and she appreciates all the work that has been done. She encouraged residents to make comments and to stick to the facts rather than make emotional arguments that will

hurt the City more than help it. She asked everyone to focus on how the prison would impact Eagle Mountain and Saratoga Springs and remember to be courteous to people that do not share the same opinion. She then stated she is opposed to the prison in Eagle Mountain for several reasons: she is fearful it will hurt the economic development of the City; Eagle Mountain is a fast growing City and it does not make sense to locate a prison here; the City has a very young population and is not able to provide support services that would be available in other communities with older populations; the City is too far from courts and hospitals; the location is too close to existing and planned homes.

Councilmember Ireland thanked everyone in attendance this evening. He stated many people attended a recent meeting on Capitol Hill regarding this subject and he encouraged them to also attend an additional meeting scheduled on December 22. He stated that he agrees with Councilmember Burnham's reasons for opposing the relocation of the prison to Eagle Mountain City; this is an awesome community and the potential for the City to continue to grow and be a great place to live, raise a family, and work is great and the prison would not help that vision for the future. He stated he will provide specific reasons later regarding why he is opposed to the prison relocation and concluded he appreciates the attendance and involvement of the citizens and he encouraged all that plan to speak tonight to be courteous and respectful of one another's opinions and statements.

Councilmember Westmoreland also thanked everyone for coming to the meeting. He stated he is also opposed to the prison location, but not for emotional or intangible reasons. He indicated he has lived near a prison in the past and such a facility can coexist with a community; a prison can even create some positive things for a community. He added, however, that in this particular situation much of the motive for relocating the prison is economic reasons and, at this time, in this location, it does not make economic sense to move the prison.

Councilmember Bradley stated this is the town he wants to live in and he is grateful so many people care so much about the City. This is an emotional issue for him; he moved to Eagle Mountain because of the beauty, the people, and the community as a whole and in looking at the crowd in attendance this evening, the people that live here are the reason he moved to this community. He chose to run for City Council because he wanted to represent the citizens and the community and he is happy about the combined effort to oppose the prison relocation. There are many reasons not to support the prison relocation and they are good reasons, but for him one of the most important reasons is that he chose to move to Eagle Mountain and there was no prison here; the prison is not right for Eagle Mountain, his neighborhood, and his family. He stated there are too many kids and families living too close to where the prison would be and that makes the location a bad choice. He added that the site is too far away from services it needs. He encouraged everyone to become involved in the process to relocate the prison and continue to express their opinions regarding the proposal. He is proud to be a citizen of Eagle Mountain and noted he appreciates everyone in attendance this evening.

Mayor Pengra moved to item 3, the proposed resolution opposing the possible relocation of the Utah State Prison to Eagle Mountain City, and invited public comments from those in attendance.

3. MOTION – Consideration of a Resolution of Eagle Mountain City, Utah, Opposing the Possible Relocation of the Utah State Prison to Eagle Mountain City.

Mayor Pengra stated the City has opposed the relocation of the prison to Eagle Mountain or Saratoga Springs since the community was announced as a potential relocation site. He read the proposed resolution for the record of the meeting.

Councilmember Bradley stated that he has a few comments regarding the resolution; the fourth paragraph of the resolution asks that the State of Utah slow the tempo of the prison relocation site selection process and he would suggest that the resolution be amended to ask that Eagle Mountain be removed from the process altogether. He added that paragraph number 1 under the section stating “now therefore be it resolved” the resolution should ask that the State of Utah not consider land in Eagle Mountain or in the Cedar Valley in order to broaden the area that the resolution covers. He stated he would love for all Councilmembers to be allowed to sign the document rather than just the Mayor. He then invited public comments regarding the proposed resolution.

Colby Curtis stated he lives in SilverLake and noted he will be speaking on behalf of the “No Prison in Saratoga Springs or Eagle Mountain” group. He thanked all citizens and elected officials for their support and for everyone for joining forces to become the most effective citizenry possible. The group has been told by multiple City and State leaders that the resident outreach has become a force to be reckoned with and the magic of this situation is only possible because everyone has joined together. He addressed those that have been involved and told them that what they are doing is working and now is the time to get louder and continue to express their opinions while being respectful and kind in their communication with other people. He stated the more action the public can take will make the job of the elected officials easier in stopping the prison relocation to Eagle Mountain. He encouraged everyone to contact all elected representatives, the Prison Relocation Committee, the Governor, the Utah Taxpayers Association, and anyone else that may have input regarding the prison relocation. He asked that only factual information be shared and that the economics of the proposed move be called into question; citizens should ask why the legislators would consider locating a prison in a high growth area and why prison relocation committee meetings are being scheduled at the same time that citizens have been told that the process has been slowed and specifically why a meeting was scheduled for December 22 when many residents will likely be travelling for the holidays or otherwise unavailable. He stated the citizens need to put pressure on the prison relocation committee and other elected officials; he invite everyone to go to social media and continue to share factual arguments regarding the issue with everyone that they know. He stated the “No Prison in Saratoga Springs or Eagle Mountain” group is made up of residents of both cities and there is no question that both cities will stand together in defending the entire

community against the prison relocation. He thanked everyone that has been involved thus far and thanked them for their passion and their positive demeanor.

