



EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

August 16, 2022, 4:00 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

4:00 P.M. WORK SESSION – CITY COUNCIL CHAMBERS

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

CITY STAFF PRESENT: Paul Jerome, City Administrator; Steve Mumford, Assistant City Administrator/Community Development Director; Robert Hobbs, Planning Manager; Fionnuala Kofoed, Director of Administrative Services/City Recorder; Chris Trusty, City Engineer; Aaron Sanborn, Economic Development Director; Brad Hickman, Parks and Recreation Director; Mack Straw, Public Utilities Manager; Zac Hilton, Streets and Storm Drain Manager; Tyler Maffitt, Communications Manager; Embret Fossum, UFA Battalion Chief; and Eric McDowell, Chief Deputy Sheriff.

CITY STAFF PRESENT ELECTRONICALLY: Jeremy Cook, City Attorney; Kimberly Ruesch, Finance Director; Angela Valenzuela, Human Resource Manager; Michele Graves, Library Director; Chas Glenn, Administrative Assistant; and Evan Berrett, Assistant to the City Administrator.

Mayor Westmoreland called the meeting to order at 4:13 p.m.

1. CITY ADMINISTRATOR INFORMATION ITEMS

1.A. UPDATE – City Administrator Items

Community Development

- A request for proposals will be posted for architectural services for updating Municipal Code commercial and multifamily design standards and ongoing application review.
- A request for proposals will be solicited for services to update the City's General Plan and State water planning requirements.
- A hydrology study for the Tickville Wash will help determine the correct pipe sizing for the crossing at Silver Creek Way and appropriate improvements to the banks and channels.
- The Zoning Map project is nearing completion.
- Upcoming agreements – Eagle Quest Master Development Agreement (MDA) is pending resolution to road discussions centered around Aviator Avenue; Porter's Crossing Town Center is scheduled for a public hearing at the August 23rd Planning Commission meeting; and Pole Canyon MDA review meetings are ongoing and the plan will be discussed at a Planning Committee work session in September.
- Upcoming projects – right-of-way standards, Lower Hidden Valley concept plan, Overland Church of Jesus Christ of Latter-day Saints (LDS) site plan, Overland elementary school site plan, Overland Village 2 Phase A amended preliminary plat, Overland MDA amendment Village 2 park timing, and North Stake LDS church expansion site plan.

- In July, 43 residential building permits were issued.
- Meta has completed Building 3. Buildings 5 and 6 are scheduled to be completed by August 2023.

Communications

- Rock Solid One View software is on schedule to be implemented within 90 days.
- An amendment to standards and practices will be presented at the next City Council meeting.

Streets and Stormwater

- Upgrades to the traffic sensors on Pony Express Parkway and Ranches Parkway began yesterday and will continue through the end of the week.
- The City requests and appreciates residents being patient with construction season traffic delays and temporary routes as school starts.

Public Utilities

- More City wells are up and running than during the previous three years. Well 1 will require additional repairs this fall. Flows through Central Utah Water have been reduced to bring totals within yearly usage allotments.

Engineering

- The City is seeking a new company to drill Well 7 because the initial contractor backed out due to there being more rock than initially anticipated at the site. Bids will be collected by the end of August.
- Eagle Mountain Boulevard Phase 1 will be completed today. Traffic will be shifted to install curb and gutter on the opposite side of the road.
- Staff is collecting data to design the Cedar Pass Ranch waterline replacement.
- The City is soliciting bids for the Storm Drain Impact and Facilities Facility Plan.
- The Utah Department of Transportation (UDOT) has completed initial plans for a traffic signal at Mustang Way and Wride Memorial Highway.
- The City has begun design work for traffic signals at Stonebridge Lane and Ranches Parkway and Woodhaven Boulevard and Pony Express Parkway.
- Staff will be in contact with the Council regarding plan updates for Major Street.
- The wastewater headworks project is underway.
- Design drawings have been approved for a water tank for Pole Canyon to be built by the developer. The City will reimburse the developer for upsizing the tank to accommodate other developments.
- UDOT has evaluated Scenic Mountain access and is preparing to restripe the center lane on Wride Memorial Highway to Mount Airy Drive. No U-turn signage will be installed which will enable law enforcement to cite non-compliant motorists.
- Requests for bids are being solicited for the Master Facilities Plan.

Facilities, Fleet, and Emergency Management

- The concrete floor for the Community Development Building equipment garage has been completed and utilities are being installed.
- The City Hall paint project has been finished.

