



The Eagle's View

City News March 31, 2021 Eagle Mountain City Government

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Know your local government



1 - Mayor Tom Westmoreland

After years of collaboration, the founders of this country came up with a form of government that they confessed was not perfect but has proven to be the best in the world.

The more we understand this uniquely American form of government that is grounded in a Constitution with federal, state and local levels, the more we can keep it pointed in the right direction and enjoy living in the greatest place on earth.

National and world headlines tend to push attention to the federal level, but local government is just as important and impactful to our daily lives and quality of life.

This is why I believe it is so important that we adhere to the principles outlined in the Constitution, especially at the local level.

I took an oath to defend the Constitution and will do my best to promote its principles at all levels.

By understanding our form of government and how it works, we can get the most out of our city and have less confusion about why things happen the way they do. I recommend that a resident get to know their elected officials and, when a need arises, contact appropriate City staff. Or residents can use the reporting systems created by the City. This will get the most rapid response, and help the City track and record issues. Reporting systems such as hotlines and the resident portal are constantly being improved to make City services easier and more responsive.

The state of Utah allows several variations of local government for cities and towns. We will touch on these allowable forms, how Eagle Mountain fits in the big picture and consider best constitutional practices.

There are five forms of government currently in use in Utah cities and towns. They are the "Council-Mayor Form of Government;" "Six-member Council Form of Government;" "Five-Member Council Form of Government;" "Council-Manager Form of Government;" and "Charter Form of Government."

Council-mayor form of government

Provo is an example of a city using this form.

The Council-Mayor Form of municipal government was created by the Laws of Utah 1977, Chapter 48. This form of government may not be adopted by a city or town without voter approval.

This form has two separate, independent, and equal branches of municipal government. This consists of a legislative branch—a council composed of five or seven members -- and an executive branch: the mayor and, under the mayor's supervision, any executive or administrative departments, divisions and offices and any executive or administrative officers provided for by statute or municipal ordinance.

The mayor in a city or town operating under the council-mayor form of government is the chief executive and administrative officer. He or she exercises the executive and administrative powers and performs of the municipality.

The mayor has the responsibility to execute the policies adopted by the council. The mayor appoints, with the council's advice and consent, qualified persons to the city or town's officers and positions including such things as recorder and treasurer.

The mayor may veto an ordinance, tax levy or appropriation passed by the council subject to the council's power to override the veto.

While not a member of the council, or its chair, the mayor may attend each council meeting, take part in council meeting discussions, and freely give advice to the council.

This form tends to have fewer variations and more clearly defined checks and balances among mayor, council and city staff. Because of stability, it is often a form chosen by larger cities.

The most significant differences from a six-member form are that in the council-mayor form the mayor does not chair the council and has veto power.

Six-member council form of government

Eagle Mountain uses this very common form; however, we do see some variation in the way it is practiced among cities.

This can be a balanced form of government but we also have seen some cities suffer from political intrigue or creativity that departed from the wisdom of the Constitution and created an imbalance.

The powers of municipal government in a municipality operating under the six-member council form of government are vested in a council consisting of six members, one of which is a mayor.

The mayor in a municipality operating under a six-member council form of municipal government is, except in limited circumstances, a non-voting member of the council. The mayor votes as a voting member of the council on each matter for which there is a tied vote of the other council members present at a council meeting; when the council is voting on whether to appoint or dismiss a municipal manager; or on an ordinance that enlarges or restricts the mayor's powers, duties, or functions.

The mayor is the chair of the council and presides at all council meetings. The mayor exercises ceremonial functions for the municipality such as ribbon-cuttings and municipal appearances. The mayor may not veto an ordinance, tax levy, or appropriation passed by the council.

The mayor is the chief executive officer. This means that all employees of the municipality report to him or her. The mayor, among other things, is required to keep the peace, enforce the laws of the municipality, and ensure that all applicable statutes and municipal ordinances and resolutions are faithfully executed and observed. The mayor, with the council's advice and consent, can assign or appoint a member of the council to administer one or more departments of the municipality and appoint a person to fill a municipal office.