Erica Groneman stated she is a Saratoga Springs resident and she strongly opposes the relocation of the prison to Eagle Mountain; while she strongly disagrees with the validity of the reasons and the costs to the Utah taxpayers to move the prison in the first place, she chooses to focus today on the reasons why Eagle Mountain is not a good site for the prison. She stated first is growth: Eagle Mountain is expected to grow 430 percent by the year 2050 and is one of the fastest growing communities in the State of Utah and in the entire United States. If the prison must be moved at all, it is in the State's best interest not to create the same encroachment issues that Draper is now dealing with and choosing Eagle Mountain as the new location for the prison will only be a repeat of the past mistakes that have been made, but those mistakes will be proven in a shorter period of time. She added that the prison will impact economic development; there is land in Eagle Mountain that is very attractive to large economic development opportunities that the City is currently pursuing and the prison will negatively impact those opportunities. The prison would not only impact the economy of Eagle Mountain and Utah County, but the entire State of Utah as a whole. She stated the prison will have a negative impact on the City's Master Plan; Eagle Mountain has been working hard to develop the infrastructure and framework for the benefit of a thriving community of growing families and businesses, not for the benefit of a prison. Building a prison in a City full of such potential will only stunt the growth and damage the quality of life of the people that were established here before the prison was announced. She added the proximity of the prison site to legal and medical services is a main reason that the prison should not be located in Eagle Mountain. She knows the Utah State Legislature can do better and find a solution to the problem that they created in a fair and honest way and Utah citizens should demand it. Imposing a prison on a growing community such as Eagle Mountain is not the answer.

Drew Curley stated he is a resident of the Cold Springs development in Eagle Mountain and as he has researched the prison relocation program he has found many things that are very inconsistent with the Eagle Mountain site. When the prison moved from Sugarhouse to Draper in 1951 Draper was not a city and was, instead, still unincorporated land. The area remained unincorporated for seven years after the prison was built. At that time, it had a population of 5,512 residents. Ten years later the State decided another correction facility was needed in Gunnison; Gunnison had a population of 1,298 and to this date has not been incorporated as a city. In 1996 Eagle Mountain was incorporated with a population of 250; it has come a long way since then. According to the 2000 U.S. Census, Draper reached a population of 25,000; this was 50 years after the prison was built and 22 years after the City was incorporated. That is approximately the same population Eagle Mountain currently has today. In 2005, the State of Utah started to consider relocating the prison. What is different about Eagle Mountain? It may not have the same type of business center as Draper, but it has a higher projected growth. He concluded that he feels the population of the City is vastly different from the population models the State of Utah has used in the past to select prison sites. There are plans to continue to build out the City with homes and businesses and it is not wise to throw a prison into the mix.

Stephanie Greeson stated she lives in Meadow Ranch in Eagle Mountain. She noted that according to the Utah Foundation, Eagle Mountain will grow an estimated 434 percent, which is an increase of 92,900 people and that increase alone will be more than the estimated 2050 population of Draper. Eagle Mountain will have literally double the population of the current site, so if encroachment is a problem in Draper right now the State will be in a worse position in the future if the prison is moved to Eagle Mountain. Tax dollars will be wasted moving the prison to an inappropriate place and the same issues will still exist. She stated similar issues exist with other potential locations, such as Fairfield and Cedar Fort which are slated to see growth of 3,177 percent and 1,775 percent respectively. She wonders what the State is thinking when considering Eagle Mountain as a location for the prison.

Amy Plott stated she is an Eagle Mountain resident. She thanked the City Council and City leaders for not being swayed or bought relative to this issue. She is grateful to know the City is fighting to do the right things and represent the citizens. She added that the issue with the prison being in Draper comes down to money and the value of the property and she agreed that the value of property in Eagle Mountain is continuing to increase and moving the prison to the City would negatively impact that positive increase. Her family was drawn to Eagle Mountain by the young population and kids everywhere; it seemed like the safest, most beautiful place to live. Her children are in fear of a prison moving to the City. Utah is a massive state with much open space and the focus of the prison site should not be on the prisoners and their families, but rather how the prison will impact those living near a prison, especially children.

Heidi Baldereen stated she is a resident of Saratoga Springs. She stated that out of the top six potential sites, two were in Utah County, but there is no citizen representation on the prison relocation committee from Utah County. She would like to address that lack of representation and also point out that there is a heavy east side representation on the committee and an unfair balance of power has been present throughout the entire process. There have been particular conflicts of interest that have given her pause; whether someone is a resident of Saratoga Springs or Eagle Mountain is of less importance than one's qualification as a resident of the State of Utah. Everyone's tax dollars will subsidize the relocation of the prison at a far higher expense than a renovation of the current prison. The relocation is not a fiscally responsible decision and she wonders why the Utah Taxpayers Association has chosen not to get involved. They should be the State's ally in spending responsibly and the citizens' personal watchdog, but it appears they have been muzzled. Representatives of the Utah Taxpayers Association have refused to take a stance on this enormous issue and she wondered why. She asked that everyone consider the following information: the current president of the Utah Taxpayers Association, Senator Howard Stevenson, resides in Draper and the physical location of the Association's office is Draper. The current president of the Senate, Wayne Neiderhauser, who represents the ninth district of Sandy and Draper helped last March to pass Senate Bill 72, which was the bill advocating the move of the prison from Draper to another location. It appears he personally stands to benefit from the sale of more than 30 acres of undeveloped property near the prison, which would increase dramatically in value if the prison is relocated. Also heavily involved in the process is House Speaker Greg Hughes, resident of Draper and