- The Sewer Facility Office remodel is complete.
- Sewer and storm drain is being installed on the northwest end of Eagle Mountain Boulevard.
- The UHF repeater will be completed and running this week.
- Furniture has been ordered for the rental offices at the Direct Communications building and should be delivered by the end of September.
- The sign for the Senior Center will be installed within the next week or two.

Parks and Recreation

- The concept layouts for the Walden Park Observatory have been completed. Staff is working with Utah Valley University to ascertain the needed facilities and supplies. The observatory should be operating by spring 2023.
- Staff made design modifications to the Smith Ranch Park skate park and will have a follow-up meeting with members of the skating community.
- Staff has been working with Eagle Mountain Serves to provide projects for events from September 12 to 17.

1.B. UPDATE – Eagle Mountain 2022 Resident Survey Results

This item was presented after item 1.C.

Assistant to the City Administrator Evan Berrett presented the results of 1,128 Eagle Mountain resident survey results and statistics regarding participants. Small-town feel, rural, and open space were the predominant themes for what residents most like about living in Eagle Mountain. The significant overall themes that resulted from open-ended questions include improving roads and traffic; slowing or stopping the building of high-density housing; taking better care of public spaces through neighborhood improvement or homeowners association implementation; more businesses, especially essential services; improving water quality; larger library; and more youth activities such as recreation center, pool, skate park, and/or bigger library. Mr. Berrett reviewed the results of residents' satisfaction with the quality of life in Eagle Mountain, elected officials, City government, City services, and events and activities.

1.C. PRESENTATION – Utah Valley Chamber of Commerce – Curtis Blair

This item was presented and discussed prior to item 1.B.

Curtis Blair with the Utah Valley Chamber of Commerce explained that they partnered with the Ken C. Gardner Policy Institute, Envision Utah, and other chambers of commerce within the region to create Valley Visioning, a several-scenario strategic plan for Utah Valley growth. They are entering phase two, implementation, which was delayed due to the pandemic.

Ryan Beck with Envision Utah spoke regarding the Utah Valley Vision for 2050 report available at <https://utahvalleyvisioning.org/>.

David Rowley with the Utah Valley Chamber of Commerce spoke about the purpose of the Utah County Compact on Growth and Prosperity signed at the Growth and Prosperity Summit held the

previous year and how metrics are used to determine compliance with the vision. The second annual Growth and Prosperity Summit will be held on October 27, 2022, at Utah Valley University to discuss growth challenges and solutions. He invited the elected officials to attend.

Discussion ensued regarding the infrastructure and traffic impacts of different growth strategies, the need for improved freeway options running east to west, and population and density distribution in relation to public transit criteria.

The Mayor recognized United Fire Authority Fire Marshal Dan DeVoogd and Cedar Valley High School Student Council Advisor Charlotte Ducos for a discussion in relation to a potential bonfire at a Youth Council event.

The Mayor excused Councilmember Curtis at 5:36 p.m.

2. AGENDA REVIEW

11. CHANGE ORDERS

11.A. Cory B. Wride Memorial Park Phase 2 Change Order #5 – Kenny Seng Construction

City Engineer Chris Trusty explained the City will be responsible for funding the \$5,000 in this change order. The funds could be recuperated through reductions in other areas of the project.

12. MINUTES

12.A. July 19, 2022 Minutes – Regular City Council Meeting

13. PRELIMINARY PLATS & SITE PLANS

13.A. SITE PLAN & PRELIMINARY PLAT – Parkway Fields Phase C

Assistant City Administrator/Community Development Director Steve Mumford stated this item was removed at the applicant's request.

14. EAGLE HEIGHTS VILLAGE

14.A. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Approving the First Amendment to the Eagle Heights Village Master Development Plan.

14.B. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving the Amended and Restated Eagle Heights Village Master Development Agreement.

14.C. MOTION – Amended Preliminary Plat

Items 14.A., 14.B., and 14.C. were presented and discussed concurrently.

Planning Manager Robert Hobbs presented the items. The applicant wishes to develop 98 single-family detached units and 40 twin-home units in lieu of the approved 148 duplex units.

Mr. Mumford verified that the City Council may require an applicant to pay a fee-in-lieu for insufficient open space acreage. He believes the applicant is proposing to provide additional amenities in place of the full acreage. Their previous proposal met the open space requirements. They reduced the open space to meet the increased lot square footage and setbacks for single-family homes.

Discussion clarified the applicant is requesting setback adjustments, open space acreage requirements, and the reason for the removal of the trail.

