

DATE TUESDAY APRIL 25, 2023

THE MAGNA METRO TOWNSHIP COUNCIL, STATE OF UTAH, MET ON TUESDAY, APRIL 25, 2023, PURSUANT TO ADJOURNMENT ON TUESDAY, APRIL 11, 2023, AT THE HOUR OF 6:00 P.M. AT THE WEBSTER CENTER AT 8952 WEST MAGNA MAIN STREET (2700 SOUTH), MAGNA, UT 84044.

COUNCIL MEMBERS PRESENT: ERIC BARNEY
AUDREY PIERCE
TRISH HULL
DAN PEAY, Mayor

EXCUSED: STEVE PROKOPIS

OTHERS IN ATTENDANCE: PAUL ASHTON, LEGAL COUNSEL
RORI ANDREASON, ADMINISTRATOR

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Mayor Peay, 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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Public Comments

There was no public comment.

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Unified Police Department (UPD)

Chief Del Craig, Unified Police Department, stated crimes and calls for service are staying steady. UPD is down about 50 crimes from last year. Public Order calls are also down and UPD hopes that continues. Unfortunately, gang activity has increased. UPD is in the process of conducting and finalizing a youth gang assessment as part of a grant it received. It is looking at risk and contributory factors. Gang activity tends to ebb and flow in Magna and can be unpredictable. The main activity is on the east side of the city near the border of West Valley City. He has met with the police Chief of West Valley to discuss how to collaborate and fight gang activity. Most of the time with gang activity, the victims and the perpetrators know each other.

DATE

TUESDAY

APRIL

25, 2023

Council Member Hull stated UPD is implementing a youth court that will handle and redirect the first time offenders. It has also received funds from Choose Gang Free (CGF) to hire two more advocates. These advocates are very effective in getting kids to open up and talk. It is also looking into parenting programs specific to youth involved in gangs. There are former gang members on the task force who have real-world experience.

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Magna Financial Report

Dave Sanderson, Financial Manager, stated Magna Metro Township is 25 percent through the fiscal year and expenses are only at 10 percent of what was projected. On the revenue side, sales tax and building permits are both up.

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Community Stakeholder Reports

4th of July

Kari Duckworth stated the committee has a sponsorship/partnership letter that she and Sarah sent out to a few people, but they have questions on how to invoice those parties and ensure the funds are properly distributed. There is an invoicing system through Squarespace that could be used if appropriate. So far, 23 individuals and 12 vendors have enrolled to participate in the parade, and a third person has volunteered. She distributed signs for Council members to place in their yards.

Magna Chamber of Commerce

Mayor Peay stated anybody interested in being involved in the Chamber of Commerce could attend the meeting held the third Thursday of the month at noon at the Webster Center.

Pleasant Green Cemetery

Sharon Nichols stated the cemetery sold one resident plot, has had one burial, has sold eight headstone sets, and is getting ready for the Memorial Day clean-up. The person who normally puts the flags up on Memorial Day is not able to do that job this year, so if anyone knows of any individual or organization that can help, it would be appreciated. The cemetery has flags; they just need to be set up. There are 30 in total. The flags are put up the morning of Memorial Day and should be taken down before sunset. She will send out an email letting the Council know if she has found someone. In terms of volunteers, the football and soccer teams

DATE

TUESDAY

APRIL

25, 2023

from Cyprus High have volunteered to help with the cleanup. She is hoping to get a head count soon so she can provide lunch for the volunteers. She spoke with a representative from the Daughters of Utah Pioneers earlier today. They are 12 weeks out on the plaques, and they are not likely to arrive on time for Memorial Day.

Code Enforcement Report

Alicia Gonzalez, Code Enforcement Supervisor, stated 25 cases were opened last month and 15 were closed. There are currently 41 open cases remaining. As things are slowly warming, residents need to make sure to pull any weeds that might be obstructing sidewalks and keep their grass below six inches.

Magna Town Council

Todd Richards invited the Council to tomorrow night's Youth Academy closing dinner at 6:00 at the Webster Center.

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Consent Agenda

Minutes

Council Member Barney, seconded by Council Member Hull, moved to approve the minutes of the Magna Metro Township meetings held on February 28, 2023 and March 14, 2023. The motion passed unanimously.

