

DATE TUESDAY DECEMBER 6, 2023

THE EMIGRATION CANYON METRO TOWNSHIP COUNCIL, STATE OF UTAH, MET ON TUESDAY, DECEMBER 6, 2023, PURSUANT TO ADJOURNMENT ON TUESDAY, NOVEMBER 28, 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  
NICHOLE WATT, DEPUTY CLERK

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**Mayor Smolka**, Chair, presided.

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PUBLIC MEETING

Pledge of Allegiance

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

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Citizen Public Input

None.

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BOARD OF CANVASSERS

**Nichole Watt**, Deputy Clerk, reviewed the following 2023 General Municipal Election results.

RESOLUTION NO. 2023-12-01

December 6, 2023

A RESOLUTION OF THE EMIGRATION CANYON METRO TOWNSHIP  
CERTIFYING THE 2023 MUNICIPAL GENERAL ELECTION RESULTS

RECITALS

WHEREAS, the Emigration Canyon Metro Township (“Emigration Canyon”) 2023 municipal general election was held on November 21, 2023; and

WHEREAS, the Emigration Canyon Metro Township Council (“Council”) serves as the Board of Canvassers for Emigration Canyon (“Board”) pursuant to Utah Code § 20A-4-301(2)(a); and

WHEREAS, Utah Code § 20A-4-301(2)(b) requires the Board to meet and canvas the election returns no sooner than seven days and no later than fourteen dates after the election; and

WHEREAS, the Salt Lake County Clerk’s Office, Election Division, received and counted the election returns for each voting precinct; and

WHEREAS, the Board met on December 6, 2023, to canvass the returns of the 2023 municipal general election; and

WHEREAS, the Board publicly canvassed the returns and determined from the returns the vote of each voting precinct for each candidate.

NOW, THEREFORE, BE RESOLVED by the Council effective immediately:

1. The Emigration Canyon Metro Township Council, as the official Board of Canvassers, accepts and approves the attached election report for the 2023 Municipal General Election for the Emigration Canyon Metro Township.

2. The following candidates are declared to have received the number of votes indicated.

Council At-Large – Four Year Term

Jennifer Hawkes 277

Council At-Large – Four Year Term

Catherine M Harris 298

Council At-Large – Four Year Term

David Paul Brems 277

Council At-Large – Four Year Term

Tyler Tippetts 164

3. The Emigration Canyon Metro Township Council, as the Board of Canvassers, declares “elected” the following persons to the municipal office indicated:

Council At-Large – Four Year Term

Jennifer Hawkes

Council At-Large – Four Year Term

Catherine M Harris

Council At-Large – Four Year Term

David Paul Brems

3. Pursuant to Utah Code § 20A-4-304, the Emigration Canyon Metro Township Recorder is authorized and directed to file the Certified Report of the Election Results when signed by the election officer and by the members of the Board of Canvassers as follows:

- a. Record or file the certified report in a book kept for that purpose;
- b. Prepare and transmit a certificate of election to each elected candidate;
- c. Within seven days of the date of this resolution, post the attached summary: (1) in one public place within the Emigration Canyon Metro Township; (2) to the Utah Public Notice Website for one week; and (3) on the Emigration Canyon Metro Township Website for one week; and
- d. File a copy of the certified report with the Lieutenant Governor.

APPROVED and ADOPTED this 6<sup>th</sup> day of December 2023.

EMIGRATION CANYON METRO TOWNSHIP COUNCIL

By: /s/ JOE SMOLKA  
Mayor

ATTEST

/s/ LANNIE CHAPMAN  
Recorder

Council Member Harris, seconded by Council Member Pinon, moved to adopt Resolution 2023-12-01, certifying the 2023 Municipal General Election. The motion passed unanimously.



Public Hearing

*2023 Emigration Canyon Metro Township Budget Amendments*

THIS BEING THE TIME heretofore set for a public hearing to consider the 2023 Emigration Canyon Metro Township budget amendments.

DATE TUESDAY DECEMBER 6, 2023

Council Member Harris, seconded by Council Member Brems moved to open the public hearing. The motion passed unanimously.

**Mayor Smolka** reviewed the 2023 Emigration Canyon Metro Township budget amendments.

No one spoke in favor or opposition to the 2023 Emigration Canyon Metro Township budget amendments.

Council Member Brems, seconded by Council Member Harris, moved to close the public hearing. The motion passed unanimously.