No closed session was held. Mayor Westmoreland adjourned the work session at 5:52 p.m.

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

ELECTED OFFICIALS PRESENT: Mayor Tom Westmoreland, Councilmembers Donna Burnham, Jared Gray, Carolyn Love, and Brett Wright. Councilmember Colby Curtis was excused.

CITY STAFF PRESENT: Paul Jerome, City Administrator; Steve Mumford, Assistant City Administrator/Community Development Director; Robert Hobbs, Planning Manager; Fionnuala Kofoed, Director of Administrative Services/City Recorder; Chris Trusty, City Engineer; Zac Hilton, Streets and Storm Drain Manager; Embret Fossum, UFA Battalion Chief; and Eric McDowell, Chief Deputy Sheriff.

CITY STAFF PRESENT ELECTRONICALLY: Aaron Sanborn, Economic Development Director; and Tyler Maffitt, Communications Manager.

4. CALL TO ORDER

Mayor Westmoreland called the policy session to order at 7:03 p.m.

5. PLEDGE OF ALLEGIANCE

Councilmember Love led the Pledge of Allegiance.

6. INFORMATION ITEMS/UPCOMING EVENTS

- Eagle Mountain City will be hosting a Movie in the Park on Friday, August 26th at 8:30 p.m. at Silverlake Amphitheater. Bring the family to watch “The Mitchells vs the Machines.”
- Ties and Tiaras, the City’s parent and me dance, will be held Saturday, August 27th at the Overland Barn from 7:00 to 8:00 p.m. All ages are welcome. Light refreshments will be provided.

- Shopfest Utah will be held on September 10th at Cory Wride Memorial Park. We encourage residents to patronize Eagle Mountain's ultimate shopping experience. Visit shopfestutah.com for more information.

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

7. PUBLIC COMMENTS

Mayor Westmoreland opened public comment at 7:04 p.m.

Melanie Castillo said she is a small business owner and has had issues with the parking of her commercial trailer and trucks either in her driveway or on the street. She requested clarification regarding the associated sections of Municipal Code and desires for the City to be more business-friendly.

Discussion ensued regarding Municipal Code commercial vehicle parking standards.

Mayor Westmoreland requested staff review the City's commercial vehicle parking standards and to inform Neighborhood Improvement Officers to not issue citations for parking commercial vehicles in driveways while the standards are under evaluation.

Mayor Westmoreland closed public comment at 7:45 p.m.

8. CITY COUNCIL/MAYOR'S ITEMS

Councilmember Gray

Councilmember Gray encouraged residents to attend and support City events such as Ties and Tiaras and expressed appreciation to the Events staff. He congratulated Eagle Mountain City as the city with the third youngest population in the Country.

Councilmember Wright

Councilmember Wright welcomed the meeting participants. He will meet with the Youth Council during the upcoming week to discuss the bonfire request. He commended staff for working diligently to provide safe routes to school during construction activities.

Mayor Westmoreland

Mayor Westmoreland recognized crossing guards and City employees for the important services they provide to promote student safety.

Councilmember Love

Councilmember Love echoed the appreciation to staff members.

Councilmember Burnham

Councilmember Burnham invited residents to attend City events. She thanked the Chamber of Commerce for hosting Shopfest. She expressed appreciation to staff and clarified the enforcement issues are due to ambiguities in the standards.

CONSENT AGENDA

9. BID AWARDS

9.A. White Hills Well Test Pumping – Rhino Pumps LLC

10. BOND RELEASES

10.A. Eagle Point Phase G, Plat 3 – Into Warranty

10.B. Oquirrh Mountain Ranch Phase A, Plat 2 – Into Warranty

10.C. Brandon Park Phase A, Plat 11 – Out of Warranty

10.D. Brandon Park Phase A, Plat 12 – Out of Warranty

10.E. Skyline Ridge Phase 2, Plat 3 – Out of Warranty

11. CHANGE ORDERS

11.A. Cory B. Wride Memorial Park Phase 2 Change Order #5 – Kenny Seng Construction

