

DATE TUESDAY AUGUST 22, 2023

THE EMIGRATION CANYON METRO TOWNSHIP COUNCIL, STATE OF UTAH, MET ON TUESDAY, AUGUST 22, 2023, PURSUANT TO ADJOURNMENT ON TUESDAY, JULY 25, 2023, AT THE HOUR OF 7:00 P.M., AT THE EMIGRATION CANYON FIRE STATION 119, 5025 E EMIGRATION CANYON ROAD, SALT LAKE CITY, UTAH.

COUNCIL MEMBERS PRESENT: ROBERT PINON
DAVID BREMS
CATHERINE HARRIS
JENNIFER HAWKES, Deputy Mayor
JOE SMOLKA, Mayor

OTHERS IN ATTENDANCE: POLLY MCLEAN, LEGAL COUNSEL
GORDON BENNETT, ADMINISTRATOR
NICHOLE WATT, DEPUTY CLERK

Mayor Smolka, Chair, presided.

PUBLIC MEETING

Pledge of Allegiance

The Pledge of Allegiance to the Flag of the United States of America was recited.

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Recognize Visiting Officials

Detective Dawn Larsen introduced Lieutenant Paul Barker.

Lieutenant Paul Barker stated he has worked in the canyons as a Sergeant and Deputy.

Chief April Morse stated in the event she cannot make it to the meeting, Lt. Barker will be available.

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Citizen Public Input

Tyler Tippets stated he has received calls from residents asking if the township has a fire and evacuation plan.

Mayor Smolka asked if the Emigration Canyon Community Council (ECCC) has an evacuation plan in place.

Bill Tobey, Chair, ECCC, stated that there is no specific evacuation plan but mentioned its efforts in fire defense space preparation and neighborhood-scale fuel breaks. He also indicated that information about evacuation plans could be found in the township's emergency plan.

Council Member Harris stated there is evacuation information in the emergency plan; however, it lacks detail.

Mr. Tippets stated he informed the residents that he would reach out to the Council and the ECCC regarding the plans. It is more important to have a family plan for emergency situations.



Reports from other Municipal Providers

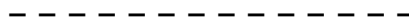
Emigration Canyon Community Council (ECCC)

Bill Tobey stated the ECCC currently faced a shortage of members, with only nine members, and not all of them were actively participating. This shortage was causing delays in important projects, including the website migration and the fuel break project at Sunnydale.

Mr. Tobey reported on the progress with Salt Lake City to obtain permission for fuel treatment on municipal watershed property. However, it seemed unlikely that approval would be granted before the Unified Fire Authority (UFA) fuels crew disbanded for the season.

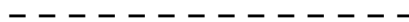
ECCC was actively pursuing a new funding opportunity through the Forest Service and Utah Division of Forestry, Fire, and State Lands. They planned to apply for up to \$250,000 to support planning activities and potentially up to \$10 million for project implementation. This grant had a cost-sharing requirement of 10 to 25 percent, and the application deadline was set for October 17, 2023.

Salt Lake County Animal Services held a pet chipping and licensing clinic on July 29, 2023, at the fire station. While the turnout was not high, those who attended were satisfied with the service provided.



Unified Police Department (UPD)

Detective Dawn Larsen stated in July there were 52 calls for service, 16 written reports, and 13 citations issued. She also noted that deer and elk hunting season had started.



Unified Fire Authority (UFA)

No report was given.

Mayor Smolka stated the Council discussed the purchase in a closed session. The terms and figures were at the Council's direction and were a counteroffer to the seller's much higher offer.

Ms. McLean stated the assessed value of the property is much higher than this amount.

Council Member Harris asked if there are plans for the property.

Council Member Brems stated the property is already zoned appropriately, it borders Utah Open Lands and could become a park, trailhead, or remain open space. There is also the option of building a community building.

Council Member Harris stated a FEMA floodplain study is currently being conducted. This property is certainly within the floodplain, which will make it hard to insure. The property flooded this past spring.

Mayor Smolka stated he does not think the floodplain study goes outside Emigration Creek.

Tyler Tippetts, Resident, asked what the benefit is to the metro township to make this purchase. Is it wise to be making a purchase like this right now, not knowing if the metro township will exist in the same form of government? It is not known what the liabilities are if Emigration Canyon becomes a city. He is concerned with spending this kind of money on property just because it is a good deal. Is there a plan to benefit the community today and tomorrow?