The powers and duties of the mayor in a six-member council form of government can be taken from the mayor and given to either the council or staff such as a city manager or a city administrator by the adoption of an ordinance by the council. The vote on this ordinance must either be by the unanimous vote of the council or the ordinance must have the vote of a majority of the council and the mayor.

In the six-member council form of government, the council is the legislative body of the city or town and exercises the legislative powers and performs the legislative duties and functions of the municipality. This is done by either ordinance or resolution as may be appropriate.

The council in a municipality operating under a six-member council form of government can exercise executive or administrative power that has not been given to the mayor under state law, or has been given to the mayor under state law but has been delegated to the council by the mayor.

In addition, the council can remove from the mayor, by an appropriately passed ordinance, the mayor's executive and administrative power and give it to itself or to an appointed manager or administrator. The council may not remove any of the mayor's legislative or judicial powers or ceremonial functions, the mayor's position as chair of the council; or any ex officio position that the mayor holds.

An ordinance removing from or reinstating to the mayor a power, duty, or function requires the affirmative vote of the mayor and a majority of all other council members, or all council members except the mayor.

Five-member council form

The powers of municipal government in a municipality operating under the five-member council form of municipal government are vested in a council consisting of five members, one of which is a mayor.

The mayor in a municipality operating under a five-member council form of municipal government is a regular and voting member of the council.

Otherwise, this form, generally seen in smaller cities, is very similar to the six-member form.

Council-manager form

The Council-Manager form of government is a form of municipal government that was created by Laws of Utah 1977, Chapter 48. It could not have been adopted without voter approval. This form of government has been removed from state law and is no longer an option for Utah cities and towns. A municipality operating on May 4, 2008 under the council-manager form of government continues to operate under the council-manager form of government according to the applicable provisions of Laws of Utah 1977, Chapter 48.

In this form of government, a city manager is the chief executive officer of the city or town and has the following powers and duties prescribed by state law, including the power to appoint individuals to municipal offices and positions. The city manager runs the day-to-day operations of the city and all employees report to this individual.

The mayor in this form of government is a ceremonial mayor only. The mayor chairs the council and votes on all issues as a full-voting member of the council.

In this form, city staff has the greatest daily influence in city business. Even though this is no longer an official option for cities, there are examples of cities that legislate some version of this form.

Charter form

The Utah Constitution provides that the voters of any communities can, within some limits, create their own form of city or town government. This is called a charter and is similar to having an individualized municipal code for that city or town. In order to have a charter a process of petition, public hearing, and election must take place. This process is set out in Article XI Section 5 of the Utah Constitution.

Class ranking of cities

A municipality with a population of 100,000 or more is a city of the first class, 65,000 or more but less than 100,000 is a city of the second class, 30,000 or more but less than 65,000 is a city of the third class, 10,000 or more but less than 30,000 is a city of the fourth class, 1,000 or more but less than 10,000 is a city of the fifth class.

A municipality with a population under 1,000 is a town.

Eagle Mountain's current population puts us at the upper end of cities of the third class. In about two years our population will qualify us as a city of the second class. At current growth rates we could see Eagle Mountain reaching the population level of a city of the first class.

A growing city constantly challenges and stretches a local government. As Eagle Mountain grows, it may one day change its form of government. As we grow and rise to meet changes, there will be no shortage of ideas. As long as we allow ourselves to be guided by the Constitution, we will be able to adapt and thrive. The Founding Fathers figured it out a long time ago.

Mayor Tom Westmoreland

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Know the code - Landscaping guidelines



Eagle Mountain City requires front yard landscaping to be completed one year after the certificate of occupancy and within two years for the backyard. There are many properties in Eagle Mountain that have not met these requirements, and the properties are overgrown with weeds as well as accumulating trash and other debris. Our neighborhood improvement officers are addressing these properties.

Water wise landscaping is being encouraged due to the dry weather conditions we have been experiencing. City Code 17.60.090 addresses this topic.

