



EMIGRATION  
CANYON

## EMIGRATION CANYON CITY COUNCIL MEETING

**JUNE 25, 2024, 7:00 PM**

UNIFIED FIRE AUTHORITY STATION 119

5025 E. EMIGRATION CANYON ROAD, SALT LAKE CITY, UT 84108

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### EMIGRATION CANYON CITY COUNCIL MEETING MINUTES

#### **Council Members Present:**

Joe Smolka, Mayor  
Jennifer Hawkes, Deputy Mayor  
Robert Pinon, Council Member  
David Brems, Council Member  
Catherine Harris, Council Member

#### **Staff Present:**

Cameron Platt, Legal Counsel  
Nichole Watt, Salt Lake County Deputy Clerk  
Nicole Smedley, Municipal Services District Council Clerk/Recorder  
Stuart Okobia, Municipal Services District Director of Finance

#### **Others Present:**

Dawn Larsen, Unified Police Department  
Gary Bowen, Salt Lake County Animal Services Representative  
Eric Hawkes, Emigration Improvement District Manager

#### **1. Welcome and Determine Quorum**

Mayor Smolka, presiding, called the meeting to order at 7:00 PM.

#### **2. Pledge of Allegiance**

The Pledge of Allegiance was recited.

#### **3. Recognize Visiting Officials**

Nicole Smedley introduced herself as the new Council Clerk/Recorder for the Municipal Services District (MSD).

#### **4. Public Hearing**

##### **4.1 Public Hearing to Receive Comments from the Public Regarding the Proposed FY2025 Emigration Canyon Budget**

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#### **EMIGRATION COUNCIL MEMBERS**

MAYOR JOE SMOLKA, DEPUTY MAYOR JENNIFER HAWKES,  
COUNCIL MEMBER CATHERINE HARRIS, COUNCIL MEMBER ROBERT PINON,  
COUNCIL MEMBER DAVID BREMS

**a) Presentation and Discussion of the Proposed FY2025 Emigration Canyon Budget**

Mayor Smolka and Stuart Okobia, Director of Finance for the Municipal Services District, reviewed the proposed FY2025 Emigration Canyon budget.

**b) Motion to Open the Public Hearing to Receive Comments**

THIS BEING THE TIME heretofore set for a public hearing to consider the Proposed FY2025 Emigration Canyon budget.

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

**c) Public Comments**

There were no comments made for or against the Proposed FY2025 Emigration Canyon budget.

**d) Motion to Close the Public Hearing**

**Council Member Harris, seconded by Council Member Pinon, motioned to close the public hearing. The motion passed unanimously.**

**e) Further Discussion and Consideration of a Resolution Approving the FY2025 Emigration Canyon budget**

There was no further discussion.

RESOLUTION NO. 2024-06-01

Date: June 25, 2024

A RESOLUTION OF THE EMIGRATION CANYON COUNCIL ADOPTING THE ANNUAL BUDGET FOR FISCAL YEAR 2024 – 2025 FOR THE OPERATION OF THE CITY

WHEREAS, the Emigration Canyon Council has previously adopted a tentative budget for the fiscal year 2024-2025 budget, and

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

WHEREAS, the Emigration Canyon Council has held a public hearing on the proposed Fiscal Year 2024-2025 budget for the City:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL FOR EMIGRATION CANYON:

1. That the attached exhibit A is hereby adopted as the Fiscal Year 2024-2025 budget for the operation of Emigration Canyon for the fiscal year 2024-2025 or until such time as it may be amended.
2. This resolution shall take effect upon passing.

APPROVED and ADOPTED this 25<sup>th</sup> day of June 2024.

EMIGRATION CANYON CITY COUNCIL

By: /s/ JOE SMOLKA  
Mayor

ATTEST  
/s/ LANNIE CHAPMAN  
City Clerk

**Council Member Harris, seconded by Council Member Brems, motioned to pass Resolution 2024-06-01 adopting the Emigration Canyon Annual Budget for fiscal year 2024-2025 for the operation of the city. The motion passed unanimously.**

#### **4.2 Public Hearing to Receive Comments from the Public Regarding the Proposed FY2025 Emigration Canyon Fee Schedule.**

##### **a) Presentation and Discussion of the Proposed FY2025 Emigration Canyon Fee Schedule**

Mayor Smolka introduced the proposed FY2025 Emigration Canyon Fee Schedule, affirming that it remains unchanged from the version adopted in November 2023.

Council Member Pinon requested that the logo be updated and the wording 'metro township' be changed to 'city'.

##### **b) Motion to Open the Public Hearing to Receive Comments**

THIS BEING THE TIME heretofore set for a public hearing to consider the Proposed FY2025 Emigration Canyon Fee Schedule.