Mayor Smolka stated the property holds some historical value to the canyon. If the property is purchased at this point, the Council can hold it until enough funds are raised to build a building, develop a park or trailhead, and work on the restroom. The property has a WPA restroom. Nothing is going to be done immediately to the property and there is a two-year lease back to the seller.

Mr. Tippetts stated with the lease agreement, there are generally restrictions on what the lessee can do to the property and structures. Does the lease agreement address what the lessee can and cannot do to the building?

Mayor Smolka stated the intention is to eventually remove the building.

Mr. Tippetts stated his concerns about taking on debt with the possibility of becoming a city.

Council Member Brems stated the metro township has enough funds to pay cash for the property and not take on any debt.

Gary Bowen, Resident, stated the Community Council discussed property across the street from the one being purchased, and it thought it would be a good location to have a park.

Deputy Mayor Hawkes stated the property being considered adjoins Utah Open Lands, but the other properties do not. Some of the timing is based on the circumstances of the seller.

Council Member Brems asked if the Council needs to retain a civil engineer or contact Rocky Mountain Power to stipulate how the powerlines are being buried so as to not encumber the property.

Mayor Smolka, seconded by Council Member Brems, moved to authorize the Mayor to purchase the property located at 6291 E Emigration Canyon Road and enter into a lease agreement with the seller. The motion passed 4 to 1 with a roll call vote showing Council Member Pinon voting "Aye," Council Member Brems voting "Aye," Council Member Harris voting "Nay," Deputy Mayor Hawkes voting "Aye," and Mayor Smolka voting "Aye."

Right of Way for Slope Stabilization

Council Member Pinon asked about the associated costs of the easement and right of way.

Mayor Smolka stated the slope stabilization project had recently gone out to bid and a pre-construction meeting was scheduled for the 6th. He would meet with the contractors to discuss various issues and make sure everyone was on the same page. Construction was anticipated to commence in the fall, with a 120-day timeline for completion from May 15, 2024.

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Council Member Pinon, seconded by Council Member Brems, moved to approve the slope stabilization and right of way projects. The motion passed unanimously with a roll call vote showing Council Member Pinon voting “Aye,” Council Member Brems voting “Aye,” Council Member Harris voting “Aye,” Deputy Mayor Hawkes voting “Aye,” and Mayor Smolka voting “Aye.”

Legislation Converting Townships to Cities and Towns

Polly McLean stated Nathan Bracken, Legal Counsel, Kearns, and Copperton Metro Township has taken the lead on the legislation. Input had been gathered from all the metro townships, and efforts were being made to have it presented at the interim committee in August. However, due to the absence of the legislative attorney, it could not be reviewed at that time. The hope was to include it in the interim committee in September, and if approved, it would proceed.

Council Member Brems asked what the distinction is between a city and a town.

Ms. McLean stated the designation as a city occurs when there are over 1,000 residents, at which point it becomes a city. Once designated as a city, there are some slight differences, including increased auditing requirements and a larger budget. Instead of having a town clerk, a city typically has a city recorder. The key advantage of converting to a city is that it provides more control over finances. If the metro township continued to work with the Greater Salt Lake Municipal Services District (MSD) and contracted with them to provide services, it would also have more autonomy in decision-making.

H.B. 374 – County Sheriff Amendments

Polly McLean stated she is still waiting on numbers from Sheriff Rivera. Once those numbers are received, a more robust conversation can take place. We are on hold until adequate information is provided.

Mayor Smolka stated he and Ms. McLean had a scheduled meeting for the following day.

Legal Issues

Nothing to report.

Budget Items

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DATE TUESDAY AUGUST 22, 2023

Mr. Bennett stated there is no new information available but will look into it further.

Website

Deputy Mayor Hawkes stated she is still working on updating the website and hopes to have it revamped by the next meeting.

CodeRED

No report was given.

Restrooms

Deputy Mayor Hawkes stated Utah Open Lands had requested the installation of a programmable lock on the restrooms. She emphasized the importance of careful consideration regarding whether to keep the restroom open year-round, 24 hours a day, 7 days a week, due to potential liabilities.

Polly McLean suggested aligning the building's opening and closing dates with the road closure schedule.

Council Member Pinon stated it would make sense to match the building's operation with other restrooms in the area.

Council Member Brems suggested closing the building during the winter months.

Ms. McLean stated concerns about public safety and the need for an accessible facility during late hours. Wendy Fisher, Executive Director, Utah Open Lands, recommended closing the building from November to April.

Council Member Pinon stated Route 65 is usually closed until the entire road is free of snow. The restroom would need to be opened prior to the gates opening.