member of the Prison Relocation Committee. He is also part of the Legislature's executive appropriation committee and will help choose what projects the State funds. Also, House Majority Assistant Whip Elect, Brad Wilson, happens to be the co-chairman of the Prison Relocation Committee and he and Hughes are seemingly the masters of the House. To be clear, she is not saying any of the people she has mentioned are bad, but they do have clear conflicts of interest and, therefore, the prison relocation needs to be called into question. Everyone's tax dollars should be put to better use and the citizens will need to work to engage and appeal to all senses on all levels of government. Legislation without representation is unjust and the citizens must be heard and represented.

Cami Edberg stated she lives in Lone Tree in Eagle Mountain and would like to address the Council as a Utah taxpayer. She stated that after reviewing reports, studies, relocation committee documents, and information released to the media by the committee, it is clear to hear that the prison should not be relocated to any city because of the burden that will be placed upon taxpayers. It has been said that the project could cost taxpayers upwards of \$1 billion, being the most costly project in Utah's history with the only exception being road projects. She asked if there are other options and if it is really necessary to spend \$1 billion? In her opinion, the answer is no. Within the past week the Prison Relocation Committee members have mentioned alternatives to a costly prison move. Representative Brad Wilson and Senator Jerry Stevenson said in separate press interviews that renovation costs for the current site would be \$250 million over the next 20 years. She asked why the Legislature would burden Utah taxpayers with a billion dollar prison relocation when it is possible to spend a quarter of that amount renovating and rebuilding the current prison. The economic projections of the prison land value and land use provided by the Prison Relocation Committee cannot guarantee future tax revenue. It is inappropriate and fiscally unsound for the committee and legislature to gamble with tax dollars in hopes of a future return especially when remodeling the current site is a viable option. She reminded taxpayers that in 2005 the legislature commissioned a study to determine the feasibility of relocating the prison. Based on the analysis of the Wickstrom study, Governor Huntsman determined the prison should not be moved due to the cost involved. The cost to relocate the prison has not gone down since 2005 and adjusting for inflation, the costs are actually double. She urged the taxpayers of Utah to contact the Prison Relocation Committee and tell them not to relocate the prison to any city in the State of Utah. She stated they should also contact State legislators and demand that they deny funding for the project in the 2015 legislative session. Taxpayers can also contact Governor Herbert and ask why he is not protecting the Utah taxpayers from unnecessary spending, specifically a \$1 billion prison relocation cost.

Kaylee Young stated she is a resident of Eagle Mountain. She stated someone recently told her to look at the other side of the issue and see what is best for the prison; she reviewed the criteria established by the Prison Relocation Committee, relative to the prison's needs, and she has determined that not only is the prison not right for Eagle Mountain, but Eagle Mountain is not right for the prison. The committee said they do not want to repeat history and build the prison in a location where it will eventually need to be rebuilt, but if they build in Eagle Mountain it will be 30 years or less before the State is in the same situation. She added Eagle Mountain cannot support the traffic generated by the prison. She added

that community acceptance of a prison is very important. If the community does not want the prison as a resident there will not be enough volunteers and resources to support it. She stated there is limited access to hospitals and courts and the distance from those amenities will only increase the costs of the project.

Sheryl Carr stated she is the president of the homeowners association (HOA) for Cedar Pass Ranch and stated that she wanted to be on record expressing the HOA's opposition to the prison. The vast majority of the people that chose to live in Draper chose to live in a City with a prison. The current residents of Eagle Mountain will be denied that choice if the prison is moved to the City; they chose to live in a City without a prison and the decision makers are not taking that into consideration. If the prison needs to be rebuilt due to its age, it should be rebuilt in its current location where people chose to reside knowing of its existence.

Laurie Gail stated she is an Eagle Mountain resident, but she has lived in Sandy and Draper in the past. Her father helped to build the prison in Bluffdale and she can remember nights where her community was on lock down because a prisoner had escaped. She moved to Eagle Mountain because she thought she had found a hidden paradise. She loves the community and is broken hearted that it would be considered as a potential home for a prison. She is very upset about many of the changes in the community and she will fight to protect the place she loves to live to the end.

Mayor Pengra stated that Eagle Mountain is growing very rapidly and there is only so much the City can do about it. The population continues to increase each year and the City is doing everything to preserve the open space and rural feel of the City during that growth.

Jerry Goff stated he does not think moving the prison is a smart idea. He has driven by many prisons in many different states and he has noticed warning signs to alert travelers that the prison is 25 miles away and not to pick up hitchhikers. The same types of signs are needed along Interstate-15 near Draper. He added that it is ridiculous to waist over \$300 million on the relocation project and each person in attendance at tonight's meeting would be responsible for over \$11,000 for the project that they are not in favor of. He does not feel the residents should be forced to pay for something they do not want. He is completely opposed to prison relocation.