**Council Member Pinon, seconded by Council Member Brems, motioned to open the public hearing. The motion passed unanimously.**

##### **c) Public Comments**

There were no comments made for or against the Proposed FY2025 Emigration Canyon Fee Schedule.

**d) Motion to Close the Public Hearing**

**Council Member Pinon, seconded by Council Member Brems, motioned to close the public hearing. The motion passed unanimously.**

**e) Further Discussion and Consideration of a Resolution Approving the FY2025 Emigration Canyon Fee Schedule**

There was no further discussion.

RESOLUTION NO. 2024-06-02

Date: June 25, 2024

**A RESOLUTION OF THE EMIGRATION CANYON COUNCIL ADOPTING A FEE SCHEDULE FOR FEES AND OTHER ASSESSMENTS FOR SERVICES PROVIDED BY THE EMIGRATION CANYON CITY FOR 2024-2025 AND REPEALING AND REPLACING RESOLUTION 2023-11-01**

WHEREAS, the Emigration Canyon City ("Emigration") contracts with the Greater Salt Lake Municipal Services District ("MSD") to provide planning and development services; and

WHEREAS, in addition to Emigration Canyon, the MSD provides planning and development services to the cities of, Kearns, Magna, White City, the Town of Copperton and the Town of Brighton as well as unincorporated Salt Lake County; and

WHEREAS, Section 3.42.040(A)(l) of the Emigration Canyon Code states that all "fees to be charged by [an Emigration Canyon] office or agency shall be proposed by the agency each year as part of the annual budget processes;" and

WHEREAS, Section 3.42.040(A)(3) states that "[u]pon review and approval of fees by the Emigration Canyon Council, the fee schedule shall be placed on file with the Emigration Canyon Clerk;" and

WHEREAS, the MSD board approved the attached 2024-2025 fee schedule for the planning and development services the MSD provides; and

WHEREAS, The Council feels it is necessary to repeal and replace the previously adopted fee schedule to reflect increased costs and other changes in the city activities with the attached 2024 - 2025 fee schedule.

NOW, THEREFORE BE IT RESOLVED BY THE EMIGRATION CANYON COUNCIL THAT:

1. The 2024 Fee Schedule which was adopted by resolution 2023-11-01 is repealed.

2. The attached 2024-2025 fee schedule is adopted pursuant to Section 3.42.040 of the Emigration Canyon Code: and

3. Except as otherwise stated with the attached 2024 fee schedule, the 2024-2025 fee schedule does not modify or alter any civil penalties set forth within the Emigration Canyon Code, including but not limited to the civil penalties set forth in Section 19.94.070.

4. This resolution shall be effective July 1, 2024.

APPROVED and ADOPTED this 25th day of June 2024.

EMIGRATION CANYON CITY COUNCIL

By: /s/ JOE SMOLKA  
Mayor

ATTEST:

/s/ LANNIE CHAPMAN  
City Clerk

**Council Member Brems, seconded by Council Member Hawkes, motioned to approve Resolution 2024-06-02 adopting a fee schedule for fees and other assessments for services provided by Emigration Canyon City for 2024-2025 and repealing and replacing Resolution 2023-11-01 with changes from Metro Township to City, updating the logo, and correcting the 'error of bookmark not defined' in the table of contents. The motion passed unanimously.**

## 5. Reports from other Municipal Providers

### 5.1 Unified Police Department

Detective Dawn Larsen announced they acquired a new [speed] trailer for quicker sign changes. She stated Officer Dave Wilson will now work Saturdays, Sundays, and Mondays, while she will cover Tuesdays through Fridays. Detective Larsen reported an increase in traffic accidents during May. Council members expressed a desire to meet Officer Dave Wilson.

### 5.2 Unified Fire Authority

Council Member Harris reviewed a report from Chief Case regarding Station 119 activity for the Unified Fire Authority in Emigration Canyon for June. Council Member Harris stated that this year's interactive fireworks restriction map is available on the UFA website, along with a link to information regarding which types of fireworks are legal and other safety information.

### **5.3 Salt Lake County Animal Services**

Gary Bowen reported that the County has released educational information regarding keeping animals safe as the temperatures rise.

## **6. Council Business**

### **6.1 Presentation of the Audited 2023 Financial Statements**

Stewart Okobia, Director of Finance for the Municipal Services District, reviewed Emigration Canyon's audited 2023 Financial Statement. Mayor Smolka confirmed that the canyon is in good financial health. Mr. Okobia explained that due to transitioning from a Metro Township to a City status, the budget is now revised from a calendar year of January 2024 to December 2024 to a fiscal year, commencing July 1, 2024, and ending June 30, 2025.

### **6.2 Emigration Canyon Planning Commission Membership and/or Terms**

The Council discussed the current planning commission appointments and term limits. The discussion focused on amending the existing ordinance to permit longer terms and implementing staggered appointments.