Before warm temperatures, dry weather conditions and fire hazards increase in the coming months, please take advantage of Eagle Mountain City's Community Cleanup.

17.60.040 General landscape provisions.

The following landscape provisions shall be adhered to by all land uses unless otherwise noted:

A. Park Strips. Park strips adjacent to residential dwellings shall be landscaped and maintained by the property owner whose property abuts the park strip.

B. Landscape Maintenance. All landscaped areas shall be maintained by watering of landscaping, removal of weeds, the cutting of lawn or any other activities required to maintain healthy and aesthetically pleasing landscaping. Topping of trees as a pruning technique is prohibited.

C. Tree Clearance. Trees which project over any sidewalk shall be pruned clear of all branches between the ground and a height of eight feet for that portion of the foliage located over the sidewalk.

D. Clear Vision Triangles. No landscaping over three feet in height shall be allowed within a clear vision triangle as shown in this chapter except trees with single trunks that are pruned such that all branches and foliage are removed to a height of at least eight feet.

17.60.080 Design applications.

The planning commission and city council shall use the following design applications in evaluation of any landscaping plan:

A. Selection of Plants. Plants shall be selected for texture, form, color, pattern of growth and adaptability to local conditions.

B. Water Conservation. All planter beds shall be irrigated through the use of drip lines instead of spray heads to minimize water loss through evaporation.

C. Berming. Landscaped berming is required as a headlight screen or buffer surrounding all parking areas and between different land uses; particularly between nonresidential and residential uses or single-family and multifamily uses.

17.60.090, Required landscaping.

A. Portions of property that are not developed with structures, rights-of-way, driveways, and parking areas shall be required to be landscaped in all zones (except in the RA1, RA2, RD1, RD2, and FR zones and the agriculture areas). Commercial, industrial, and multifamily dwellings shall adhere to the minimum landscaping standards contained in Table **17.60.170(a)**, Required Landscape Improvements for Multifamily. The planning commission shall have authority to waive these standards as circumstances dictate.

B. Water-Wise Landscaping Standards. The following are the minimum standards for water-wise landscaping for any park strip, median, or landscaped area located within a public right-of-way, a commercial, or industrial development:

1. At least 50 percent of the required landscape area shall be live vegetation.
2. Live vegetation shall be distributed throughout the landscape area, and shall not be segregated.
3. Bark, lawn clippings, chipped wood, and similar loose materials are not permitted.
4. Decorative rock material shall be a minimum of one-inch aggregate, and shall be at least three inches deep and be placed completely on top of a weed fabric barrier that allows the permeation of water. Rock materials shall not exceed the height of the sidewalk/trail or the top back of curb, when placed along a public right-of-way.

5. White quartz rock, lava rock, and gravel, or any other material that approximates the color of concrete, are not permitted.

6. All water-wise landscaped areas shall be improved with a drip irrigation system.

7. Any individual, corporation, or other entity that uses water-wise landscaping in an area within a public right-of-way shall be responsible for any damage caused by rocks or other materials that migrate onto a sidewalk, trail, street, storm drain, or other public facility, regardless of how such migration occurs.

17.60.100 Residential landscape requirements.

All single-family dwellings shall have the front yards landscaped within one year and back yards within two years of receiving a certificate of occupancy, unless required sooner through the project's CC&Rs or a development agreement.

Wildlife - In the form of wildflowers











The sagebrush steppe ecosystem that surrounds us here in Eagle Mountain may seem to be a dry and monotonous scene of brush and grasses as we drive by the local hills.

On the contrary. As the snow melts in our high desert, the watchful eye can discover an exciting feast of color in the form of wildflowers. The timing of the blooms and their variety varies from year to year depending on the amount of moisture received.

But we are always rewarded if we take the time to observe.

These wildflower photos were taken right here in our very own surrounding hills. Can you identify them? They each have a name and a story to be discovered.

See how many you can identify by matching the names listed below to the photo. On your local walkabouts, see if you can find some of them this spring and summer.