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Action/Discussion Items

Discussion and Possible Motion to Consider Resolution No. 2023-04-03 Approving a Request for Allocation of \$150,000 from ARPA Funds for 2700 South Environmental Study

Steven Kuhlmeier, Public Works Engineering, presented information on the request for allocation of \$150,000 from ARPA Funds for the 2700 South Environmental Study.

Council Member Barney, seconded by Council Member Pierce, moved to approve the following resolution 2023-04-03. The motion passed unanimously.

DATE TUESDAY APRIL 25, 2023

RESOLUTION NO. 2023-04-03

DATE: April 25, 2023

A RESOLUTION OF THE MAGNA METRO TOWNSHIP COUNCIL
AUTHORIZING THE USE OF ARPA FUNDS FOR THE 2700 SOUTH
ENVIRONMENTAL STUDY IN THE AMOUNT OF \$150,000

WHEREAS, the Magna Metro Township ("Magna") is a Municipality pursuant to Utah Code §§ 10-2a-401 et seq; and

WHEREAS, Magna is governed by a five-member elected Council under Utah Code Ann. § 10-3-205.5, which Council elects from its members a Mayor, and

WHEREAS, the Magna Council finds it's in the best interest of the citizens of Magna Metro township to authorize the use of ARPA funds for the 2700 South Environmental Study in the amount of \$150,000,

NOW THEREFORE BE IT RESOLVED, by the Magna Metro Township Council, Magna, Utah:

Section 1. The Magna Metro Township Council hereby authorizes the use of ARPA funds for the 2700 South Environmental Study in the amount of \$150,000.

APPROVED AND ADOPTED by the Magna Metro Township Council, in Magna, Salt Lake County, Utah this 25th day of April 2023.

MAGNA METRO TOWNSHIP

BY: /s/ DAN W. PEAY
Mayor

ATTEST:

/s/ LANNIE CHAPMAN
Salt Lake County Clerk
Metro Township Clerk/Recorder

Discussion and Possible Motion to Approve a Funding Request for the 4th of July Celebration

Kari Duckworth stated she has secured donations for bottled water and breakfast, so she does not expect to use the entire \$60,000 requested. She is requesting a new P-card in Jennifer Massey's name for medals and other expenses, and Massey is also working to obtain donations to cover those expenses. Instead of hiring a photographer, they will have members of the community submit photos. The stage will be a big expense, but they are only booking one band so that will save money.

DATE

TUESDAY

APRIL

25, 2023

Council Member Hull, seconded by Council Member Barney, moved to approve the budget of \$60,000 for the 4th of July Celebration. The motion passed unanimously.

Discussion and Possible Motion to Approve Funding for Street Light Replacement

Rori Andreason stated Brian Hartsell at the Municipal Services District (MSD) has reached out to Public Works to find out exactly what was needed for the streetlights. It will cost \$23,548 for the four streetlights, \$11,774 for the two spare poles and fixtures, and \$18,000 for 60 brackets. The total would be \$53,322. She spoke with the trust, and it is putting together a property schedule that would include the streetlights. She just needs to hear from the MSD how many streetlights there are.

Council Member Barney, seconded by Council Member Hull, moved to approve the expenditure of \$23,548 from ARPA funds to replace four streetlights. The motion passed unanimously.

Discussion and Possible Motion to Approve Amendment to the Agreement with Unique Welding Regarding the Costs to Construct the Pleasant Green Cemetery Sign

Rori Andreason stated the estimate in March of 2022 was \$8,900 and since then, the estimate has almost doubled. She asked the Council how to proceed.

Council Member Pierce, seconded by Council Member Hull, moved to approve the increase in cost to construct the Pleasant Green Cemetery Sign. The motion passed unanimously.

Discussion and Possible Motion to Approve Funding for the Magna Dog Park Fence

Rori Andreason stated she thought the \$14,000 bid she received on the dog park fence was high, so she procured another quote from a local business. She emailed it earlier today. A six-foot fence from Integrity Fence USA would be \$12,344.70.

Council Member Hull, seconded by Council Member Barney, moved to approve the \$12,344.70 bid from Integrity Fence USA. The motion passed unanimously.