### **6.3 Emigration Canyon Community Council Committee**

Cameron Platt, Legal Counsel, noted that the Council's most recent action was the creation of the committee, which is currently unchaired and unstaffed. He emphasized the need for a minimum of three members on the committee to establish a quorum for voting, recording minutes, and taking action. The committee's authority is to function as the executive branch of the government, implementing programs and actions approved and budgeted by the Council. Additionally, the committee may make recommendations on beneficial programs.

Mr. Platt outlined two options for committee appointments:

1. An executive branch committee appointed by the mayor provides flexibility as it does not require a Council meeting.
2. A Council committee, which requires a Council vote to add or remove members.

In either case, the committee can include council members, the mayor, city staff, and volunteers.

Council Member Harris reported on the duties previously handled by the now-dissolved Emigration Canyon Community Council. A discussion followed regarding stipends for committee members. Mayor Smolka suggested appointing staff from the Municipal

Services District, while Council Member Hawkes proposed appointing staff from the Utah League of Cities and Towns.

#### **6.4 Discussion with Emigration Canyon Improvement District Regarding Recent Mill and Overlay in the Canyon and the Chain of Communication**

Eric Hawkes, Emigration Improvement District, reported that risers were not installed prior to the recent mill and overlay on Skycrest Road, causing approximately 13 valves and one manhole to be covered under asphalt. He requests the Council's support in sending a bill to the County to uncover the valves. He also inquired about the communication process regarding road improvements in Emigration Canyon.

Mayor Smolka responded by noting that there is a springtime meeting scheduled with the Salt Lake County Public Works Department and ensured Mr. Hawkes would be included in the next meeting.

The council expressed support for Mr. Hawkes to seek indemnification from Salt Lake County for repairs needed due to the covering of the valves and manhole.

#### **6.5 Discussion Regarding Possible High-Density Development Located at 3052 E Emigration Canyon Road**

Council Member Pinion stated that the Salt Lake City Planning Commission will review the high-density development case tomorrow evening. He stated that the Emigration Canyon Council has drafted a letter outlining their concerns and opposition to the development.

Mayor Smolka confirmed he will attend the meeting to voice these concerns.

#### **6.6 Legal Issues**

Deputy Mayor Hawkes stated that they need a privacy policy for the website.

Mr. Platt stated that he has a draft ready of the privacy policy to post on the website.

#### **6.7 Budget Items**

Mayor Smolka reminded Council Members to submit any budget items before June 30, 2024.

#### **6.8 Consideration of Emigration Canyon Council Minutes**

There were no minutes to approve.

### **7. Council Member Reports**

## 7.1 Council Member Brems

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

Council Member Brems stated that the UPD & SLVLESA separation will be complete effective July 1, 2024, thus resulting in a temporary meeting location to Millcreek City Hall.

### (b) Emigration Canyon Planning Commission

Council Member Brems stated that the Municipal Services District (MSD) was working on making changes to zoning definitions, but there is nothing to review or act on at this time.

### (c) Community Renewable Energy Program

No report was given.

## 7.2 Council Member Harris

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

Council Member Harris reported that the Unified Fire Authority FY 2024-2025 budget has been adopted. She also mentioned that the UFSA Board is considering a tax increase and assured the Council that she will keep them apprised of any developments.

### (b) Watershed Plan

Council Member Harris stated that a final draft is under review by the Division of Water Quality, and she will present it once the review is completed. She noted that the next meeting will be on July 8, 2024, and the completed document should be approved by August.

### Firewise/Chipping Days

Council Member Harris presented a public document reviewing the Firewise program. She reported that Firewise Days was a success and noted that the annual chipping dates are scheduled for the first two weeks in July. She reminded residents that they need to sign up to participate in the chipping program.

## 7.3 Council Member Pinon

### (a) Wasatch Front Waste and Recycling District (WFWRD)

Council Member Pinon reported that the WFWRD is considering an increase in fees to approximately \$24 per month per home. Additionally, eight new side-load sanitation trucks have been added to the fleet, allowing for the retirement of some older vehicles.

Council Member Pinon discussed a test pilot putting locks on the Sunnydale dumpster and giving residents the code. He stated this would mitigate abuse of that dumpster. Additionally, there are some staffing challenges with the Seasonal Container Reservation Program (SCRAP).

**(b) Utah Broadband**

Council Member Pinon stated that there is nothing new to report regarding the Utah Broadband grant and notes that the internet speed at tonight's meeting has improved.

**(c) Update on Possible High-Density Development**

Council Member Pinon stated that there is nothing more to report. Discussion was held previously on agenda item 6.5 regarding the possible high-density development located at 3052 E Emigration Canyon Road.

**7.4 Deputy Mayor Hawkes**

**(a) Website ([www.ecmetro.org](http://www.ecmetro.org))**

Deputy Mayor Hawkes stated she would update the website with a fireworks map and the privacy policy.