Troy Peningham stated he is a resident of Saratoga Springs and his concern is the negative impact the prison relocation could have on Alpine School District. The District covers all communities in northern Utah County, including Saratoga Springs and Eagle Mountain. The District has approximately 71,000 students enrolled in all schools and spends approximately \$5,100 per year to educate each student. If the Prison Relocation Committee and the State of Utah decide to relocate the prison to Eagle Mountain, the Alpine School District will be required to educate eligible inmates at the prison; this would stretch already limited resources even further. The proposed Eagle Mountain site sits on 640 acres; since the State would pay no property taxes for the site, the District would lose all tax revenue for the property and would lose property taxes from any potential homes or businesses that would have otherwise built on the property. Worst of all is that the prison

would push off businesses and new residents from locating in the community and result in lower property values that will generate lower tax revenues to be used to educate students in the District. If the prison is located in Eagle Mountain it would essentially become an economic black hole that would suck away needed revenue and potential new growth that would help educate the students in the District. In stark contrast, the Canyon School District spends approximately \$12,000 per student in spite of having a prison located in its boundaries. The Canyon School District can easily absorb the cost of educating prison inmates while the Alpine School District cannot. Placing the prison in Eagle Mountain or Saratoga Springs would result in the State essentially stealing money that would otherwise be used to educate children.

Alicia Dean stated that she received written information to represent 41 locals from 12 households to state their ongoing objections concerning the relocation of the prison to the Saratoga Springs area. She wanted to be clear that there is no separation between Saratoga Springs and Eagle Mountain; Saratoga Springs is a sister city to Eagle Mountain and both cities have supported one another. She is continuing her efforts to verify facts related to the prison relocation as accurate and based on original source documentation. She will do her best to make what she finds available to everyone.

Joanne Richie thanked the Mayor and Council for allowing Saratoga Springs residents to speak regarding this issue. She stated she stands united and resolute with Eagle Mountain residents and elected leaders. She is committed to fight the relocation of the prison to the community. If the prison were to relocate to the area, the city that is home to it will acquire the reputation of being a prison town as happens to most rural towns that are home to prisons. Eagle Mountain will never become a fortune 500 town, a software town, or a diverse community with tourism. Current and future economic development will move to more desirable communities, which will leave Eagle Mountain struggling financially to sustain a prison they did not ask for. Placing a prison inside the community will put a strangle hold and severely devastate the economic future. Moving the prison to one of the fastest growing communities in all of Utah will be detrimental to current and future economic development. It does not make economic sense and the City should not be considered. Not only will the relocation affect Saratoga Springs and Eagle Mountain, it will affect all Utah citizens. There have been so many unanswered questions asked by the citizens and she wondered why the Governor and Legislature is ignoring the citizens and refusing to take into consideration past studies commissioned by John Huntsman, which refuted the criteria for moving the prison. She asked why put a prison in an area that will have the same encroachment issues Draper is now facing and why waste millions of tax dollars by moving a facility that has been renovated once. She asked why the prison relocation committee is moving at an astonishing rate to narrow the field of locations at a meeting to be held just days before Christmas and why there has been virtually no community outreach by the Committee. She asked why legislatures are choosing to listen to a select powerful few instead of their constituents. The Legislature needs to hear loud voices that will not be kept quiet. She asked that the citizens unite against allowing the Prison Relocation Committee to rob Eagle Mountain and the children of the community of their future.

A resident (no name given) thanked the City Council and Mayor for their support and hard work on this issue. She has lived in Utah for 35 years and lived in many different areas. She was drawn to Eagle Mountain because it is a peaceful place and a strong community. When someone is in need, everyone helps them. There are strong moral values in the community and a prison will only tarnish the City's name. It would hinder City development and affect taxes and future businesses. It would affect families and their children as well. She feels the City cannot allow a group of investors focused only on financial gain to walk on the City and its residents. It is necessary for the citizens to put up a fight and be strong. She thanked everyone that has pooled resources and time and efforts to fight the issue and attend the meeting tonight. She thanked the residents of Saratoga Springs for their support and she encouraged everyone to continue to show what the residents of the community are made of.

Victor Smith stated he is a State of Utah employee and has worked for the Department of Corrections for 16 years. He is not representing his employer in any way, but wanted to state some facts and dispel some rumors. He stated that there has not been an actual escape from the current prison since 1982; technology, security, and staff training is the best in the United States. He stated a new prison would not necessarily be a structure that looks like a castle and is scary in nature; it could actually be aesthetically pleasing that would not be an eyesore for the City. There may be some accuracy to the claims that the prison would impact the economics of the City, but at its current home in Draper, the prison is surrounded by very nice and expensive homes as well as new businesses. He stated that when the current prison director took over, part of his vision for the facility was to incorporate civilian jobs in the institution so there are mechanics, culinary artists, electricians, and plumbers. This could present employment opportunities for residents of the community. He stated the prison is not all bad.