RESOLUTION NO. 2023-12-02

Date: December 6, 2023

A RESOLUTION OF THE EMIGRATION CANYON METRO TOWNSHIP  
COUNCIL OPENING AND AMENDING THE ANNUAL BUDGET FOR THE YEAR  
2023 FOR THE OPERATION OF THE TOWNSHIP

WHEREAS, the Emigration Canyon Metro Township Council has previously adopted a budget for the 2023 budget year; and

WHEREAS, the Emigration Canyon Metro Township needs to open and amend the adopted budget because of changes that have occurred during the year; and

WHEREAS, the Emigration Canyon Metro Township Council has held a public hearing on the proposed amended 2023 amended annual budget for the Township;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE EMIGRATION CANYON METRO TOWNSHIP:

1. That the attached exhibit A is hereby adopted as the amended 2023 annual budget for the operation of the Emigration Canyon Metro Township for the 2023 calendar year.
2. This resolution shall take effect upon passing.

APPROVED and ADOPTED this 6<sup>th</sup> day of December 2023.

EMIGRATION CANYON METRO TOWNSHIP COUNCIL

By: /s/ JOE SMOLKA  
Mayor

ATTEST

/s/ LANNIE CHAPMAN  
Recorder

Council Member Harris, seconded by Deputy Mayor Hawkes, moved to adopt Resolution 2023-12-02, approving the 2023 Emigration Canyon Metro Township budget

amendments. The motion passed unanimously with a roll call vote showing Council Member Harris voting "Aye," Council Member Brems voting "Aye," Council Member Pinon voting "Aye," Deputy Mayor Hawkes voting "Aye," and Mayor Smolka voting "Aye."

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*2024 Emigration Canyon Metro Township Budget*

THIS BEING THE TIME heretofore set for a public hearing to consider the 2024 Emigration Canyon Metro Township budget.

**Mayor Smolka** stated the beer funds are a total of \$2,091.96.

Council Member Pinon, seconded by Council Member Harris, moved to open the public hearing. The motion passed unanimously.

**Tyler Tippetts** asked where the beer funds are passed through to.

**Mayor Smolka** stated beer funds are passed through to entities like Salt Lake County Behavioral Health and Unified Police Departments.

**Polly McLean** stated it is not general fund money, it has to be used for certain types of services.

**Mr. Tippetts** asked if the \$100 difference in payroll was resolved.

**Mayor Smolka** stated he has asked about it but has not heard back.

**Mr. Tippetts** asked if ARPA funds would roll over to this year's budget if it was not spent.

**Mayor Smolka** stated yes; however, the funds will be expended by the end of 2023 or 2024. The bulk of the funds went to the FEMA floodplain maps.

**Mr. Tippetts** asked if the Emigration Canyon Community Council's budget would roll over if it was not spent.

**Mayor Smolka** stated funds not spent under the administration budget are rolled over to the fund balance. If the fund balance becomes too large, the funds then go into a restricted fund balance.

Council Member Harris, seconded by Council Member Brems, moved to close the public hearing. The motion passed unanimously.

RESOLUTION NO. 2023-12-03

Date: December 6, 2023

A RESOLUTION OF THE EMIGRATION CANYON METRO TOWNSHIP COUNCIL ADOPTING THE ANNUAL BUDGET FOR THE YEAR 2024 FOR THE OPERATION OF THE TOWNSHIP

WHEREAS, the Emigration Canyon Metro Township Council has previously adopted a tentative budget for the 2024 budget year, and

WHEREAS, the Emigration Canyon Metro Township has made the tentative budget available to the public for review and consideration as required by law; and

WHEREAS, the Emigration Canyon Metro Township Council has held a public hearing on the proposed 2024 annual budget for the Township;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE EMIGRATION CANYON METRO TOWNSHIP:

1. That the attached exhibit A is hereby adopted as the 2024 annual budget for the operation of the Emigration Canyon Metro Township for the 2024 calendar year or until such time as it may be amended.

2. This resolution shall take effect upon passing.

EMIGRATION CANYON METRO TOWNSHIP COUNCIL

By: /s/ JOE SMOLKA  
Mayor

ATTEST

/s/ LANNIE CHAPMAN  
Recorder

Council Member Harris, seconded by Deputy Mayor Hawkes, moved to adopt Resolution 2023-12-03, adopting the 2024 Emigration Canyon Metro Township budget with possible amendments to the beer fund tax line item. The motion passed unanimously with a roll call vote showing Council Member Harris voting "Aye," Council Member Brems voting "Aye," Council Member Pinon voting "Aye," Deputy Mayor Hawkes voting "Aye," and Mayor Smolka voting "Aye."



