

DATE WEDNESDAY DECEMBER 6, 2023

THE KEARNS METRO TOWNSHIP COUNCIL, STATE OF UTAH, MET ON MONDAY, DECEMBER 6, 2023, PURSUANT TO ADJOURNMENT ON THURSDAY, NOVEMBER 13, 2023, AT 6:00 P.M. AT THE KEARNS LIBRARY AT 5350 SOUTH 4220 WEST, KEARNS, UTAH 84118.

COUNCIL MEMBERS PRESENT: ALAN PETERSON
PATRICK SCHAEFFER
CHRYSTAL BUTTERFIELD
TINA SNOW
KELLY BUSH, Mayor

OTHERS IN ATTENDANCE: NATHAN BRACKEN, LEGAL COUNSEL
AMY PITT, METRO TOWNSHIP CLERK

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Mayor Kelly Bush, Chair, presided.

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Public Meeting

Citizen Public Input

There were no public comments.

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Recognition and Presentation of Plaque to 911 Plumbing, Heating and Air Conditioning for Making a Difference

Mayor Kelly Bush stated she often reads the comments on the Kearns Facebook page, and she has continually noticed how 911 Plumbing, Heating and Air Conditioning reaches out to community members when they need help. The company is always the first to respond with compassion and love for the families in the community.

BJ Burgener, Owner, 911 Plumbing, Heating and Air Conditioning, stated he does not reach out for notoriety, but just because of the compassion he feels for the community.

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2023 Canvass Results

THIS BEING THE TIME heretofore set to canvass the official election results for the 2021 General Election.

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Canvasser Bush reviewed the following results for the 2023 General Election:

Kearns Metro Township Council 1

Times Cast	427	19.27 percent
Total Votes	421	
Jesse Valdez	209	49.64 percent
Patrick Daniel Schaeffer	212	50.36 percent

Kearns Metro Township Council 3

Times Cast	611	22.41 percent
Total Votes	594	
Christopher James Geertsen	165	27.78 percent
Chrystal Butterfield	429	72.22 percent

Kearns Metro Township Council 5

Times Cast	440	16.16 percent
Total Votes	432	
Kelly Bush	432	100 percent

Canvasser Peterson, seconded by Canvasser Snow, moved to approve the following Resolution No. 2023-12-01 certifying the 2023 Municipal General Election results. The motion passed unanimously.

KEARNS METRO TOWNSHIP COUNCIL

RESOLUTION NO. 2023-12-01

December 6, 2021

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

RECITALS

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

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

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WHEREAS, Utah Code § 20A-4-301(2)(b) requires the Board to meet and canvass 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 Kearns Metro Township Council, as the official Board of Canvassers, accepts and approves the attached election report for the 2023 Municipal General Election for the Kearns Metro Township.

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

	Council District 1 – Four Year Term	
Patrick Daniel Schaeffer		212
	Council District 3 – Four Year Term	
Chrystal Butterfield		429
	Council District 5 – Four Year Term	
Kelly Bush		432

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

Council District 1 – Four Year Term
Patrick Daniel Schaeffer
Council District 3 – Four Year Term
Chrystal Butterfield
Council District 5 – Four Year Term
Kelly Bush

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4. Pursuant to Utah Code § 20A-4-304, the Kearns 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 Kearns Metro Township; (2) to the Utah Public Notice Website for one week; and (3) on the Kearns Metro Township Website for one week; and
- d. File a copy of the certified report with the Lieutenant Governor.

APPROVED and ADOPTED this 6th day of December 2023.

KEARNS METRO TOWNSHIP COUNCIL

ATTEST:

By /s/ KELLY F. BUSH
Mayor

By /s/ LANNIE CHAPMAN
Clerk/Recorder



Planning

Title 12 Updates

Nathan Bracken, Legal Counsel, Kearns Metro Township, gave an overview of the four purposes of these changes.

The first was to implement the methamphetamine home abatement bill by requiring the use of abatement professionals to clean up contaminated buildings and to start the 180 day period required by the bill.

The second distinguished between major and minor violations, with the latter requiring only a warning and applying only to weeds that cover less than 100 square feet or junk that covers 50 square feet.

The third created a definition for “residing in an RV”.

The fourth created a clearer process for obtaining an administrative search warrant.

The Council decided to change the language for RV use to “...*between the hours of 1:00 am and 5:00 am for no longer than 14 days within a six month period.*”

Council Member Snow, seconded by Council Member Schaeffer, moved to approve the updates subject to the above referenced change. The motion passed unanimously.

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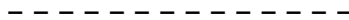
2024 Final Budget and Amendments to the 2023 Budget

Public Hearing on 2024 Budget

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

There were no comments in favor of nor in opposition to the 2024 Final Budget.

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



Adoption of 2024 Budget

Council Member Snow, seconded by Council Member Schaeffer, moved to approve Resolution 2023-12-04. The motion passed unanimously.

KEARNS METRO TOWNSHIP COUNCIL

RESOLUTION NO. 2023-12-04

December 6, 2021

A RESOLUTION ADOPTING THE KEARNS METRO TOWNSHIP'S 2024 BUDGET

RECITALS

WHEREAS, Kearns Metro Township ("Kearns") is a municipality and political subdivision of the state of Utah; and

WHEREAS, on November 13, 2023, Kearns adopted a tentative budget for the 2024 fiscal year; and

WHEREAS, Kearns provided notice pursuant to Utah Code Ann § 10-6-113 concerning the tentative budget and of the date, time, and place of a public hearing on the same; and

WHEREAS, on December 6, 2023, Kearns held the public hearing on the tentative 2024 budget in accordance with Utah Code Ann. § 10-6-114.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the tentative budget adopted on November 13, 2023, and attached hereto, be and hereby is adopted as the Final Budget of Kearns for the 2024 fiscal year.