Mayor Pengra thanked Mr. Smith for stating his opinion in a room full of people that are opposed to the project. He agrees with some of Mr. Smith's points, but there are a couple of things about the prison that are in direct conflict with the overall vision for the City. He does not fault the landowner for submitting his property for consideration as a potential site for the prison because he is free to do so, but the City is also free to fight that application if it is deemed that the land use would not be appropriate for the community. The City passed a dark sky ordinance recently to maintain the rural feel of the community and the prison could not comply with that ordinance. The City cannot sustain its current budget based on residential development solely without infusing business development. The one thing Eagle Mountain has is huge power transmission lines, high pressure gas lines, and fiber lines; these are the things that are attractive to businesses and this would be a good place for them. The prison is in conflict with economic development and it could also hurt the quality of life of the community.

Mayor Pengra then read comments made two individuals that submitted their comments in writing:

"I have seen tremendous growth and change in our community that improves our family's lives. Our City seems to be blossoming and the possibility of the State prison

relocating to our City is scary. Please make our voices heard and stop this so we can keep enjoying the energy that we all feel living in this great City.”

“I understand the reasoning for moving the prison from Draper, however, I think it is counterproductive to choose Eagle Mountain or the Cedar Valley.”

Wendy Pendleton stated that she is grateful for this opportunity, but wishes she was also addressing the prison relocation committee this evening. She feels it is unfortunate that the public has not had that opportunity. She is very concerned about what is happening due to the timeframe of the issue and the citizens need to make their voices heard. She indicated that Facebook is not a sufficient tool at this point. She wants to focus on what sets Eagle Mountain apart and makes the City’s situation unique; the first is lack of representation and that is a huge problem. There have been several conflicts of interest. Second is that Eagle Mountain is a planned community and the prison does not belong in that plan and has not belonged in the community from the beginning. She relayed her personal experience regarding the reasons her family chose Eagle Mountain; when she saw the running trails and the maps regarding where the planned commercial and recreation developments would be located, she was sold. She bought into the story and concept that was Eagle Mountain, that the town had something special to offer that would develop over the next 25 years. She wants to see the City to continue to grow as it was planned. The individuals that have bought homes in this community have bought into the same story as her and it would be wrong, unethical, and immoral to not follow through with the story. She concluded that the City and Legislature needs to fight. There has been a lot of statistical information about the prison move posted on the internet; during the 1980s and 1990s there was a large influx of prisons in the United States, all built in small towns. Eagle Mountain is a small town with different demographics and a different topography; the prison relocation committee should be calling upon the data available from the past 30 years and rely upon and learn from it. There is no good that can come from putting a prison in a small town and she is hoping the rest of the State of Utah can see the plight of Eagle Mountain. Just like a meat processing plant does not belong next to a mall or a casino does not belong next to Temple Square, a prison does not belong in Eagle Mountain City.

Rebecca Jensen stated Eagle Mountain is a diverse city with a large land mass area and sometimes it is a city divided between The Ranches and City Center. Most people from City Center tend to move to The Ranches or Saratoga Springs and for that reason the City lacks stability. She stated that the Mayor has mentioned that the City is on the cusp of not being able to economically support the growth that most of the residents are fighting and that the prison would squelch. She is supportive of consideration of the prison; her husband works in the penal and correction system and families with ties to the system need justices as well. She doubts that the people of Gunnison would say that their way of life has changed; they are a small, simple town, but they realize their impact on the justice system is huge. The State needs a place for the prison to be located; Eagle Mountain has the land mass in City Center to support the prison and it would bring more stability for economic development because the tax base of Saratoga Springs, American Fork, and other surrounding areas. Developers do not want to proceed with economic development in Cedar Valley because they do not feel there is sufficient traffic to support their businesses

due to the fact that citizens of Eagle Mountain leave the City to make their purchases and do business. The best way to move forward would be for the State to consider sub-prisons throughout the State so that there is not a need for such a large prison. She added she does not believe her children would be violated by having a prison located in the City, just as the people of Draper or Gunnison have never had that problem living their daily lives. She would hope that the people that are citizens of this great Country and State of Utah will consider that they have the opportunity to be part of the justice system and support people and families on both sides of the penal system. Eagle Mountain may have never been considered if the City's utility systems had not been sold and she feels that the prison will offer more stability to the City and to City Center itself.

Mayor Pengra stated he wanted to make sure he has not given any misinformation relative to the stability of the City. He noted the City's budget is very conservative and is just fine with no danger or running out of money. At issue is the standard of the City and he hopes he has not given anyone the impression that the City is in trouble financially. Sustained and continued growth, based on residential development, is difficult for any city to manage. There are potential economic benefits that the City could realize if the prison were to locate here, but in his opinion, when looking at the total impact, the benefits of the prison would be offset by some of the negative problems it would create. He thanked Ms. Jensen for her point of view.