**(b) CodeRED**

Deputy Mayor Hawkes stated she would send a CodeRED message with chipping days information and the dumpster code.

**(c) Association of Municipal Governments**

No report was given.

**(d) Utah League of Cities and Towns (ULCT)**

Deputy Mayor Hawkes reported the Utah League of Cities and Towns (ULCT) formed a legislative interim committee that covered topics including public utilities, the Education Interim HB 3003 Fiscal District Amendment, and housing affordability. She stated the convention is scheduled for September 4th and 5th, 2025. The ULCT is currently accepting nominations for service awards and for the Board of Directors.

Deputy Mayor Hawkes stated there are newly opened grant opportunities for summer off-trails work, which could include snowmobile and off-trail tourism, search and rescue, and access and protection activities.

Deputy Mayor Hawkes further noted that she submitted a grant application for restroom maintenance funded by the tourism tax and recommended pursuing this grant annually.

Deputy Mayor Hawkes reported having numerous files on her computer and mentioned reaching out to the Municipal Services District (MSD), as they provide service under Municode. She clarified that this is a separate service, in addition to their ordinances, like Dropbox, where files can be stored and made searchable for many users. Mayor Smolka stated that the MSD is already working on bringing records storage in-house. Deputy Mayor Hawkes expressed that her computer is maxed out and she needs to offload files, as she does not find deleting them appropriate. She stressed the importance of being able to easily locate contracts or files when needed.

Mr. Platt suggested using Dropbox temporarily to offload items, as it is an inexpensive solution. Council Member Harris agreed, provided that all members have access to it. She pointed out the issue of each member having their own organization system.

Council Clerk/Recorder Smedley recommended starting by identifying what records they have, determining their retention schedule, and ensuring that only appropriate records are transferred. She suggested thoroughly understanding the nature of the records first.

Mr. Platt reiterated the suggestion to use Dropbox as a temporary measure for any city-related records.

Council Member Harris added that search capabilities should be an important consideration moving forward.

## **7.5 Mayor Smolka**

### **(a) Greater Salt Lake Municipal Services District (MSD)**

Mayor Smolka announced that the Municipal Services District (MSD) is moving its office to 860 Levoy Dr. He also mentioned that the MSD is extending and reinstating the emergency management services contract and updating the human resources personnel policy. Additionally, he reported that he has been appointed to the MSD Audit Committee.

### **(b) Landfill Council**

Mayor Smolka stated that they are moving ahead with the perimeter road project and that he will have more information after the Landfill Council meets tomorrow.

**(c) Wasatch Front Regional Council (WFRC) Transportation Committee**

Mayor Smolka stated that the Wasatch Front Regional Council (WFRC) has approved the release of the 2025-2030 Transportation Improvement Program (TIP). The programs are listed online and include a roundabout at the bottom of the canyon. There will be an open house in August to accept public comments.

**(d) Council of Governments (COG)**

There was nothing to report.

**(e) Legislative Update**

There was nothing to report.

**8. Citizen Public Input**

There were no public comments. The council discussed adding citizen public input at the beginning of the meeting as well as at the end.

**9. Other Announcements**

Mayor Smolka presented Nichole Watt with a plaque of appreciation.

**10. Future Emigration Canyon Council Agenda Items**

Deputy Mayor Hawkes expressed she would like to keep the records issue on the agenda.

**11. Closed Session per Utah Code §52-4-205**

**(a) Discussion of the Character, Professional Competence or Physical or Mental Health of an Individual.**

**(b) Pending or Reasonably Imminent Litigation.**

**(c) Purchase, Exchange, or Lease of Real Property.**

**(d) Deployment of Security Personnel**

**Council Member Pinon, seconded by Council Member Harris, moved to go into closed session for the sole purpose of discussing the purchase, exchange, or lease of real property pursuant to §52-4-205(1)(d). The motion passed unanimously.**

The meeting went into closed session with Council Members Pinon, Brems, Harris, Hawkes and Mayor Smolka present along with Cameron Platt, Nichole Watt and Nicole Smedley.

The meeting returned to regular open session at 10:18 PM. No action was taken during the closed portion of the meeting other than the approval of the motion to close the closed portion of the meeting and return to the regular open session.

**12. Motion to Adjourn Meeting**

**Mayor Smolka, seconded by Council Member Brems, motioned to adjourn. The motion passed unanimously.**

Mayor Smolka declared the meeting to be adjourned at 10:19 PM.

**Approved by the City Council the \_\_\_\_th day of \_\_\_\_\_, 2024:**

\_\_\_\_\_  
Joe Smolka, Mayor

**ATTEST:**

\_\_\_\_\_  
Nicole Smedley, Council Clerk/Recorder