Consideration of Ordinance No. 2023-O-06, An Ordinance repealing and replacing Title 18 Subdivisions and Title 19 Zoning.

DATE

TUESDAY

APRIL

25, 2023

Paul Ashton stated the changes in Title 18 have been incorporated and the changes in Title 19 are in the process of being incorporated. When it comes to a vote, approval should be subject to final staff and legal review.

Council Member Hull, seconded by Council Member Barney, moved to approve the following Ordinance No. 2023-O-06 repealing and replacing Title 18 Subdivisions and Title 19 Zoning, allowing for minor edits and non-substantiative changes by staff and legal counsel, and also allowing for a change in the term of the chair. The motion passed 3 to 1 with a roll call vote showing Council Member Barney voting "Aye", Council Member Hull voting "Aye", Mayor Peay voting "Aye", and Council Member Pierce abstaining from the vote.

ORDINANCE NO. 2023-O-06

Date: April 25, 2023

AN ORDINANCE OF MAGNA METRO TOWNSHIP COUNCIL AMENDING
TITLES 18 & 19 OF MUNICIPAL CODE, PROVISIONS ON ZONING AND
SUBDIVISIONS

RECITALS

WHEREAS, the Greater Salt Lake Municipal Services District provides services to the five Metro Townships in the Salt Lake Valley, unincorporated areas, and the Town of Brighton; and

WHEREAS, the Magna Metro Township adopted each county ordinance in effect at the time of its incorporation pursuant to Utah Code Ann. Subsection 10-2a-414(3) and has authority to amend or repeal the county ordinance when it determines it is necessary; and

WHEREAS, the Magna Metro Township is a municipality and has authority to regulate zoning and subdivisions in general pursuant to Utah Code Ann. Subsection 10-3c-103(2); and

WHEREAS, the Magna Metro Township has authority to adopt zoning and subdivision regulations pursuant to Utah Code Ann. §10-9a-501 in accordance with the Municipal Lane Use, Development, and Management Act, ('MLUDMA'), Title 10, Section 9a, Utah Code, to protect public health, safety, and welfare; and

WHEREAS, the Council deems it necessary to amend its ordinance in order to ensure compliance with State Statute, encourage conformity with the Magna General Plan, promote ease of use for residents and staff, and preserve the unique character of the Magna community; and for the protection and preservation of the public health, safety and general welfare.

BE IT ORDAINED BY MAGNA METRO TOWNSHIP COUNCIL as follows:

1. Chapter 9.60, Section 14.12.050, and Section 14.12.060 (Subsection E) of Magna Municipal Code are repealed.
2. Title 18 is repealed and replaced to read as follows:

DATE TUESDAY APRIL 25, 2023

Subdivision Ordinance: The following Title 18 is hereby repealed and replaced in its entirety with the revised Title 18 attached hereto as Attachment 1.

3. Title 19, excluding Chapter 19.70, is repealed and replaced to read as follows:

Zoning Ordinance: The following Title 19, excluding Chapter 19.70, is hereby repealed and replaced in its entirety with the revised Title 19 attached hereto as Attachment 2.

4. Severability. If a court of competent jurisdiction determines that any part of these Ordinances is unconstitutional or invalid, then such portion(s) of these Ordinances, or specific application of these Ordinances, shall be severed from the remainder, which shall continue in full force and effect.

5. Effective Date. This Ordinance will take effect immediately upon posting and publication as required by law.

PASSED AND ADOPTED this 25th day of April 2023.

MAGNA METRO TOWNSHIP COUNCIL

/s/ DAN W. PEAY
Mayor

ATTEST:

/s/ LANNIE CHAPMAN
Salt Lake County Clerk

Consideration of Ordinance No. 2023-O-07, An Ordinance of the Magna Metro Township Council Amending the Zoning Map to Change the Zoning of the Property at 8519 West 3100 South from R-1-6 to C-1

Curtis Woodward, Senior Planner, Municipal Services District (MSD), stated the property, a limited-scale restaurant, has always been in a residential zone since it was built in the 1950s. The current owner, Michael Forsyth, is seeking to sell the property to a potential buyer who intends to use the property as a catering business instead of a restaurant. The MSD does not have the authority to approve such a change and encouraged Mr. Forsyth to apply for a rezone. The property is small and converting it into a home would be impractical and costly. The Planning Commission recommends approving the zoning amendment with the stipulation that the property can be used for specific limited purposes.