They tend to be small and close to the ground, so it takes a keen eye to find them against the expansive backdrop of the surrounding flora. Be sure to leave them alone so the small animals that live among the sagebrush can enjoy these seasonal wonders as well as allow each plant to cast its seeds for next year's blooms.

To record the moment, snap a closeup photo with your phone.

Find the answers to assist your wildflower search using the slideshow below:

6. Nuttall's Taraxacum

8. Globemallow

7. Small desert Star

6. Fishhook Cactus

5. Sego Lily

4. Indian paintbrush

3. Claret Cup Cactus

4. Pink desert Phlox

1. Purple Wustard

Eagle Mountain app



Eagle Mountain City has launched an app for your mobile devices.

This service, developed for free and maintained for free through Eagle Mountain City, has compiled resident's most utilized services and made them even easier to use. The mobile app is a great way to pay utility bills, contact elected representatives, report issues and problems through the Resident Portal and learn more about the community through the Rumor Stop and What's Happening services.

The Eagle Mountain app can easily be downloaded using [this link](#).

New business development



Embed://<iframe src="https://docs.google.com/spreadsheets/d/e/2PACX-1vTkHGUNCeh3kgsH1VMPIrFCB5F5hHkSpj9BAMWOstijFebjPQFpjEgMYbTxs8z4H4x-DbG3Mc6tMieY/pubhtml?widget=true&headers=false"></iframe>

Eagle Mountain continues to grow. Follow along each month as new businesses plan to locate in the community.

Emergency prep - Earthquake preparedness



The month of April is earthquake preparedness month in Utah and many residents will participate in the Great Utah Shakeout on April 21st. The Great Utah Shakeout is an earthquake preparedness drill that emphasizes the “drop, cover and hold on” protocol.

There is much more preparation that can be done before a major earthquake hits, however. Here are some tips to prepare your home and your family for the inevitable.

First, walk around your home and imagine it shaking violently. Furniture is shifting, glass is breaking, kids and pets are freaking out.

Take note of which objects are liable to fall. Are bookcases and dressers secured to walls? Where are the safest spots for you and your loved ones to drop, cover and hold on? Are your appliances connected to gas and water lines with rigid fittings that could rupture? Where are your gas and water shutoff valves?

The greatest number of earthquake-related injuries come from falling objects. Make sure furniture and other items are secure.

Next is putting together a 72-hour kit with enough nonperishable food, water and gear to get you through the first three days, including first-aid items, hygiene supplies, cash, clothing, flashlights, spare batteries and a radio.

Identify safe places within your home to store water and kits for easy access. Always keep a pair of shoes and a working flashlight next to every bed.

And third, make a plan and commit it to memory. Your earthquake plan should include what to do during the actual quake, where your emergency supplies are and designate who is responsible for what, how you will reconnect if separated during the quake, and an evacuation plan.

While documenting your plan is crucial, a big part of it is simply talking and planning together.

We're hiring

Eagle Mountain City is looking to fill several positions. Here are the available jobs:

FT Wastewater Treatment Operator

Parks Seasonal

PT Rec Aid (year round)

Seasonal Stormwater

Seasonal Streets Operator

Sports Official

Street Operator I or II

To find the career that's right for you, click [here](#).

Upcoming events

- April 5- [City Council Meeting](#)
- April 9 - [Easter Egg Hunt](#)
- April 12 - [Planning Commission Meeting](#)
- April 19 - [City Council Meeting](#)
- April 21-25 - [Spring Community Cleanup](#)
- April 21 - [Eagle Mountain Chamber of Commerce Connect4Lunch](#)
- April 26 - [Planning Commission Meeting](#)

Contact us

Eagle Mountain City

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Office Hours: Monday-Friday, 7:30 AM to 5:30 PM

(801) 789-6600

Visit us on the web at www.eaglemountaincity.com.

After-hours hotline for Water, Parks, Streets, Storm Water, and Sewer: (801) 789-5959

Can't find the answers you need on the website? Email info@emcity.org

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