12. MINUTES

12.A. July 19, 2022 Minutes – Regular City Council Meeting

13. PRELIMINARY PLATS & SITE PLANS

13.A. SITE PLAN & PRELIMINARY PLAT – Parkway Fields Phase C

MOTION: *Councilmember Gray moved to approve the consent agenda removing item 13.A. Councilmember Love seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
<input checked="" type="checkbox"/> Donna Burnham	<input type="checkbox"/> Donna Burnham	<input type="checkbox"/> Donna Burnham	<input type="checkbox"/> Donna Burnham
<input type="checkbox"/> Colby Curtis	<input type="checkbox"/> Colby Curtis	<input type="checkbox"/> Colby Curtis	<input checked="" type="checkbox"/> Colby Curtis
<input checked="" type="checkbox"/> Jared Gray	<input type="checkbox"/> Jared Gray	<input type="checkbox"/> Jared Gray	<input type="checkbox"/> Jared Gray
<input checked="" type="checkbox"/> Carolyn Love	<input type="checkbox"/> Carolyn Love	<input type="checkbox"/> Carolyn Love	<input type="checkbox"/> Carolyn Love
<input checked="" type="checkbox"/> Brett Wright	<input type="checkbox"/> Brett Wright	<input type="checkbox"/> Brett Wright	<input type="checkbox"/> Brett Wright

The motion passed with a unanimous vote.

SCHEDULED ITEMS

14. EAGLE HEIGHTS VILLAGE

- 14.A. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Approving the First Amendment to the Eagle Heights Village Master Development Plan.
- 14.B. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving the Amended and Restated Eagle Heights Village Master Development Agreement.
- 14.C. MOTION – Amended Preliminary Plat

Items 14.A., 14.B., and 14.C. were presented and discussed concurrently.

Planning Manager Robert Hobbs presented the items. The applicant wishes to develop 98 single-family detached units and 40 twin-home units in lieu of the approved 148 duplex units. He explained that the new plan will:

- Reduce the number of housing units by ten.
- Add lot lines to twin home lots to allow the units to be sold individually.
- Add single-family lots to create a better transition to the east, south, and west.
- Add open space to the backyards of single-family lots.
- Add a half basketball court to increase overall amenities.
- Upgrade architecture on the clubhouse.
- Allow the homebuyer the option to add accessory dwelling units (ADUs) or to remove the basement from the single-family home design plan.

The amenities plan exceeds the requisite amenity points; however, it provides a lower open space acreage than required. On August 16, 2022, the trail was intentionally omitted from the plan.

On July 26th, the Planning Commission unanimously voted to recommend that Council approve the Eagle Height Village project modification(s), contingent upon development/developer compliance with the following conditions/changes:

1. In the MDA page 6, section 2.2, change the final sentence to “The elevation and design of buildings must be consistent with the previously approved building elevations and newly proposed building elevations as illustrated in Exhibit E;” and
2. On page 7, change Section 2.5 to “ADUs are allowed in the project as a way to encourage additional affordable housing options in the City.”

Councilmember Love stated she would like to stipulate in the agreement that the elevations are required to meet Municipal Code standards.

Assistant City Administrator/Community Development Director Steve Mumford explained that recent State Legislative changes severely limit the abilities of cities to regulate the architecture standards for single-family homes outside of a development agreement. The City Attorney and he

discussed Section 14.3.1 and they recommend the addition of verbiage to clearly indicate that with the transference of the remainder of the project Fieldstone Homes assumes the responsibility for the development of the amenities and parks and open space. He recommended adding parks 4, 5, and 6 to the assignability clause and specifying pool accessibility in the agreement.

Applicant representative Jason Harris with Fieldstone Homes said the elevations are from their Brylee Farms project which underwent review prior to the legislative changes limiting architectural standard requirements for single-family homes. He explained the parks were excluded from the agreement because the original developer is developing the parks and the lots. They will be responsible for pool and clubhouse installation and construction. He confirmed that they understand that building permits for the homes will not be issued until the park improvements are completed. They have agreed to purchase the lots after the initial developer has completed their portion of the development including the parks. A basketball halfcourt has been installed that was not included as a requirement in the previous agreement. The single-family homes will have an optional basement that can be excluded to reduce the cost of the units. Basement accessory dwelling units (ADUs) will be an option with the twin home design. They intend to follow the setback requirements for the RC Zone and he is amenable to the motion to amend the rear setback for the single-family homes from 15 feet to 20 feet.

Mr. Mumford explained the project has a trail in the center of the project to connect to the park. The language in the agreement allows the developer to work with neighboring properties to provide a safe route to schools. Even though the City was unable reach an agreement with the adjacent property owner, an additional trail providing pedestrian access to schools or fee-in-lieu is still required.

Councilmember Love suggested retaining Section 2.4 from the original agreement until it can be verified that a safe school route has been provided.

Discussion ensued regarding whether to retain the verbiage requiring the trail, the portion and location of trail to require until the installation of Old Airport Road in that area, and trail requirements and agreement reimbursement options for the trail on the adjacent properties.