Reports from other Municipal Providers

*Emigration Canyon Community Council (ECCC)*

No report was given.



*Unified Police Department (UPD)*

**Detective Dawn Larsen** reviewed the November statistics stating there were 31 calls for service, 11 initial reports, and 12 citations. Most of the calls were traffic-related. The

citations were issued for speeding, expired registration, and failure to maintain control of a vehicle. She will email the Utah Department of Transportation (UDOT) statistics from September to the Council. A grant was approved to fund dual radar in her vehicle.

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*Unified Fire Authority (UFA)*

**Chief Bryan Case** stated

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*Salt Lake County Animal Services*

**Gary Bowen**, Emigration Canyon Metro Township Council Representative, stated

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Council Business

*Legal Issues*

None.

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*Budget Items*

**Mayor Smolka** stated invoices for clerking services were received.

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*Minutes*

There were no minutes to approve.

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Council Member Reports

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

**Council Member Brems** stated there was no additional information since he last reported.

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*Dark Sky*

**Council Member Harris** stated she received the postcard regarding dark skies. It does not mention anything about holidays.

**Mayor Smolka** stated the information can be found by using the QR codes.

**Council Member Harris** stated next year, the Council needs to get information out to the community regarding holiday lights.

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*Joint Letter*

**Polly McLean** stated the Mayors sent out a joint letter on behalf of the Metro Townships and the Town of Brighton regarding the request the Sheriff made for additional funding. The funding would be used to help support Butterfield Park and other new parks that were created on the west side. The letter points out that under the existing interlocal, Salt Lake County said it will pay for patrol for canyons and recreational areas. The Sheriff should not be asking for those funds from the Salt Lake Valley Law Enforcement Service Area (SLVLESA) while the contract is in place. The letter also requests a meeting with the Sheriff and Salt Lake County Mayor.

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*Emigration Canyon Metro Township Planning Commission*

No report was given.

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*Community Renewable Energy Program*

No report was given.

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*High-Density Development*

No report was given.

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*Watershed Plan*

**Council Member Harris** stated she met with Quinn Donnelly, River Restoration, and Sandy Wingert, Department of Water Quality, about comments collected over the last year and a half.

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

**Council Member Harris** stated the tax increase was not voted on at last night's meeting, it will happen next Tuesday in conjunction with the public hearing for the budget.

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*Wasatch Front Waste and Recycling District (WFWRD)*

No report was given.

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*Utah Broadband*

No report was given.

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*Website*

No report was given.

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*CodeRED*

No report was given.

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*Restrooms*

No report was given.

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*Association of Municipal Councils*

No report was given.

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*Utah League of Cities and Towns (ULCT)*

**Deputy Mayor Hawkes** stated training for newly elected officials will be held on December 9<sup>th</sup> and will cost \$60.00. There is an online training that will be held on December 16<sup>th</sup> and the cost is \$45.00. Governor Cox provided a recommended FY2025 budget to build 35,000 starter homes by 2028. Emigration Canyon may have access to rural community grants. She will find out what types of grants are available.

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*Greater Salt Lake Municipal Services District (MSD)*

**Mayor Smolka** stated the MSD held its annual Christmas dinner.

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*Landfill Council*

**Mayor Smolka** stated 1,500 tons of debris from homeless camps was disposed of. The area of 7200 West, between 1300 South and I-80, will be closed permanently because of the homeless camps in the area.

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*Wasatch Front Regional Council (WFRC)*

No report was given.

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*Council of Governments (COG)*

No report was given.

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*Legislative Update*

**Council Member Harris** stated the legislative session will start before the next Council meeting. The legislature moves fast, and it would be helpful to get information in real-time. Is there a way to communicate without violating the Public Meetings Act?

**Polly McLean** stated the Council cannot have discussions but can provide information.



Other Announcements

DATE TUESDAY DECEMBER 6, 2023

**Mayor Smolka** stated next month the Council will need to re-elect officers and have a discussion on assignments.

**Nichole Watt**, Deputy Clerk, stated the re-elected Council Members will need to be sworn in.

**Mayor Smolka** stated Representative Brian King has declared his candidacy for governor.

**Deputy Mayor Hawkes** asked if there is anything the Council needs to be aware of regarding construction on the main canyon road.

**Mayor Smolka** stated he is not aware of anything and there are no projects scheduled.



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

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MAYOR, EMIGRATION CANYON METRO TOWNSHIP COUNCIL

LANNIE CHAPMAN, METRO TOWNSHIP CLERK

By: \_\_\_\_\_  
Deputy Clerk