Katie Mortensen stated she is a resident in City Center; one of her biggest concerns is that the proposed site is on flat ground with no hills to block it and it is located within a couple of miles of a school. The lights and towers would be in clear view of the school and the homes that house the children that live and go to school there. This is not a good place for a prison or the visitors that will be going in and out of the facility. A prison would also deter businesses from locating in Eagle Mountain. People who build homes in Draper did so with full knowledge of the prison being located there and their home values will not be changed if the prison stays there; however, the home values in Eagle Mountain will decrease if the prison is built here as has happened in other states when prisons have been built in small towns. This is no different than demanding a check for thousands of dollars from each homeowner. It is stealing and it is wrong. The prison would be a burden to the school district as it would not be able to afford to fund reeducation programs. She concluded that the community does not have representation in the decision making process and that is not right.

Alyssa Beck stated she will focus on taxpayer dollars; if renovating the existing prison is a more responsible way to spend taxpayer dollars she does not understand why a prison relocation is even being considered. The local school district is ranked last in the State on the amount of money spent per student and that is unacceptable. It is despicable that money that should be spent on children and their futures would be wasted on the prison. She is disgusted by the people that stand to make money as a result of their conflicts of interest in the entire process. With the number of school shootings and school overcrowding, the money should and can be used better.

Steven Williams stated that he appreciates all the comments that have been made tonight on both sides of this important issue. He then stated that in 1984 a man by the name of Ron Laperty was put on death row; he was his wife's neighbor and he brutally killed his sister-in-law and niece. A year and one month ago he and his wife were in the Caribbean and they were brutally attacked and he was stabbed in the back with a knife; these are the type of people that would be coming to live in the community. He stated that he appreciates that the prison has a good security system in place and he is not fearful that prisoners would escape, but he does not believe that it would be any different than his neighbor putting a for sale sign in their yard except that everyone knows what kind of neighbors they would be getting with the prison. For the children and their future as well as the economic future of the City, he would hate to see the prison located here to define the future of the community as a planned community.

Stephanie Slack stated she is a resident of Saratoga Springs and has been involved with the fight against the prison since Saratoga Springs was named as a potential site for the prison relocation. She has a vested interest in this issue because her daycare is located in Eagle Mountain and her children spend more time there than at her own house during the week. She has tried to see the issue from the point of view of the Prison Relocation Committee and the negative aspects she has identified are that Eagle Mountain is located a far distance from needed infrastructure, such as courts and hospitals. The Prison Relocation Committee must also focus on protecting taxpayer interest; more taxpayers means more money to the State and the prison would take up a tremendous amount of land and pay no taxes unlike residents of businesses. The area is economically booming and everyone is moving to the community to get away from the hustle and bustle and to raise their children in a calm, yet planned community. She moved here from Salt Lake to get away from everything, just like many residents of Eagle Mountain, and that is what unites everyone and it is wonderful they can all work together to fight the prison.

Richard Rickie stated he is a resident of Saratoga Springs. He stated that December 7, 1941 is a day that everyone remembers as the Pearl Harbor was bombed; December 7, 1987 is the day that he will always remember as the day he joined the United States Marine Corps. Today, December 10, 2014 will be remembered as the day that Eagle Mountain voices are being heard. Since the birth of the country, Americans have fought and served the country to give every American citizen the chance at the American dream; for him the American dream is about having a family, buying a home, working a job that he loves, and living in a community where he feels safe enough to let his children play outside. Nowhere does his American dream consist of living near a prison. He loves this country, the land of the free and home of the brave, and he hoped that the voices of the citizens will be heard with the declaration of no prison in Eagle Mountain. Everyone must stand united.

Mayor Pengra thanked everyone in attendance at this evening's meeting and that he would be willing to speak with any resident privately following the meeting. He asked the Council if they were prepared to make a motion regarding the proposed resolution.

Councilmember Burnham stated that she would like to have a discussion regarding the section of the resolution that references the \$50,000 dedication of funds. She stated she

would hate for any member of the Council to vote in opposition to adopting the resolution because that would make the statement less effective. Mayor Pengra noted that the resolution does not automatically commit \$50,000 to the cause, but invited discussion regarding the issue.

Councilmember Westmoreland stated spending \$50,000 is not something this City Council takes lightly; from his perspective, it is worth spending money on resisting the prison relocation because of the long term economic impact the prison relocation could have on the City. One of his chief concerns is the inevitable tax burden that the prison would put on residents as the City would be forced to develop and improve infrastructure to serve the prison. Tonight's meeting has been refreshing to him; it is great to see the residents of Eagle Mountain united with the residents of Saratoga Springs. He reiterated the prison would create a financial burden for the community. There is no major freeway corridor running through Eagle Mountain and there also is no hospital. He noted many residents moved to Eagle Mountain because of its affordability and the peace and quiet and the prison would change that dramatically. It is his feeling the City will need to spend some money to communicate clearly and effectively the concerns of Eagle Mountain relative to the potential prison relocation.

Councilmember Ireland stated that he understands that some may feel the need to spend money on the effort. He wondered what the actual dollar amount would be, that will be spent, in addition to staff time and the time of the Council and Mayor, prior to the first Tuesday in January. The proposed resolution is essentially the City's statement to the public, the media, and especially the Prison Relocation Committee regarding opposition to the prison and that statement can be made without declaring a dollar amount. He would like additional thought to be put into the budget for the cause between now and the first City Council meeting in January. Now is the time to make a plan and the Council can take formal action on the plan on January 6. He concluded that he would prefer that the proposed resolution not include a dollar amount.