Mayor Westmoreland opened the public hearing at 8:44 p.m. As there were no comments, he closed the hearing.

Discussion clarified the purpose and intent of the Planning Commission's recommended conditions of approval.

Councilmember Gray noted that the desire of the Council is for the amenities and the pool and clubhouse to be open to all residents in the old and new portions of the development.

MOTION: *Councilmember Wright moved to approve an ordinance of Eagle Mountain City, Utah, approving the first amendment to the Eagle Heights Village Master Development Plan with the following conditions:*

1. *Leave 2.4 Trail as written and clarify it pertains to the trail connection on the north end of the development on the south side of Eagle Mountain Boulevard;*
 2. *In the MDA page 6, section 2.2, change the final sentence to “The elevation and design of buildings must be consistent with the previously approved building elevations and newly proposed building elevations as illustrated in Exhibit E;”*
 3. *On page 7, change Section 2.5 to “ADUs are allowed in the project as a way to encourage additional affordable housing options in the City.”*
 4. *Change the rear setback from 15 feet to 20 feet; and*
 5. *Clarifying that all amenities, parks, and open spaces are available to each of the residents in the entire development.*
- Councilmember Burnham seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
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The motion passed with a unanimous vote.

MOTION: *Councilmember Wright moved to approve a resolution of Eagle Mountain City, Utah, approving the amended and restated Eagle Heights Village Master Development Agreement as approved in the first amendment to the Eagle Heights Village Master Development Plan with the conditions contained in that approval. Councilmember Burnham seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
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The motion passed with a unanimous vote.

Mr. Mumford explained that the originally approved preliminary plat for the agreement lacked the level of detail generally included on a preliminary plat. For this reason, the applicant included and requested to approve an amended preliminary plat with the same level of detail as the original application. It is the purview of the Council to approve the proposed amended preliminary plat or require one with more details.

Mr. Harris verified that the presented lots adhere to frontage requirements. Because several phases of the project have already been completed, the details will not change from the preliminary to the final plat. The amended preliminary plat meets the RC Zone requirements except for the average lot size.

Councilmember Wright expressed concern with the vagueness of the proposed amended preliminary plat.

Mr. Mumford stated that a master development plan can be allowed to serve as a preliminary plat if it contains enough detail. Ideally, a preliminary plat is included with an application.

Councilmember Love suggested adding a condition to ensure that the frontage standards are met.

Discussion ensued regarding the timing and financial impacts on the applicant contrasted with the benefits of tabling the preliminary plat until a more detailed version is provided.

MOTION: *Councilmember Burnham moved to approve the amended preliminary plat for Eagle Heights Village with the condition that the amended setbacks listed in the master development agreement and frontage width standards are followed. Councilmember Wright seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
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The motion passed with a unanimous vote.

15. CITY COUNCIL/MAYOR'S BUSINESS

16. CITY COUNCIL BOARD LIAISON REPORTS

Councilmember Gray

Councilmember Gray thanked City board members for helping improve the community.

Councilmember Wright

Councilmember Wright said the Parks and Recreation Advisory Board has completed their citizen engagement activity and are preparing a report of their findings to present to the Mayor and Council. He has met with and appreciates the new Youth Council Advisors and will meet with the new Youth Councilmembers on August 24th to discuss plans for homecoming activities.

Councilmember Love

Councilmember Love announced the American Legion is holding a blood drive on Friday, September 2nd from 9:00 a.m. to 3:00 p.m. Donors may sign up to participate at

<https://www.redcrossblood.org/>. She encouraged residents who are able to participate to assist with blood supply shortages.

Councilmember Burnham

Councilmember Burnham said she has been working with Eagle Mountain Arts Alliance and the Parks and Recreation Director to resolve issues with a library box in the path of City sprinklers. The Eagle Mountain Chamber of Commerce continues to grow and flourish and is working to add more value to memberships.

Mayor Westmoreland

Mayor Westmorland stated United Fire Authority and Unfired Fire Service Area asked him to extend gratitude to the City Council for approving the impact fee waiver.

17. COMMUNICATION ITEMS

17.A. Upcoming Agenda Items

18. ADJOURNMENT

MOTION: *Councilmember Gray moved to adjourn at 9:19 p.m. Councilmember Burnham seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
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The motion passed with a unanimous vote.

The meeting was adjourned at 9:19 p.m.

Approved by the City Council on September 6, 2022.


Lianne Pengra, CMC
Chief Deputy Recorder