Ms. McLean stated the restroom could be closed from November 15 to April 15.

Deputy Mayor Hawkes stated if the restroom is closed in the winter, it may not need a programmable lock.

Mayor Smolka suggested operating hours from 6:00 am to 10:00 pm.

DATE TUESDAY AUGUST 22, 2023

Deputy Mayor Hawkes stated there are plans to hold a grand opening in mid-September.

Ms. McLean stated she checked with the Utah Local Government Trust, and it will include the restroom with a memorandum of understanding.

Deputy Mayor Hawkes stated there will be liability insurance for the structure and property.

Association of Municipal Councils

Deputy Mayor Hawkes stated Midvale Town Hall was toured.

Utah League of Cities and Towns (ULCT)

Deputy Mayor Hawkes stated the annual conference will be held in September and registration is still open.

Unified Police Department (UPD) & Salt Lake Valley Law Enforcement Service Area (SLVLESA)

Council Member Brems stated UPD and the Sheriff's Office is working on the reorganization of the law enforcement and what the cost of services will be. A new interlocal agreement is being drafted. SLVLESA will probably do a truth in taxation hearing next year.

Emigration Canyon Metro Township Planning Commission

No report was given.

Community Renewable Energy Program

This item was discussed under Administrative Reports.

Unified Fire Authority (UFA) & Unified Fire Service Area (UFSA)

Council Member Harris stated the main concern was the increasing loss of personnel due to retirements and departures to other departments, which exceeded the rate of

recruitment. This led to an increase in reliance on overtime shifts. The issue of pay was discussed as it is a contributing factor. Chief Burchett continues to focus on mental health and support for firefighters.

The UFSA had not seen a tax increase since 2018, and while some budgetary increases had been offset by rising property values and budget cuts, the organization was currently operating on a tight budget. The UFSA finance committee presented a report suggesting that a tax increase, possibly as high as 15%, would be necessary for 2024. The upcoming board meetings would focus on the implementation of this tax increase and financial management strategies.

Watershed Plan

Council Member Harris stated she has not been able to meet with Sandy Wingert, Environmental Scientist, Utah Department of Environmental Quality, to finish the project; however, it is getting very close to completion.

Wasatch Front Waste and Recycling District (WFWRD)

Council Member Pinon stated a warning would be issued for the disposal of construction debris. A notice will be issued correctly, and residents will be notified about the abuse.

Utah Broadband

Council Member Pinon stated he would continue working with Utah Broadband to expand repeaters in the canyon.

Greater Salt Lake Municipal Services District (MSD)

Mayor Smolka stated the MSD is operating smoothly. It is working on upgrading emergency response capabilities and training. Continuity plans for various duties are being worked on to create some redundancy in critical positions. The budget is underway with it being tentatively approved this week. Culverts for Pinecrest and Cederlof were approved. Additional funds will be requested to clean up and restore the ditches where the mudslides came down.

Landfill Council

DATE TUESDAY AUGUST 22, 2023

Mayor Smolka stated construction on pod 8 has begun. The design process has started on the perimeter road so there will be better access to the landfill.

Wasatch Front Regional Council (WFRC)

Mayor Smolka stated \$11 billion for the 2024-2029 projects was approved. There are a lot of freeway projects. Funds have been allocated for the upper part of Emigration Canyon; however, the funds will need to be matched.

Council of Governments (COG)

Mayor Smolka stated an email was sent to the Mayors who were opposed to the gondola in Little Cottonwood Canyon. It is working on plans for the homeless and overflow shelters for the winter.

Legislative Update

No further updates were given.

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Other Announcements

Council Member Brems asked if Emigration Canyon Road could be closed to motorcycles.

Polly McLean stated no, motorcycles are licensed vehicles and can use public roads.

Council Member Harris asked if a checkpoint could be set up in the canyon.

Chief April Morse stated a search warrant and appropriate notification is required to conduct checkpoints.

Council Member Pinon asked if there was any feedback on the July 24 marathon.

Detective Dawn Larsen stated she spoke with Michelle McCabe, Permit Specialist, Salt Lake County Engineering and Flood Control, about the I-65 closure. The race organizer responded and is receptive to changing how the roads are closed.

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DATE TUESDAY AUGUST 22, 2023

THERE BEING NO FURTHER BUSINESS to come before the Council at this time, the meeting was adjourned.

MAYOR, EMIGRATION CANYON METRO TOWNSHIP COUNCIL

LANNIE CHAPMAN, METRO TOWNSHIP CLERK

By: _____
Deputy Clerk