Councilmember Burnham stated that she agrees with Councilmember Ireland. She is not opposed to spending money to fight the relocation of the prison to Eagle Mountain, but she feels the best way to fight is together, publicly. She does not feel that hiring an attorney will help the City's cause because it has been her experience while serving as an elected official that she is not influenced by attorneys or lobbyists. She is better influenced by residents when they express their thoughts and concerns. Eagle Mountain's State Representative David Lifferth is present this evening and he does a great job and works very hard representing Eagle Mountain. She reiterated that some money may need to be spent, but she is not sure that hiring a lawyer at this point, is the best use of the City's money. She noted, however, that if the City is selected as the prison relocation site, it would be appropriate to hire an attorney. She would encourage people to attend the next Prison Relocation Committee meeting as possible. The City may even be able to supply vehicles to people that would like to attend and use signage directing people to the meeting site so that it is possible to make a group statement and have everyone organized to address the members of the committee once the meeting has concluded.

Mayor Pengra stated that he is not suggesting that the City plan to spend \$50,000 to hire an attorney at this point, but he does not want to wait until January 6, 2015 to identify funding for the cause. The next Prison Relocation Committee is December 22 and he would hate for the City to be listed on a short list of three potential relocation sites because the City did not spend any money to fight that outcome. Councilmember Burnham's recommendation to use signage to assist citizens in getting to the right location for the Prison Relocation Committee meeting is a good one, but signage costs money. Increasing public awareness regarding the cause will also cost money.

Councilmember Bradley asked Mayor Pengra to help the Council and the public understand why a dollar amount has been included in the resolution. He stated it is his opinion that a willingness to spend money on the cause is the Council 'putting their money where their mouth is'. It communicates that the Council is willing to set aside money that may have been otherwise used to fund other needs in the City in order to fight the prison relocation. That fight will cost money and he does not have a problem spending that money, but he wondered why it is necessary to include a dollar amount in the actual resolution. Mayor Pengra stated the resolution is a statement from the Council and not just from him. He stated he can spend less than \$10,000 without prior approval from the Council, but he does not want to put the Council in the position where they have not had an opportunity to voice their opinion about such an expenditure. Councilmember Bradley stated that in the time that he has been on the Council, they have spent much more than \$50,000 on things that do not have such a long term impact on the City so \$50,000 is not a huge amount of money to him. He agreed with Councilmember Westmoreland that the Council does not take such an expenditure lightly, but this is a worthy cause.

Councilmember Ireland inquired as to how much money Mayor Pengra thinks he would need between now and December 22 and what account that money would be taken from. Assistant City Administrator/Finance Director Paul Jerome stated that the money would come from the City's unrestricted fund balance and it would be necessary for the Council to consider a budget amendment to ensure the money is appropriated to the correct line item in the budget. Councilmember Ireland asked if it is correct that the budget amendment would be considered after the money is actually spent. Mr. Jerome stated the budget amendment would be considered once City Administration has a reasonable idea of the amount of money will be expended. General discussion regarding the process of amending the City's budget ensued, with Councilmember Ireland asking if it is actually appropriate to include dollar amount in the resolution if the work has not been done to determine how much money actually needs to be spent at this point. Mayor Pengra stated the \$50,000 dollar amount is basically a statement. If he chose to proceed with considering a contract with a lobbyist, such a contract would be provided to the Council before it were executed and any money spent. Consultation with an attorney that has fought similar fights in the past should not be too costly and he would keep the Council apprised of any such discussions or actions before they are taken. He stated he does not want to spend money and has no intention to unless absolutely necessary, but one thing that he knows is very necessary right now is public communication. The prison relocation committee has been talking a lot about public communication, but they have done little of it. He stated his top priority is informing everyone of what is happening and that is likely the first place he

would spend money and he would not expect that would cost more than \$5,000. Councilmember Bradley stated Mayor Pengra can spend that amount of money without Council approval, but he likes the idea of including the \$50,000 in the budget and judging by residents' applause this evening they are supportive of it, too. He stated that any expense in excess of \$10,000 would need Council approval prior to Mayor Pengra proceeding, so the \$50,000 declaration is harmless. Councilmember Burnham stated Mayor Pengra would not need to seek additional approval if the \$50,000 is included in the resolution. Mr. Jerome clarified that the budget amendment would require Council approval and such a budget amendment would be provided to Council for consideration once the City has an idea of the actual cost of any services needed for the cause. Councilmember Bradley offered a hypothetical situation: he asked what would happen if the Council were to adopt the resolution including the reference to the \$50,000 amount and Mayor Pengra then decided to hire an attorney or lobbyist who planned to charge \$25,000. He asked if the Council would be required to act upon a budget amendment before that \$25,000 could be paid to the lobbyist. Mr. Jerome stated the most likely scenario would be that the City would retain the lobbyist, but would not amend the budget until the next possible Council meeting. He stated the lobbyist would not be paid until after services had been rendered. Councilmember Bradley asked if the Mayor would be able to legally pay the lobbyist before the budget amendment. City Recorder Kofoed noted that any expenditure in excess of \$10,000 for contracted services would be brought back to the Council for consideration; if the contract were approved, Administration would start the process of preparing for a budget amendment. She stated the opposite could be true as well; the budget amendment could be approved before the contract. Regardless, any expenditure, over \$10,000, not included in the budget will ultimately come to the Council for approval. Councilmember Bradley asked if the resolution including the reference to \$50,000 would result in a budget amendment. Mr. Jerome answered no.