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2. The Kearns budget officer is directed and authorized to file the final budget with the Utah State Auditor within thirty (30) days of the date of this resolution pursuant to Utah Code § 10-6-118(2).

3. This resolution shall take effect upon its adoption.

APPROVED and ADOPTED this 6th day of December 2023.

KEARNS METRO TOWNSHIP COUNCIL

ATTEST:

By /s/ KELLY F. BUSH
Mayor

By /s/ LANNIE CHAPMAN
Clerk/Recorder

Public Hearing on 2023 Budget Amendments

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

There were no comments in favor of nor in opposition to the 2023 Budget Amendments.

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

Adoption of 2023 Budget Amendments

Council Member Snow, seconded by Council Member Butterfield, moved to adopt the 2023 Budget Amendments. The motion passed unanimously.

KEARNS METRO TOWNSHIP COUNCIL

RESOLUTION NO. 2023-12-03

December 6, 2021

A RESOLUTION ADOPTING THE KEARNS METRO TOWNSHIP'S AMENDED 2023 BUDGET

RECITALS

WHEREAS, Kearns Metro Township ("Kearns") is a municipality and political subdivision of the state of Utah; and

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WHEREAS, on November 13, 2023, Kearns adopted a tentative amended budget for the 2023 fiscal year; and

WHEREAS, Kearns provided notice pursuant to Utah Code Ann § 10-6-113 concerning the tentative amended budget and of the date, time, and place of a public hearing on the same; and

WHEREAS, Kearns made the tentative amended budget available for public inspection for a period of at least ten (10) days prior to the public hearing in accordance with Utah Code Ann. § 10-6-112; and

WHEREAS, on December 6, 2023, Kearns held the public hearing on the tentative amended budget in accordance with Utah Code Ann. § 10-6-114.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the tentative amended budget adopted on November 13, 2023, and attached hereto, be and hereby is adopted as the Amended Budget of Kearns for the 2023 fiscal year.
2. The Kearns budget officer is directed and authorized to file the Amended budget with the Utah State Auditor within thirty (30) days of the date of this resolution.
3. This resolution shall take effect upon its adoption.

APPROVED and ADOPTED this 6th day of December 2023.

KEARNS METRO TOWNSHIP COUNCIL

ATTEST:

By /s/ KELLY F. BUSH
Mayor

By /s/ LANNIE CHAPMAN
Clerk/Recorder

Adoption of 2024 Fee Schedule

Nathan Bracken, Legal Counsel, Kearns Metro Township, explained civil penalties. He noted this would not change violations; it would only change the fees imposed.

The Council had a discussion on major vs. minor parking violations. It decided to keep the distinction.

Council Member Snow, seconded by Council Member Schaeffer, moved to adopt Resolution 2023-12-05, noting a typo that needed to be changed from 2022-12-05 to 2023-12-05. The motion passed unanimously.

KEARNS METRO TOWNSHIP COUNCIL

DATE W E D N E S D A Y DECEMBER 6, 2023

RESOLUTION NO. 2023-12-05

December 6, 2021

AN ORDINANCE OF THE KEARNS METRO TOWNSHIP COUNCIL ADOPTING THE 2024 FEE SCHEDULE

RECITALS

WHEREAS, the Kearns Metro Township (“Kearns”) contracts with the Greater Salt Lake Municipal Services District (“MSD”) to provide planning and development, business licensing, and code enforcement services (the “Services”); and

WHEREAS, Section 3.42.060 of the Kearns Metro Code states that all “fees or charges for services provided ... shall be set by the council;” and

WHEREAS, the MSD board approved the attached 2024 fee schedule for the Services the MSD provides; and

WHEREAS, the Kearns Council desires to adopt the attached 2024 fee schedule.

NOW, THEREFORE BE IT RESOLVED BY THE KEARNS METRO TOWNSHIP COUNCIL that effectively immediately:

1. The attached 2024 fee schedule is adopted: and
2. Staff are instructed to file this resolution and the attached fee schedule with the Kearns Metro Township Clerk; and
3. Staff are instructed to post this resolution and the attached 2024 fee schedule to the Kearns Metro Township website and to the “Municipal Resolutions Book” within Kearns’s Municode page; and
4. The 2024 fee schedule will go into effect on January 1, 2024.

APPROVED and ADOPTED this 6th day of December 2023.

KEARNS METRO TOWNSHIP COUNCIL

ATTEST:

By /s/ KELLY F. BUSH
Mayor

By /s/ LANNIE CHAPMAN
Clerk/Recorder



Other Business

Minutes October 12, 2023

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These minutes were approved at the previous meeting.

Adoption of 2024 Meeting Dates

Council Member Snow, seconded by Council Member Butterfield, moved to approve the meeting dates for 2024. The motion passed unanimously.

Future Agenda Business

Nathan Bracken, Legal Counsel, Kearns Metro Township, gave some updates on the Salt Lake Valley Law Enforcement Service Area (SLVLESA) letter.

Mayor Kelly Bush stated he hired Kory Hollaway as a lobbyist to look out for Kearns' interests in the upcoming legislative session. His retainer will be \$1,000 a month.

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Closed Session

Council Member Peterson, seconded by Council Member Snow, moved to close the open session of the Kearns Metro Township Council meeting to discuss the character, professional competence, or physical or mental health of an individual and reasonably imminent litigation. The motion passed unanimously.

The Council reopened the Kearns Metro Township meeting.

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

LANNIE CHAPMAN, COUNTY CLERK

By _____
Deputy Clerk

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CHAIR, KEARNS METRO TOWNSHIP