Michael Forsyth stated he has been trying to sell his properties at 8519 West and 3100 South but has lost potential buyers because of the zoning limitations. There are about 4 to 5 feet in between the buildings and other than that, there is just a driveway. This property has been operating as a commercial property since 1957.

DATE

TUESDAY

APRIL

25, 2023

Council Member Hull, seconded by Council Member Barney, moved to approve the following Ordinance 2023-O-07, changing the zoning of the property at 8519 West 3100 South from an R-1-6 to a C-1, subject to the conditions recommended by the Planning Commission. The motion passed unanimously.

Ordinance No. 2023-O-07

Date: April 25, 2023

AN ORDINANCE OF THE MAGNA METRO TOWNSHIP COUNCIL AMENDING
THE ZONING MAP TO CHANGE THE ZONING OF THE PROPERTY AT 8519
W. 3100 S. FROM R-1-6 TO C-1

RECITALS

WHEREAS, the Greater Salt Lake Municipal Services District provides services to the five Metro Townships in the Salt Lake Valley, unincorporated areas, and the Town of Brighton; and

WHEREAS, the Magna Metro Township is a municipality and has authority to regulate Zoning in general pursuant to Utah Code Ann. Subsection 10-3c-103 (2); and

WHEREAS, Magna Metro Township has authority to adopt zoning ordinances, including a zoning map pursuant to Utah Code Ann. § 10-9a-501 in accordance with the Municipal Land Use, Development, and Management Act, ("MLUDMA"), Title 10, Section 9a, Utah Code, to establish zones within the metro township; and

WHEREAS, the Council deems it necessary to amend its zoning map in order to accommodate the reasonable use of the existing non-conforming restaurant at 8519 W. 3100 S.; and for the protection and preservation of the public health, safety and general welfare.

BE IT ORDAINED BY THE MAGNA METRO TOWNSHIP COUNCIL as follows:

1. Section 19.06.020, The Zoning Map of Magna Metro Township is hereby amended as follows:

The property described in Application #REZ2023-000825 filed by Michael Forsyth, and located at 8519 W. 3100 S., within Magna Metro Township, is hereby reclassified from the R-1-6 (Single Family Residential) zone to the C-1/zc (Neighborhood Commercial) zone, said property being described as follows:

PARCEL # 14-29-327-050-0000

LEGAL DESCRIPTION: Beginning 73.5 feet West from the Northeast Corner of Lot 1, THOMAS GARDENS SUBDIVISION, West 21.5 feet; Southwesterly along a 25-foot radius curve to left 39.27 feet; South 78 feet; East 40 feet; North 52 feet; East 6.50 feet; North 51 feet to beginning. (Being part of Lots 1 & 2, Thomas Gardens Subdivision)

Pursuant to section 19.90.060 of the Salt Lake County Code of Ordinances, 1986, development of said property is subject to the following condition:

DATE TUESDAY APRIL 25, 2023

Permitted uses shall be limited to the following:

- A. Retail shops and services, excluding gas station, motor vehicle repair, motor vehicle rentals or motor vehicle sales;
- B. Personal Care Services;
- C. Restaurant, Mobile Restaurant, Food Cart, Catering

2. The official zoning map kept on file with the Planning and Development Services Division of the Municipal Services District of Greater Salt Lake shall be changed to reflect this ordinance.

3. Effective Date. This Ordinance will take effect immediately upon posting and publication as required by law.

PASSED AND ADOPTED this 25th day of April, 2023.

MAGNA METRO TOWNSHIP COUNCIL

/s/ DAN W. PEAY
Mayor

ATTEST:

/s/ LANNIE CHAPMAN
Salt Lake County Clerk

Consideration of Resolution No. 2023-04-04 Requesting Admission to the Utah Retirement Systems

Council Member Pierce stated this resolution needs to be approved to stated Magna Metro Township is authorized to hire full time employees and it would like to be part of Utah Retirement Systems (URS). She needs to send in the resolution along with some other documentation as part of the application process. Any employees hired by Magna Metro Township going forward will be part of URS as well. If Magna changes to a city, an amendment will be necessary.