Councilmember Burnham stated she understands the need for the City to make a clear statement. She then asked for a spokesman for the group "No Prison in Saratoga Springs" to answer a question: she noted Saratoga Springs has been fighting the fight and she wondered what Eagle Mountain can do financially to help continue that fight. A representative of the group stated that his group needs help getting the word out about the cause, whether that is done with signage or other communication efforts. The citizens have spent a lot of their own money for the cause and they feel the City should do the same. Councilmember Burnham stated that she completely agrees and is willing to spend money for public outreach. She stated she is not saying the City should donate to the citizens group, but it may take the burden off that group if the City begins to do something relative to public outreach. She reiterated she is not opposed to spending money. The Council then engaged in discussion and debate regarding the language to be included proposed resolution, with Councilmember Ireland noting he would like to add an additional clause to the resolution directing staff to come back to the City Council at the January 6 meeting with their plan for expending funds for the cause. Mayor Pengra stated he is hopeful that Eagle Mountain will have been removed from the list of cities for consideration for the prison relocation.

Councilmember Ireland used the aid of an overhead projector to provide those in attendance with an aerial view of Cedar Valley, noting the fact that Eagle Mountain is at the northern end of Cedar Valley. He identified the location of the potential relocation site and indicated it is only 10 miles from downtown Eagle Mountain. He then reviewed a map of the Salt Lake Valley and identified the location of the current prison and stated 10 miles from that site is downtown Murray, which is home to an Intermountain Health Care hospital. He stated many people have talked about the need for the prison to be located near a hospital and currently it takes him 40 minutes to get to the hospital from his home. He stated that as the City continues to grow it will take much longer for people to travel to the hospital. He then read minutes from the December 3 prison relocation meeting, quoting Representative Hughes as follows: “when Sugarhouse was the site, development and encroachment occurred. The prison was moved all the way to Draper and it was thought that the site was far enough away that the State would not need to worry about (development and encroachment) again. We are not interested in repeating history.” Councilmember Ireland stated that if the Prison Relocation Committee considers moving the prison to Eagle Mountain they will be doing exactly that. He continued to quote Representative Hughes who said “we would love to see mountain ranges, federal land, or bodies of water, something to keep the encroachment that has occurred at the present site from repeating once again.” He stated there are none of those things around the potential Eagle Mountain site, which is surrounded entirely by private land that is planned for future development. He continued quoting Representative Hughes: “it is the State’s interest at a cross purpose, especially regarding economic development. We want to make sure that there are no unintended consequences. The government officers of economic development and EDCU, it is their job to attract corporate relocation and expansion with an eye to bolster this economy. It would be a great irony if the work being done in those two offices was at odds with the work being done by this committee.” Councilmember Ireland stated that he feels it is directly at odds with the Eagle Mountain community. He stated Representative Hughes went on to say that “the prison needs to be located close to hospitals and courts. There is a commitment from the prison relocation committee to not replicate the same problems or shift the problems we are now having with the Draper prison to another political jurisdiction; that is not our interest.” Councilmember Ireland stated that it seems to him that is exactly what the Committee is trying to do; they are trying to shift the problem to this political jurisdiction. He concluded that he appreciates everyone’s time this evening.

- MOTION:**        *Councilmember Bradley moved to approve the resolution of Eagle Mountain City, Utah opposing the possible relocation of the Utah State prison, with the following changes:*
- *In paragraph four, replace the language regarding slowing the pace of the process with a request to remove Eagle Mountain from the list of cities under consideration;*
  - *In the final section, paragraph one, add Eagle Mountain City and/or any portion of Cedar Valley.*
  - *In the final section, paragraph three, move communication with the public to the top of the list of items the City would spend money on.*

- *In the final section, add a fourth paragraph, directing staff to prepare a plan for how the money would be spent to be presented at the January 6, 2015 meeting.*

*Councilmember Burnham seconded the motion. Those voting aye: Adam Bradley, Donna Burnham, Ryan Ireland, Richard Steinkopf and Tom Westmoreland. The motion passed with a unanimous vote.*

4. Adjournment

**MOTION:** *Councilmember Bradley moved to adjourn the meeting at 7:13 p.m. Councilmember Steinkopf seconded the motion. Those voting aye: Adam Bradley, Donna Burnham, Ryan Ireland, Richard Steinkopf and Tom Westmoreland. The motion passed with a unanimous vote.*

The meeting adjourned at 7:13 p.m.

APPROVED BY THE CITY COUNCIL ON JANUARY 20, 2015.

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Fionnuala B. Kofoed, City Recorder