Council Member Barney, seconded by Council Member Hull, moved to approve Resolution 2023-04-04 Requesting Admission to Utah Retirement Systems. The motion passed unanimously.

RESOLUTION NO. 2023-04-04

DATE: April 25, 2023

A RESOLUTION OF MAGNA METRO TOWNSHIP COUNCIL REQUESTING
ADMISSION TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM

DATE TUESDAY APRIL 25, 2023

WHEREAS, the Magna Metro Township ("Magna") is a Municipality pursuant to Utah Code §§ 10-2a-401 et seq; and

WHEREAS, Magna is governed by a five-member elected Council under Utah Code Ann. §§ 10-3-205.5, which Council elects from its members a Mayor, and

WHEREAS, Magna Metro Township is authorized to employ personnel on a full-time basis; and

WHEREAS, it is in the public interest to provide benefits authorized by Utah state law for the personnel by the City; and

WHEREAS, it is the intent of the Metro Township Council to approve and authorize coverage under Public Employees' Retirement Systems for City personnel.

NOW THEREFORE, be it resolved by the Magna Metro Township Council, Magna, Utah that the City Administrator and Mayor are authorized to undertake all of the necessary actions to enroll the City in the benefit programs of the Public Employees' Retirement Systems offered by Utah Retirement Systems, including the retirement coverage and death benefit coverage for qualified employees under the laws and regulations of the Utah Retirement Systems.

ADOPTED by the Magna Metro Township Council, Magna, Utah, this 25th day of April, 2023.

MAGNA METRO TOWNSHIP

BY: /s/ DAN W. PEAY
Mayor

ATTEST:

/s/ LANNIE CHAPMAN
Salt Lake County Clerk
Metro Township Clerk/Recorder

Discussion Regarding Hiring a Consultant to Investigate Creating a Magna Sports Park

Council Member Hull stated this was discussed at the last meeting. There needs to be a conversation with Ryan Perry at Rio Tinto, but she would like to have somebody do an evaluation of Magna and see if it is feasible.

Council Member Barney stated he would prefer to speak with Rio Tinto first.

DATE

TUESDAY

APRIL

25, 2023

Council Member Hull stated she would reach out to Ryan Perry to schedule a meeting.

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Council Reports

Wasatch Front Waste and Recycling District (WFWRD)

Nothing to report.

Greater Salt Lake Municipal Services District (MSD)

Nothing to report.

Unified Fire Authority (UFA)

Council Member Hull stated UFA is hoping the County Council will approve funding for the budget and recognize the canyons are a community-wide asset and not just utilized by Brighton. Ninety-eight percent of the calls in the canyon are not from Brighton residents.

Other Announcements

Council Member Hull stated there needs to be a meeting with UDOT, UPD, the Council, UTA, Union Pacific, and Granite School District, Ivory Homes, and D.R. Horton to discuss U-111 where the new growth is. There are problems that need to be resolved.

Magna in Motion does not want to be involved in National Night Out Against Crime 2023. Magna In Motion, as part of the Magna Communities that Care, is proposing moving the event that would normally be called Night Out Against Crime to August 21st at Magna Copper Park. It would be called Magna Community Connections Night, as the name has more of a positive connotation. Salt Lake County Parks and Recreation has been notified.

*Salt Lake County Animal Services Advisory Board
Magna Mosquito Abatement District*

DATE

TUESDAY

APRIL

25, 2023

Council Member Pierce stated she had nothing to report since neither the Salt Lake County Animal Services Advisory Board nor the Magna Mosquito Abatement District had met since the last time she reported.

Council Member Barney asked if mosquitos would be a problem this year.

Council Member Pierce stated there would need to be additional abatement efforts due to all the snow melt. The Board is looking at partnering with Tooele to provide drone services that can cover ground more effectively.

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

LANNIE CHAPMAN
METRO TOWNSHIP CLERK

By _____
Deputy Clerk

CHAIR, MAGNA METRO TOWNSHIP COUNCIL

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